

**COMMISSION OF INQUIRY INTO STATE CAPTURE**

**HELD AT**

**PARKTOWN, JOHANNESBURG**

10

**10 SEPTEMBER 2019**

**DAY 160**

20

**PROCEEDINGS COMMENCE ON 10 SEPTEMBER 2019**

**CHAIRPERSON:** Good morning Ms Norman, good morning everybody.

**ADV THANDI NORMAN:** Good morning Mr Chairperson.

**CHAIRPERSON:** Yes are we ready?

**ADV THANDI NORMAN:** Yes we are ready thank you Chair.

**CHAIRPERSON:** Yes let us start.

**ADV THANDI NORMAN:** Thank you Chair. Before you we have placed Exhibit CC31 for this witness. We are going to ask for a short adjournment after the testimony of this witness to put the relevant files  
10 for the next witness Chair.

**CHAIRPERSON:** Okay that is fine.

**ADV THANDI NORMAN:** Thank you, yes thank you. Chair we are ready to lead the evidence of Mr Van Vuuren. May he be sworn in? His evidence continues from the DTT project as stated before the Chair by Ms Mokhobo and also Doctor Mothibi on Friday thank you.

**CHAIRPERSON:** Yes okay.

**ADV THANDI NORMAN:** Yes thank you.

**CHAIRPERSON:** Please administer the oath or affirmation?

**REGISTRAR:** Please state your full names for the record?

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** Anton Lourens Janse Van Vuuren.

**REGISTRAR:** Do you have any objection to taking the prescribed oath?

**MR ANTON LOURENS JANSEN VAN VUUREN:** No.

**REGISTRAR:** Do you consider the oath to be binding on your conscience?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes.

**REGISTRAR:** Do you swear that the evidence you will give will be the truth; the whole truth and nothing but the truth, if so please raise your right hand and say, so help me God.

**MR ANTON LOURENS JANSEN VAN VUUREN:** So help me God.

**ADV THANDI NORMAN:** Thank you Chair. Before the witness commences may I ask that this Exhibit 31 be admitted as – into evidence?

**CHAIRPERSON:** The lever arch file containing the statement of Mr  
10 Anton Lourens Janse Van Vuuren and annexures will be marked Exhibit  
CC31.

**ADV THANDI NORMAN:** Thank you Mr Chairman. Thank you. Thank  
you. Thank you Chair. Mr Van Vuuren could you please – there is a  
file that has been placed before you.

**CHAIRPERSON:** Well I am – let me clear that Ms Norman because I do  
not know if you are making a mistake that I might make myself so I  
want to.

**ADV THANDI NORMAN:** Yes Chair.

**CHAIRPERSON:** Make it clear.

20 **ADV THANDI NORMAN:** Yes.

**CHAIRPERSON:** I always get confused whether the surname would be  
Jansen Van Vuuren or just Van Vuuren. So are you Mr Jansen Van  
Vuuren or are you Mr Van Vuuren?

**MR ANTON LOURENS JANSEN VAN VUUREN:** I am Jansen Van  
Vuuren Mr Chair.

**CHAIRPERSON:** Jansen Van Vuuren?

**ADV THANDI NORMAN:** Thank you Chair. Thank you for being...

**CHAIRPERSON:** So you see I helped you.

**ADV THANDI NORMAN:** Thank you. You helped me thank you Chair. Thank you. Mr Jansen Van Vuuren where are you currently employed?

**MR ANTON LOURENS JANSEN VAN VUUREN:** I am employed in the South African Post Office.

**ADV THANDI NORMAN:** Yes. Could you just state your qualifications for the record please?

10 **MR ANTON LOURENS JANSEN VAN VUUREN:** I matriculated in 1978 I know that it stands there 1979 it was an error.

**ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** And I started my career as a teller in the South African Post Office in December 1978.

**ADV THANDI NORMAN:** Yes. You have made the – you want to correct what you put in paragraph 5 Chair.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes, yes.

**ADV THANDI NORMAN:** At page 2. Where he says he matriculated in 1979 he says he would like to change that to 1978.

20 **CHAIRPERSON:** Oh okay thank you.

**ADV THANDI NORMAN:** But a supplementary will be done.

**CHAIRPERSON:** Okay alright that is fine.

**ADV THANDI NORMAN:** Yes thank you Chair. Thank you. And you were telling the Chairperson then you moved through the ranks – Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja I moved through the

ranks and was promoted as a senior manager in 1997. I served in various positions in the South African Post Office as senior manager and is currently deployed in the South African Post Office Project Management office in the strategic department.

**ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Through the years I built up extensive experience and expertise in the following [indistinct] areas in the post office in contract management, product management, regional management, operations management, project management, 10 business solutions for new innovations and services, implementation of new innovations. I have been appointed as the South African Post Office Project Manager for the Broadcasting Digital Migration Project in November 2014. My role in the project is to ensure the successful execution of the South African Post Office role as a distribution partner in accordance with the DTTMO that was signed off between USAASA for the rendering of the service.

**ADV THANDI NORMAN:** Yes thank you. You – before we proceed with your evidence there is a demonstration that you wish to show the Chairperson. Now could you just briefly tell the Chairperson what is it 20 that you want to demonstrate to him?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Mr Chair I just want to – there is two SEB types involved. The one is the DTT antennae and the other one is the satellite decoder. If you allow me I would just like to take you through how it works?

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** And the intelligence that have been built in from the distribution aspect on the matter.

**CHAIRPERSON:** Thank you.

**ADV THANDI NORMAN:** Thank you Chair.

**CHAIRPERSON:** Yes you may do so.

**ADV THANDI NORMAN:** Thank you Mr Chair. Okay sorry you might have to just stand just behind that other microphone.

**CHAIRPERSON:** Ja, ja he will – if you would be able to give instructions from – from where you are please do that so that you will  
10 be recorded properly.

**ADV THANDI NORMAN:** Thank you.

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN:** Thank you Chair.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Thanks. Can I ask that you – that we go to that [indistinct] or we can start at this one first? Mr Chair the one on your left side is the one that works with the antennae.

**CHAIRPERSON:** Oh okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** I do not know if you will be able to see the antennae there in the window.

20 **CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** And then the decoder is here on the white piece of paper.

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** On the thing. So you would see that the equipment is exactly the same as that of MTN and

the current ones that is used by ETV for open view. So it is the decoder and antennae and then that guy's on that side is also a decoder for the satellite and then also it is linked to a satellite dish on the outside. I am just going to show you how the DTT antennae works. So we got – currently we got in the – there is currently twelve channels available on the – on the DTT the date work and they are all free to Edge Channels. On the MTN side we currently it is a subscription. So if you already on MTN you are already on digital. If you are on Open View of ETV also already on digital. Then the areas then currently in  
10 the areas that is – that is not covered by the Max – Max7 there is currently seven channels available and nineteen radio stations. I am just going to take you through the one for the DTT side. There is SABC if you can just go through the channels. SAB2, 3, 4, SABC Encore, SABC News HD, Parliament, E-TV, Extra, E-Movies, E-Tunes and that is your communicate radio station. Now Mr Chair you would see where we rolled out we have started in the Northern Cape and the far remote areas. Some of those areas did not even have signal they never had a TV. Now most of the areas had either TV2 with snowflakes and they also had maybe not SABC3 and 1. So you can see on antennae side  
20 what is the improvement.

**ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** If we can go – if you allow me we will go to the DTTH one.

**ADV THANDI NORMAN:** Thank you.

**CHAIRPERSON:** Yes thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** On the DTTH – oh it is remote sorry. You can just go also there through the channels SABC3, SABC Encore, SABC News, E-TV, Parliamentary, Johnny that is a community TV, Elf. Now this is the additional channels that is – that is currently on the satellite side.

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** And so there is many more – when the person cannot or a household that has been receiving the DTT and it cannot receive the signal we issue then the DTT satellite  
10 decoder. And the channels however there is that there is more channels currently available on the channel and that currently leads to some social political problems which has to be addressed.

**ADV THANDI NORMAN:** Yes.

**CHAIRPERSON:** Hm.

**ADV THANDI NORMAN:** So are you installing both in all the communities or a household as a choice?

**MR ANTON LOURENS JANSEN VAN VUUREN:** I am going to explain to you how the process works.

**ADV THANDI NORMAN:** Yes alright thank you.

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** You will see that. I do now know if there is anything else on the screens you want to see Mr Chair?

**CHAIRPERSON:** No, no if you think that is enough I do not – I think that should be fine.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja.



**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN:** Thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Mr Chair...

**CHAIRPERSON:** Yes thank you Mr ...

**MR ANTON LOURENS JANSEN VAN VUUREN:** From a distribution side on the – as the last aspect before I go over to the presentation what we have done is the equipment. We have created a barcode for the four types of equipment. That is the antennae for the DTT and the DTT decoder. Then it is the satellite dish as well as the satellite  
10 decoder. They have – all four of them have a product code which is formulated into a barcode. In the barcode we built in the name of the supplier, the type of equipment and then also the serial number which reflects the quantity of the specific product. Now from our side we can then manage and control all the stock through those serial numbers at any point in time. If we – if there is anything that comes that is broken that must be – that is faulty or received by getting the – by reading the barcode we know immediately to who does it belong. We know what is the error code and we put all that in reports for USAASA who will then take it up with the suppliers. That is what I have on the demonstration  
20 side.

**ADV THANDI NORMAN:** Yes thank you. And then can we then move onto the slides now.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes please.

**ADV THANDI NORMAN:** Yes thank you. Chair mostly his evidence is contained on the slides but he has dealt with it in his affidavit.

**CHAIRPERSON:** Yes that is fine.

**ADV THANDI NORMAN:** We thought it will be quicker to deal with it through those slides thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Mr Chair I am going to first give you just a highlight on the background. If we can go to ...

**ADV THANDI NORMAN:** Paragraph 9 at page 3.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Page 3.

**ADV THANDI NORMAN:** Oh sorry you mean the slides?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja.

10 **ADV THANDI NORMAN:** Alright sorry.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Page number, number 20.

**ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** If we can go to page number 20.

**CHAIRPERSON:** Yes.

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** I am just waiting. Ja on the – that is the facilitator I have indicated we have aligned the presentation in accordance with the statement. So I think you will get a good understanding if we – if we have gone through the [indistinct] presentation. If we can go to slide number 3. The next one. Thank you. Mr Chair I have – I just want to – want to explain to you how the – the transmission and the signal work because it is directly linked how we issue the equipment. You would see on the left side is the – is the transmission centre of Centac they send the signal to the satellite. The

satellite will send the signal to the centre towers. Now there is currently 183 of those terrestrial towers across the country. Now if the person...

**CHAIRPERSON:** I am sorry. I can see where it is written Centac transmission centre on my – on page 20 that is light there which you are showing there.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes.

**CHAIRPERSON:** But I am looking for the centre where you say the satellite sends transmission to.

10 **MR ANTON LOURENS JANSEN VAN VUUREN:** So – ja so if you look on the left hand of the block it shows those two lines going up to the satellite.

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** That is the transmission that Centac sends to the satellite.

**CHAIRPERSON:** Yes..

**MR ANTON LOURENS JANSEN VAN VUUREN:** Then Mr Chair if you look down it comes then down with the arrow to the towers. The arrow on the right.

20 **CHAIRPERSON:** Yes there are two arrows one goes almost vertically down.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes that correct ja,.

**CHAIRPERSON:** That is the one you talking about?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes.

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** To the satellite.

**CHAIRPERSON:** And those are the towers?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes.

**CHAIRPERSON:** Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Then it will – then you will see the signal will come down from the satellite to the towers.

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Now what will happen is if the person qualify for a DTT decoder that signal he receives it  
10 through the tower and it will go then to the antennae at his house. If you go – if you move to the right to the block underneath to the right.

**CHAIRPERSON:** Oh that is the one you are talking about yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes that is correct ja.

**CHAIRPERSON:** Yes that is the one coming from the towers?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes correct.

**CHAIRPERSON:** On the left hand side?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes to the antennae.

**CHAIRPERSON:** Oh to the left of – to our right?

**MR ANTON LOURENS JANSEN VAN VUUREN:** That is right ja.

20 **CHAIRPERSON:** Ja. Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes 100%.

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Then if you – if the household there is – they cannot receive the DTT antennae we issue them with a satellite decoder and you will see from the satellite on top

right there it takes the signal directly to the satellite dish at the house.

**CHAIRPERSON:** Oh okay I am just going to ask you repeat what you have just said.

**MR ANTON LOURENS JANSEN VAN VUUREN:** So...

**CHAIRPERSON:** If the household does not have?

**MR ANTON LOURENS JANSEN VAN VUUREN:** If the household – if the household do not qualify for a DTT because it cannot receive the signal through the tower.

**CHAIRPERSON:** Yes.

10 **MR ANTON LOURENS JANSEN VAN VUUREN:** We issue that household then with a satellite decoder.

**CHAIRPERSON:** Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** And it works exactly on the same concept as Mnet, DSTV.

**CHAIRPERSON:** Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** And E-TV currently.

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** It goes then directly to the satellite dish.

20 **CHAIRPERSON:** Okay. Okay. Okay. Thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** That is right.

**CHAIRPERSON:** Thank you.

**ADV THANDI NORMAN:** And sorry Chair that demonstration assumes that each household will have a flat screen and what if it is a different TV?

**MR ANTON LOURENS JANSEN VAN VUUREN:** The TV it does not matter it will receive both signals.

**ADV THANDI NORMAN:** It will?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja both signals.

**ADV THANDI NORMAN:** Okay thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Mr Chair I think now that is the – I am not a technical expert on things but that is the best that I can demonstrate it to you.

**CHAIRPERSON:** Oh that is now at page 21.

10 **ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Right we going to then to page number, number 21.

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** The Post Office because of our large infrastructure throughout South Africa and because of our current experience that we dealt with in the past we have done major black empowerment share schemes which all involve application technology and platforms. Then the Post Office we in the parcel – we in the parcel business. So because of that experience and  
20 things we had all that we have done with this project is that we link the application and the parcel thing together. Because end of the day the household has to register. We created an application form for that. We will come to it and then we have to issue him the kit that he qualifies for and I am going to take you through the process how it works.

**ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Now for this the Post Office have then entered into a MOU with the Department of Communications with USAASA and the SABC on 31 July 2012 and for the rendering of the service as a – as the division partner we enter into a DTTMA with USAASA directly. That MOA have expired in 31 March 2018 we have renewed it and the new expiry date is now 31 March 2021. We go to the – to page number 22. Initially when the rollout was planned it was planned for a three year period and based on that three year period our planning was that we have to issue about 5 800  
10 decoders a day. You can – you can understand the impact of that on a ...

**CHAIRPERSON:** A day over how long?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Over a period of three years.

**CHAIRPERSON:** Shoo.

**MR ANTON LOURENS JANSEN VAN VUUREN:** So if you take 5 million decoders into consideration that – so it is a massive project. It involved huge operational expertise and logistics and the Post Office are perfectly positioned for that. We have started with the pilot in the  
20 SK area because it was one of the priority areas to have radio silence with the satellites they have put up in that area and we started in 1 October 2015 and it has been completed in that area. We – the DOC then for the second phase and I am going to come to the detail on that the delivery plan was approved for on the 11 October 2018 and the – and the latest plan it is based on the completion of the registration and

distribution of the current 1 405 073 kits that USAASA have purchased. We want to get that done. We want to get it out of the way and we are going to show you where we currently in the process with that. The second one is that they want to embark on the remaining 3.3 million on a voucher model and that model is currently under review by the Minister. Then based on the – on the latest completion date the rollout is now scheduled for completion by June 2021. If we can go to the – to the next slide, slide number 23. There is a lot of stakeholders and scope of work involved in this project. The Department of  
10 Communications, Department of ag IKASA, The Bureau of Standards they were involved in the testing of the equipment, Centac as the signal provider, DOC as the radio frequency spectrum an harmonisation with neighbouring countries as well as the Public Awareness Campaigns they were – they are driving that. USAASA was... Bureau of Standards they were involved in the testing of the equipment, Centac as the signal provider, DOC as the radio frequency spectrum an harmonisation with neighbouring countries as well as the Public Awareness Campaigns they were – they are driving that. USAASA was...

**CHAIRPERSON:** I am sorry.

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** Yes.

**CHAIRPERSON:** What is the second DOC what does it represent? There is the first Department of Communications, DOC and then there is another DOC?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja it is Department of Communications. I just ...



**CHAIRPERSON:** Department of?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Of Communications.

**CHAIRPERSON:** Same communications.

**MR ANTON LOURENS JANSEN VAN VUUREN:** It is just the same one.

**CHAIRPERSON:** Oh why is it done twice? Is there any particular reason or that was an error?

**ADV THANDI NORMAN:** May I ask where Chair is looking?

**CHAIRPERSON:** Hm.

**ADV THANDI NORMAN:** On which page?

10 **CHAIRPERSON:** I am looking at page 23. Are we on the same page?

**ADV THANDI NORMAN:** Oh yes Chair.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja on the same page ja.

**ADV THANDI NORMAN:** Oh I see what you mean.

**CHAIRPERSON:** You see the first stakeholder is mentioned as Department of Communications.

**ADV THANDI NORMAN:** Yes.

**CHAIRPERSON:** And in brackets DOC.

**ADV THANDI NORMAN:** Yes.

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** Ja.

**CHAIRPERSON:** And then you go down then there is a bullet point and another DOC and I was asking whether that refers to Department of Communications as well and if so why it was mentioned twice or whether it was an error?

**MR ANTON LOURENS JANSEN VAN VUUREN:** No, no Mr Chair they

just got three rolls in a total scope of work. So we used abbreviations to explain that rolls further.

**CHAIRPERSON:** Oh okay, okay.

**ADV THANDI NORMAN:** No sorry Mr Jansen Van Vuuren is it not because Centac is also part of government? Is there not a relationship between Centac and DOC?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Currently the Centac, USAASA and the South African Post Office reports to the DTPS which is now Department – which is now the new department.

10 **ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** And Centac is – they are responsible for the establishment of the transmission and the network.

**ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** From that side so they also report now – so we altogether now in – as one department.

**ADV THANDI NORMAN:** Okay.

**CHAIRPERSON:** Oh actually I see that you have got DOC three times so there is another one later.

20 **ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes.

**CHAIRPERSON:** Ja.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja.

**ADV THANDI NORMAN:** Thank you.

**CHAIRPERSON:** Ja okay.

**ADV THANDI NORMAN:** May I just find out I see that all of the stakeholders are all sort of national departments or national agencies. How does that affect then the rollout in provinces because I do not see that local government plays any role in here or is that not relevant at all?

**MR ANTON LOURENS JANSEN VAN VUUREN:** I think when I come to the – in the presentation if you allow me I can explain it there because it is coming up how we – how it is working.

**ADV THANDI NORMAN:** Alright.

10 **MR ANTON LOURENS JANSEN VAN VUUREN:** But we directly involved with right through to the ground.

**ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** To the our local structures.

**ADV THANDI NORMAN:** Alright thank you.

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN:** Yes thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Okay so Mr Chair so you would see that then on my focus in this presentation is then on the  
20 South African Post Office. And our role there is the logistics and distribution of DTTP and the DTT devices. If we can go to slide number, number 24. Now the Post Office role as distribution partner is that we display and distribution for the marketing material. We receive that from the DOC and we distribute that to the branches or our outlets. We also process the application forms for the subsidised set of boxes

during the registration phase. We do the ordering and the warehousing and the distribution of the equipment to the outlets and I am going to explain to you on the next slide how it works. Then the process and delivery of the equipment to the households. Now when each and every household that we register we give a sequential distribution number per province. If you are in Eastern Cape you would – and you the first person that registered there your unique reference number or your distribution number will start with EC 0001 so you will be number 1. So that is what we use to track the household through the end to end process and the system automatically create that unique reference number. And I will take you through the process how it happens.

**ADV THANDI NORMAN:** Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Then we are also responsible for the issue of the insulation voucher to the qualifying applicant. We also then notify the assigned installers to arrange for the installation. We do the verification of the installation vouchers and the payment of the process to the installers. We also then handle the exchange and the placement of any faulty equipment and we then also accept in the case where a household have moved away or he cannot be traced or found by the installer they – we then handle the return of getting that stock back and we then reissue it to a new applicant. Then we also do the insurance of the STP kits up to installation level. If we can go to slide number 26.

**ADV THANDI NORMAN:** Yes. Page 26 Chair.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Mr Chair you would see

that the Post Office as I said we are ideally positioned to render this service. You can see all the platforms. We got a financial system. We got the tracking system. We got the SMS platform which is all existing systems. The only thing that we have done you will the three circles. We have developed a STB data base where we register the household on and where we do then all his registration process, his qualification, the issuing of the stock for what he must qualify for and the installation of that. We also accommodated on the STB system on behalf of USAASA the DTT installer data base. Now how it work USAASA are  
10 responsible for the appointment of the installers. We get those installers from USAASA. We upload them on the system and we activate them. USAASA if for argument sake if we got three installers we say installer A, installer B, installer C. USAASA tell us what is the frequency of that – of the number of kits that that installer must receive. If USAASA say they all three receive equally we then set the percentage on the system and the system will then when the first customer comes will then select installer 1 and he will select then with the next customer installer number 2. So everything is – it is real time and it is – it is system based that we make sure that installers are  
20 strictly then managed according to that – that allocation. Currently USAASA through the bank all the installers the percentage each one received the same quantity and the system are able to do that. The other area that we had to do some development it was in the front end and that is to create a specific for a teller the application form so when the customer come that we register him on the point of sale. And then

you would see the last circle is the STB web server. This enable the call centre at any point in time when they receive a complaint from a customer of anything to go directly in real time to our – to our data base. They will then put in the sequential that unique reference number of the customer or his ID number if whatever it is required and they will then can tell the client that any point in time where is his – his installation process. Whether he have registered if it is in that phase. Whether it is in the distribution side or on the – on the installation side. However we have done the development and done but because of the  
10 challenges currently with the call centre and it is mainly – it is funding issues we waiting for the call centre to get automated to get that link directly. From our side we currently on all the enquiries we receive we do it currently manually.

**ADV THANDI NORMAN:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** The whole - the whole system can at any point and time if the DOC or the Minister whoever requires for us what has been registered in what province, in what town, in what local municipality in what district municipality. With a press of a button we - we have that information available and I am  
20 going to explain to you what is all that information.

The same thing applied with the issuing of a kit. With the press of a button if I have the unique reference number of the customer I can tell you when was his - his stock issued, what were the serial numbers that were issued to him, when was it installed and/or whether it is not installed. All that information in intelligence is available in the

system of the - of the South African Post Office.

So you can see the - the sophistication of the system that the Post Office has built here and it is all for the Government.

**ADV THANDI NORMAN SC:** Hm.

**MR ANTON LOURENS JANSEN VAN VUUREN:** From our side at the end of the day the platform is in place. Whatever other services we need we can give that confidence to the Government that it works and it is there.

**ADV THANDI NORMAN SC:** Yes and can I please  
10 Mr Jansen Van Vuuren can I take you to page 92? When you talk about registration are these the forms that the households would have to complete ...

**MR ANTON LOURENS JANSEN VAN VUUREN:** Hm.

**ADV THANDI NORMAN SC:** Before they get registered? Page 92.

**MR ANTON LOURENS JANSEN VAN VUUREN:** 90 - 92?

**ADV THANDI NORMAN SC:** *Ja.* It will be under folder marked C.

**MR ANTON LOURENS JANSEN VAN VUUREN:** *Ja.* 100 percent. If we go to that form Mr Chair you would see on page 92 ...

**ADV THANDI NORMAN SC:** Yes.

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** That is the application form we have designed. So you would see there is - is the personal detail of the applicant. His residential address. All his - his address where - where he stays and then what is the total number of households in - in the family and then we also again with the - the capturing of this and I am coming to that - that slide we process then

the documentation from here.

You would see the bottom part - Part 2 of that form in the front that is all the things that is built in the system to help the teller to make sure that he does a quality check on the application form when it is captured. I just want to - if we go to the - the second page, page 93 of that application form.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** It shows we have given there how the person who - who qualifies for it. So we - we are stating  
10 there that he must be - he must be an owner of a - of a functional TV set. He must be a South African citizen. The household that is - that is already covered by the - the SABC's concessionary TV licence they qualify by default.

As well as all your - your people - your SASSA grants and recipients. They qualify by default.

**ADV THANDI NORMAN SC:** Hm.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Then the - the other requirement is that the household must - must have a total household income of 3 200 or less. I can just ask that we can go - if you happy  
20 with this just go back to the one ...

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** To the second page.

**ADV THANDI NORMAN SC:** Thank you. Page 27.

**MR ANTON LOURENS JANSEN VAN VUUREN:** On the - on page number 20 - 27 Chair you would see that is the - the logistic system



that the post office have - have put in place for the project and you would see that we have established or set up 14 warehouses nationally. That warehouses is that if the person is in Uppington we have a warehouse in Uppington.

So that we have the stock as quickly as fast as possible at that - at that warehouse. Now what happened, as I have explained earlier on? We have created four product codes for each of the items. We have created - we will create the order. That order will go to USAASA. USAASA will place that order with the supplier.

10 We will say we need thousand DDT. We do not mention a supplier. USAASA will select a supplier who they have appointed and they will provide the - the thousand ones. Then the - we will receive with the equipment a tax file. Now the tax file if we order a thousand let us say DDT from - from company A. They will give us an electronic tax file having all the serial numbers inside there three days before the time.

That serial numbers has to go into our financial system and we then receive the stock. We compare it with that and then we then activate that stock on the - on the financial system. You would also  
20 see then what happened. Then thereafter the post office branches then place an order which is happening centrally and the nearest and that warehouse delivers then the stock to the branches in place.

The same - the same process happens in the case where stock is exchanged. Reversed logistics happen. As the stock has come down the stock would - the stock will go back. On the - on the

graph itself you would see that USAASA is right on top. The - the SAB suppliers the four is on the left and the two antenna and the suppliers on the right and they bring the stock that we ordered then to the - the warehouses that we have got and from there we take it to the branches.

Mr Chair if we can go to the next slide. I think this is the - the one that I want to explain to you how the whole process works at the post office itself. We have gone through the application form. You have seen the form. Now what will happen is that the - the applicant has to bring the form in. He has to bring his proof of ID. His  
10 household income.

He has - he must have proof that he has a functional TV and his - his residential address. We then capture that on the system at the front end. Within - if the teller is - is trained and he is a teller there for a few years he will finalise that transaction between two and three minutes. We then issue him the customer the - the information that is captured on the system talk immediately to the - the DDT database and within seconds we tell the person he has qualified or not and we printing the receipt.

In the case if the person has a foreign ID the system picks it  
20 immediately up and it will print a receipt and say this person does not qualify. It is a foreign ID and you will give him the reason code and he can take that process then further to the call centre. On all the receipts there is a - the - the call centre number is there and they address that.

**CHAIRPERSON:** And part of the requirement for qualifying is your -

your level of income. Is that right?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Your - *ja*. It is your - if you have - if you do not - if you earn more than 3 200 ...

**CHAIRPERSON:** *Ja*.

**MR ANTON LOURENS JANSEN VAN VUUREN:** You will - the system will tell you do not qualify and will indicate that as the reason.

**CHAIRPERSON:** So you have to earn no - not more than 3 000 ...

**MR ANTON LOURENS JANSEN VAN VUUREN:** 200.

**CHAIRPERSON:** 200?

10 **MR ANTON LOURENS JANSEN VAN VUUREN:** That is correct.

**CHAIRPERSON:** Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** As a household.

**CHAIRPERSON:** As a - as a household?

**MR ANTON LOURENS JANSEN VAN VUUREN:** As a household yes.

**CHAIRPERSON:** Oh not just an individual?

**MR ANTON LOURENS JANSEN VAN VUUREN:** No as a household and - and ...

**CHAIRPERSON:** And the household would - would include working children as a matter of interest?

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** It could be.

**CHAIRPERSON:** It would include working children?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes. The -

**CHAIRPERSON:** Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** *Ja*. We ...

**CHAIRPERSON:** Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** We take the total income. If the household indicates - there is an affidavit form - they do not - do not have no income. They just complete the - the affidavit form if there is no proof because when you give proof either you have a bank statement but the people that we have here is the poorest of the poor. They do not have ...

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Any accounts anything.

**CHAIRPERSON:** Yes.

10 **ADV THANDI NORMAN SC:**

**MR ANTON LOURENS JANSEN VAN VUUREN:** So we made it easy for them and flexible the system ...

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** To accommodate them as far as possible.

**CHAIRPERSON:** Yes. So if there are six of you and each one you earns for argument sake R1 000 each. Then you do not qualify?

**MR ANTON LOURENS JANSEN VAN VUUREN:** You will not qualify because it is - they - they take the combined household income.

20 **CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** *Ja.*

**CHAIRPERSON:** But if - if I go and live alone and I earn R1 000 then I - I qualify?

**MR ANTON LOURENS JANSEN VAN VUUREN:** *Ja.*

**CHAIRPERSON:** So I can make myself qualify by getting out of the

household and taking my own household.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Well that - that can happen. *Ja, ja.* That can happen.

**CHAIRPERSON:** Okay. Alright.

**ADV THANDI NORMAN SC:** Thank you Chair.

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Thank you Chair. May I just ask about the residential address? In - in the households that are in informal settlements where there is no street number. There is no home  
10 number. How do you deal with those case?

**MR ANTON LOURENS JANSEN VAN VUUREN:** We - we use - again we - we are very flexible on that. Either a letter from - from the landlord if there is a landlord or an affidavit or in the case he can if he has - if he has any proof of address any proof whatever it is that he got any - any documentation for that - that shows that. We use that.

**ADV THANDI NORMAN SC:** And ...

**MR ANTON LOURENS JANSEN VAN VUUREN:** So ...

**ADV THANDI NORMAN SC:** Oh sorry. Sorry about that; and then once the post office says you do not qualify. That is the end of the matter.  
20 There is no appeal process or anything.

**MR ANTON LOURENS JANSEN VAN VUUREN:** What we - what we do is on each and every - the areas that - that is currently that we identified or built into the system for non - for non-qualifying is a foreign ID. You exceed the income. You do not have a - you do not give us any proof of address. We help you then but at that point in

time we have to give him an affidavit that you has to go and complete.

At that point in time it will say no proof but - or he has not got the proof of a functional TV. So the person can always go back. So we give him a receipt and we tell him you have to obtain this and he will come back and we will then reregister him.

**ADV THANDI NORMAN SC:** Hm. Yes, thank you. Yes, thank you. You may proceed.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Okay. What will happen then Mr Chair and that is where you - the facilitator had asked  
10 me earlier on how do we know which type the person is qualifying for. Once the teller captures the residential address of that person. The system talks immediately to SENTECH. Like you - the same you buying  
airtime the same communication.

Within two seconds SENTECH sends us a message back and says that this person's address he qualifies for a DDT antenna. What he qualifies for a DDT Decoder.

**ADV THANDI NORMAN SC:** Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** We print that then on the registration receipt and also what we then - is the division number  
20 of that is on the receipt and if you can go to annexure number D that is on page number - Annexure D.

**ADV THANDI NORMAN SC:** Yes. That will be page 95 Chair.

**MR ANTON LOURENS JANSEN VAN VUUREN:** 95, ja.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Mr Chair so you would

see that is the registration receipt that the person receives. I have just highlighted for you the green part on top. That says it is a registration receipt. Now there you can see his ID number is there. His title is there. How many households is there. Where does he stay and most important the - the second one in green shows the SAB type that he qualifies for.

In this case the person qualified for DDT and remember the - the network of SENTECH 84 percent is DDT and 16 percent they are seeing as - as satellite.

10 **ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** So in this case the person qualified for a SAB type and you will see at the last - the last one there is the distribution number. So this person has registered in Gauteng and he was number 773 that registered.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSE VAN VUUREN:** So this receipt is immediately after we captured his form. He gets a receipt and he tells me he qualified. Now if we go back to (intervenes).

**ADV THANDI NORMAN SC:** And is there - sorry, before you move on.

20 Is there a monthly payment that this person will have to pay?

**MR ANTON LOURENS JANSEN VAN VUUREN:** No. It is all for free.

**ADV THANDI NORMAN SC:** All for free?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja.

**ADV THANDI NORMAN SC:** Thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Remember as I

explained early on currently when you go with DSTV or M-Net there is a subscription fee?

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** With E.TV there is no subscription but there is a - a once off fee that you have to purchase the equipment.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** With this system everything is for free.

10 **ADV THANDI NORMAN SC:** Thank you. Yes, thank you. Yes. You may move on.

**MR ANTON LOURENS JANSEN VAN VUUREN:** We can go to - back to - to that slide.

**ADV THANDI NORMAN SC:** That will be page 29.

**MR ANTON LOURENS JANSEN VAN VUUREN:** *Ja.*

**ADV THANDI NORMAN SC:** That is where you are dealing now (intervenes).

**MR ANTON LOURENS JANSEN VAN VUUREN:** Page - page 28, *ja.*

**ADV THANDI NORMAN SC:** 28? Yes.

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** Page 28.

**ADV THANDI NORMAN SC:** Alright. Yes, thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** I am sorry that I jump around but I have - I have (intervenes).

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** No that is fine, *ja.*



**ADV THANDI NORMAN SC:** Huh-uh.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Mr Chair you will then see that when the person has registered we then - the stock is - is delivered. So step number two is when the stock is delivered by the supplier as I explained earlier on and we take it then to the post office and the post office warehouse is then number 3 sends then a truck and we deliver it at the branch.

Now when the equipment arrives at the branch the system - we inform the customer via SMS that your equipment is here. You can  
10 come and collect and we send an SMS. So when the customer comes to the - the post office all that you have to do is you have to give us his registration receipt. If he has lost it we only need his ID number. We go on the system.

We verify - the screen will bring up - the person has registered. We verify with his ID and we then see he qualifies for DDT and the teller will go and select a decoder - that one and an antenna. Now all the equipment that the post office received is sealed. We do not open any equipment. It is like the same when you go to Makro or wherever you go and you buy your DSTV or that you receive it sealed.

20 So we have - everything is sealed and all the equipment is - what is supposed to be there for the - for the guy to receive the signal and for the installer to do it successfully is inside this equipment. We then issue it and you - if you can go to page number - slide number - ag, Annexure number E. Excuse me.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Annexure number E, *ja*.

**ADV THANDI NORMAN SC:** That will be on page 96 Chair.

**MR ANTON LOURENS JANSEN VAN VUUREN:** It is 90, *ja*.

**ADV THANDI NORMAN SC:** And then it is - 96 is the divider. It is actually 97, yes.

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Now Mr Chair in this case remember now we have issued him a registration receipt. Now we issue him the equipment. Now you would see again his ID number. His name appears. His ID number appears. His distribution number appears and for the first time we show the serial number of the equipment that he has received.

We then also show that his - that this one is - in - in this case it is also his warrantee and if you look right on the top 16 April is marked there in green on the receipt. So his warrantee is then two years from the date of issue of this receipt. So this is the receipt he must keep as a warrantee. If any of the equipment becomes - becomes faulty.

We then at the same time when we issue when the teller prints the system to print the receipt the system sent a SMS directly to the installer inform - give him the detail of the customer to contact the customer to - to arrange for the installation. At the same time you will see there the installer's name is printed on the receipt - is there the name of the installation company.

This in this case is Durban Quick Installers and we also in

the case of a DDT antenna SENTECH have given us the direction the antenna must be installed. So an installer is also when he received this and he made contact with the customer he knows what is the - the direction of the antenna and he has his name ...

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** And we issue that.

**ADV THANDI NORMAN SC:** Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** With this we also issue the - the customer with an installation voucher. Now the installation  
10 voucher if you just as a - as Annexure G.

**ADV THANDI NORMAN SC:** And that will be at page 102 Chair.

**CHAIRPERSON:** Thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Now Mr Chair in - in this case you would see that when we issued the installation voucher there is no - the form is blank as it is here. Only at the bottom if you - if you look right at the bottom of the - of the page there stands pack label for post office use only. When we issue the - the issue receipt it prints a - a bar code label.

20 That bar code label contains all the intelligence of the customer. We print that. We put that bar code there and you will - you will see now what happened there. So what will happen then is the installer will contact the customer. The customer there they were all happy. The customer then has to complete Part 1 of the - of the installation voucher and the installer has to - and he has to confirm that the system has been successfully connected and he signs it off.

The same declaration must be - must be given by the - by the installer and he signs it off. What happened then is the installer will bring this form to the nearest post office. What we then do is - we - the teller goes through that Part 4 and he checks everything is right. He checks that the form has been completed correctly by the - by the customer and the customer is happy that the service is successful.

The - the installer - that the installer also has signed and when he then - when he has checked that the form is 100 percent correct he then scans that barcode at the bottom. That barcode opened  
10 for him on the screen the full detail of the customer and the assigned installer and that two has to compare.

**ADV THANDI NORMAN SC:** Huh-uh.

**MR ANTON LOURENS JANSEN VAN VUUREN:** If it does not compare we issue him then a receipt that tells him either this has already been installed or it is the wrong installer or the wrong - or the wrong - the wrong customer. So all the controls are in place if the people followed the correct process. You would see on - on Annexure H what will happen then is ...

**ADV THANDI NORMAN SC:** It is page 105 Chair.

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** We issue that receipt ...

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** To the installer indicating to him that the installation was successful and he - what will happen then is within 72 hours he is - he gets then an EFT payment

into his bank account and we send him also a payment advice as confirmation of the payment that has happened via email. So you would see from the registration to the installation process all our procedures are there and again Mr Chair all of this information is with the press of a button. It is available.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** We know what it is.

**ADV THANDI NORMAN SC:** Thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Then if we can just go  
10 back to that original slide. I think we are nearly finished. If go to item  
number nine on that slide. You would see that in the case - now what  
happened is ...

**CHAIRPERSON:** Are we back on - on page - page 28 or ...?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Page - page 28.

**CHAIRPERSON:** 28?

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** Okay.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes, yes Chair. I am at  
- at bullet point number nine. In the case the installer arrived at the  
20 person's house and he opens the equipment with the customer and he  
sees that the remote is not there or anything is wrong. They then  
contact the call centre or they do not get any signal. Let us say he has  
been issued with DDT because remember if the person stays behind a  
mountain or any obstacle and there is interference with the - from the  
tower to his house.

That means he has - we have to convert that customer then to a DTH.

**ADV THANDI NORMAN SC:** Huh-uh.

**MR ANTON LOURENS JANSEN VAN VUUREN:** So what will happen is the process is either the customer or the installer contacts the call centre. The call centre issues them with an authority number after they established what the error is and they will also capture what is the reason for the error. Let us say in - in this case it is a wrong SAB type. It should have been a DTH.

10 **ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** They give the authority number then to the customer and installer and that person brings the equipment back to the post office. We have also received then from the call centre the authority number. The teller will first verify the equipment. Have we issued that equipment?

It belongs to us and by just merely scanning the - the serial numbers of the equipment and then what will also happen then is he will verify the customer that it is the customer and the installer who - who has been assigned. If that is all okay he takes then the other  
20 authority number and he matches the two and we then exchange the equipment.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** The last one on that - on that slide is the return of uninstalled kit. In that case what happens there is if the - if the installer has gone out and he cannot trace the

customer or the customer has passed away or whatever. Then that equipment is returned back - back to the - the post office. I just want to explain currently due to the - the size of the - of the satellite because it is - it is the biggest one you get.

It is about that size (as the witness indicates) and also to fast track the - the issuing process. We have also implemented a bulk issue process where we issue the stock not to the customer but directly to the installer in bulk. The installer comes to the - the post office. We issue it. He gets an SMS that he must come and fetch the stock. Let  
10 us say we have given him five sets.

We will then process a proof of - of delivery and if you go to the proof of delivery. It is Annexure F. We can just go to Annexure F because I think later on it will be critical.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Come to that one.

**ADV THANDI NORMAN SC:** At page 99.

**CHAIRPERSON:** Hm.

**ADV THANDI NORMAN SC:** We - we do not have to go through all that but you just ...

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** *Ja.*

**ADV THANDI NORMAN SC:** Want to demonstrate what he gets recorded?

**MR ANTON LOURENS JANSEN VAN VUUREN:** *Ja. So ...*

**ADV THANDI NORMAN SC:** On Annexure F.

**MR ANTON LOURENS JANSEN VAN VUUREN:** So that is the proof of

delivery that we - that we give the installer. So Mr Chair you can see all the - the detail that appears of that customer. We know it is exactly. He will then on the right hand - he will verify that that he has received that serial numbers and then on the last page he then signs it off and that is the proof that we then also give to the post office and the proof of the stock that we have issued to him.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** That is on the - on the - I do not know whether there is any - any questions on - on that slide  
10 but that is the total process.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** How it works.

**CHAIRPERSON:** Okay, thank you.

**ADV THANDI NORMAN SC:** Thank you and then - then - you then deal - sorry. I think we have covered right up to pages - page 4 of your statement. Am I right?

**MR ANTON LOURENS JANSEN VAN VUUREN:** (No audible reply).

**ADV THANDI NORMAN SC:** Maybe we - we do not have because the  
20 interest was on showing how it works.

**MR ANTON LOURENS JANSEN VAN VUUREN:** *Ja.*

**ADV THANDI NORMAN SC:** We do not have to go through all the slides but you can quickly just itemise without really giving to details. The Chair has read your statement.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Okay.



**ADV THANDI NORMAN SC:** As to the challenges. Just pointing out the main challenges that - that you have noted.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Okay. So we are going skip the - the number of stock that we have issued and everything at this point in time.

**ADV THANDI NORMAN SC:** That - that no, no. I think we - Dr Mutuvhi has given those details ...

**MR ANTON LOURENS JANSEN VAN VUUREN:** Okay. That is fine.

**ADV THANDI NORMAN SC:** To the Chairperson, yes ...

10 **MR ANTON LOURENS JANSEN VAN VUUREN:** Okay.

**ADV THANDI NORMAN SC:** And he also given details of how much has been installed so far and how much is still outstanding.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Great.

**ADV THANDI NORMAN SC:** Yes and then challenges noted - if you go back to page 4 of your statement. You could just deal with those matters briefly. Those that you - you regard as key.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Okay. The challenges that we - if we - if we can go to page 4.

**ADV THANDI NORMAN SC:** Yes.

20 **MR ANTON LOURENS JANSEN VAN VUUREN:** The first one that we had is the - is on the program side. I think the issue Mr Chair if you can see where we have started for - we have planned for three years. From the post office side we can go per province. We can go per municipality. We can go per district municipality or nationally. It is in place.

The - the thing is there - there is the main thing why the registration is - is slow I think is because of - of funding challenges and I think the Ministers are - are aware of that and what they have done in the meantime is that they have embarked on a DDT volunteer registration process whereby we using the current community workers program right down on - on provincial level.

So we have already seen the - with the DOC the first four - four provinces. From the post office side we are responsible for the payment of those volunteers and we are - we are processing the forms.

10 The - three of the - of the provinces have been activated now and I think they are starting to pick up speed.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** So that is why I think with the - the current stock we have to still register about 300 000 people. I think that will happen within the next two to three months.

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** The second one is the non-activation of the - of the issue phase in the - in the Gauteng and the Western Cape. Now the - the challenge there is that from the post  
20 office side as I said we got currently 1 500 outlets. Now they are spread all - all across the country. I can understand the - the impact of that they - that they want to go province by - by province but if I do one - one province the others are standing still while I have the people waiting for that.

So you can understand that some of these guys have been

issued - they have been registered in 2016. They are still waiting for the equipment and the challenges are coming out now which is one of this. I just want to emphasise that from the post office side we can go provincially or nationally. Then the - the biggest one ...

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** That we - that we currently experiencing is the delay with the appointment of the - of the local installers. Now what happened is the installers contracts expired in - it was a phase in process from November last year and the last one  
10 was - was expired in January. There was a lengthy process. So we had - no stock had moved.

No issues had taken place over the last seven months. So the Minister has - has also then understood the importance of this and she has actioned it and we are in the process now to see where we can have the first province up and running within the next two months.

**ADV THANDI NORMAN SC:** Yes. If - if I may ...

**MR ANTON LOURENS JANSEN VAN VUUREN:** Hm.

**ADV THANDI NORMAN SC:** Just direct you to number 15 which becomes the extended bulk warehousing which is something that the  
20 Commission has also investigated going through all the warehouse - most of the warehouses and picking up that there is a lot of stock lying around.

**MR ANTON LOURENS JANSEN VAN VUUREN:** *Ja.*

**ADV THANDI NORMAN SC:** Yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Currently we – as

we said before the installers, the contract expired we were focusing in the Free State and the first province that they want to switch off is the Free State province. So I've only got currently one warehouse and that is in Bloemfontein for that area and all the other 13 there's no movement which means that, that stock has to wait until I'm getting there. We have registered already about 511 000 households that can be issued so I have to wait for the installation programme to kick in to get these local installers into place so that they can activate that and no it means that you will keep on charging – pay housing cost until  
10 those stock has been depleted.

**ADV THANDI NORMAN SC:** And that is coupled with the challenges that the post office has in terms of capacity?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja.

**ADV THANDI NORMAN SC:** Which you deal with in paragraph [indistinct].

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes.

**ADV THANDI NORMAN SC:** And then you have dealt – just given the Chair an idea of the investigations that SAPO has dealt with and you have a slide that you'll show the break ins and the fire problems and  
20 stuff that gets lost in transit and what is the figure that you have there at page six?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Page six.

**ADV THANDI NORMAN SC:** Is that R50 885.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja.

**ADV THANDI NORMAN SC:** That's just the losses yes.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Ja so from our side the most losses that have occurred, there's only 12 incidents you would see that the total items that was lost or damaged is 85 and the total value of that is R50 885. In that case we are insured and we replace it and the money will be paid over to SASSA for the replacement of that.

**ADV THANDI NORMAN SC:** Thank you and then at page seven you deal with the auto general reports, we are not going to deal with that at length because a witness is going to come when he deals with Bosasa and the investigations that were conducted by PWC and National  
10 Treasury, those would relate to those investigations but they tally with the evidence that you've put up.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes we received the AG reports from Bosasa, we're waiting currently for the final report but I can just emphasise from our side it's a major – it's a massive project. From our side what happened, AG that we do an audit at all the warehouses, we have cleared the most of the warehouses but there was a timespan of two days that we had and we couldn't do the remaining ones so the variances have been addressed and the most of those variances are human errors. You know because the project is keeping  
20 on so long we got – we replace staff on a continuous basis. New staff comes in staff – so you will have human errors that happens and – but from our side we put those controls back again and we cleared those variances. At the branch side currently the same scenario, we have cleared all the – there were 30 branches selected, all those branches the variances has been cleared and I think there was two items where it

was [indistinct] branch level but otherwise the rest of the variances were all cleared and we have communicated that.

**ADV THANDI NORMAN SC:** Yes thank you.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Yes.

**ADV THANDI NORMAN SC:** And then in order to make sure that the project doesn't get stalled you have proposed some way forward and you've placed those proposals to the Minister am I correct?

**MR ANTON LOURENS JANSEN VAN VUUREN:** From our side as the Minister, I think she understands the importance the spectrum must  
10 become available as soon as possible, from our side we are preparing and get operationally ready and what the minister wants is that the current stock must be registered and issued, that means the remaining balance of R855 000 kits that lies there – we have already registered R1.1million households so we can already start immediately to install [indistinct] issue R511 000 of that R855 000 and then we still have to register the remaining R300 000 which can happen soon with the volunteer process and we can issue that, that's the first goal. The second goal is then – is that the ministry or the project office embarks on that national volunteer programme to register all the remaining  
20 3.3million households towards the end of the year and we also fully in place with that. From the post office side to ensure from a capacity perspective we have got approval for appointment of staff as well as for warehouse and trans level that they can deal effectively with the capacity that's going to come.

**ADV THANDI NORMAN SC:** Yes thank you, and that's what you cover

in page 13 and 14 of your statement?

**MR ANTON LOURENS JANSEN VAN VUUREN:** That's correct.

**ADV THANDI NORMAN SC:** And all the kits and the numbers and the figures you've given there, we've taken note of them, we don't have to put them on record as to how much your stock is in detail as it is evidence before the Chairperson and then lastly then what you deal with in other at page 14 which is the last part of your statement in paragraph 44, I think roughly you have covered it because when you deal with the way forward it's – what you state there it's also involved  
10 there but is there anything else that you want to highlight in paragraph 44?

**MR ANTON LOURENS JANSEN VAN VUUREN:** Mr Chair I just want to give you a piece of mind that from the post office side this is our core business. This is the – with this platform we can render any item whatever government wants to community the platforms are there. We are committed to ensure the successful completion of this project and – because we realise it is in national interest and from our side we are getting ready, once the Minister announce the plans on the way forward to get operationally ready for those plans.

20 **ADV THANDI NORMAN SC:** Yes thank you and that is your statement before the Chairperson?

**MR ANTON LOURENS JANSEN VAN VUUREN:** That's correct.

**ADV THANDI NORMAN SC:** Yes and your evidence, thank you. Thank you Chair the one thing that I forgot, Chair to mention before we started is that the post office is legally represented, may their counsel

place himself on record, I apologise for that.

**CHAIRPERSON:** Alright let's...[intervenes].

**ADV THANDI NORMAN SC:** When he finishes, thank you Chair.

**CHAIRPERSON:** Yes let him or her put herself of record, please come forward.

**ADV THANDI NORMAN SC:** Good morning Chairperson my name is Invameli Nongomo Advocate representing Mr van Vuuren on behalf of the South African Post office.

**CHAIRPERSON:** Thank you very much, thank you. Thank you very  
10 much Mr Jansen van Vuuren, I wanted to make sure I didn't say Mr van  
Vuuren, Mr Jansen van Vuuren thank you very much for coming to  
share your evidence with the Commission, we appreciate it, for now you  
are excused.

**MR ANTON LOURENS JANSEN VAN VUUREN:** Thank you Chair.

**ADV THANDI NORMAN SC:** Thank you Chair, the witness – the next  
witness is ready waiting but I'm going to ask Chair for a few more  
minutes instead of the normal tea adjournment, there's some videos  
that the witness would like to deal with but I have not viewed them and  
I would like to be given an opportunity to view them and thereafter see  
20 whether they should be presented, if there are challenges I would like  
an opportunity to come and approach in chambers Chair.

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN SC:** Yes thank you, with your leave Chair  
could you grant us an extended tea adjournment, maybe that we  
resume around quarter to twelve if that is acceptable?



**CHAIRPERSON:** Okay that's fine then let's – we'll adjourn for tea and then we will add some more time we'll resume at quarter to twelve.

**ADV THANDI NORMAN SC:** As you please Chair, thank you.

**CHAIRPERSON:** We adjourn.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON:** Are you ready?

**ADV THANDI NORMAN SC:** Yes thank you Mr Chairman. Mr Chairman the next witness is Mr Hlaudi George Motsoeneng. Sorry Chair before  
10 you Chair you will have Exhibit CC30. May this lever arch file be admitted as evidence? There is two statements from the witness Chair. The one is marked 30 – appears under 30.1 and the supplementary statement received last night is marked 30.2.

**CHAIRPERSON:** I can see the one under 30.1.

**ADV THANDI NORMAN SC:** Yes Chair.

**CHAIRPERSON:** The one under 30.2

**ADV THANDI NORMAN SC:** 30.2 Yes Chair. It – there is a divider marked 30.2

**CHAIRPERSON:** Is it towards the end of the [indistinct]?

20 **ADV THANDI NORMAN SC:** Towards the end Chair. Where you have number 16 – between number 15 and number 16.

**CHAIRPERSON:** Oh okay. I found it. It is just that there are already too many dividers.

**ADV THANDI NORMAN SC:** Too many exhibits.

**CHAIRPERSON:** And it makes it difficult.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** To find the right one.

**ADV THANDI NORMAN SC:** Thank you Chair.

**CHAIRPERSON:** Yes. The lever arch file containing the statement of Mr Hlaudi George Motsoeneng and annexures will be marked Exhibit CC30.

**ADV THANDI NORMAN SC:** Yes thank you Chair.

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN SC:** Chair before the witness is sworn in Mr  
10 Motsoeneng is represented. May the counsel place themselves on record?

**CHAIRPERSON:** Yes. His legal team can place themselves on record.

**ADV MACGREGOR KUFA:** Thank you Chair just to place it on record I appear on behalf of Mr Motsoeneng. My name is MacGregor Kufa.

**CHAIRPERSON:** Yes thank you very much.

**ADV THANDI NORMAN SC:** Thank you Chair may the witness be sworn in?

**CHAIRPERSON:** Please administer the oath or affirmation?

**REGISTRAR:** Please state your full names for the record?

20 **MR HLAUDI GEORGE MOTSOENENG:** My name is Hlaudi Motsoeneng.

**REGISTRAR:** Do you have any objection to taking the prescribed oath?

**MR HLAUDI GEORGE MOTSOENENG:** No.

**REGISTRAR:** Do you consider the oath to be binding on your conscience?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**REGISTRAR:** Do you swear that the evidence you will give will be the truth?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**REGISTRAR:** The whole truth and nothing but the truth, if so please raise your right hand and say, so help me God.

**MR HLAUDI GEORGE MOTSOENENG:** So help me so God.

**CHAIRPERSON:** Thank you very much.

**ADV THANDI NORMAN SC:** Thank you Mr Chairman.

**CHAIRPERSON:** You may proceed.

10 **ADV THANDI NORMAN SC:** Thank you. Mr Motsoeneng you will have in front of you a file that is Exhibit CC30. Is that correct?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Yes. If you turn that file the very first page will have a description, an index the second page I beg your pardon. You will have an index that shows your main affidavit and your supplementary affidavit. I would like you to just identify those affidavits. The first one is marked 30.1. There is a divider marked 30.1. It is just on top, the one on top.

**CHAIRPERSON:** I think somebody may need to assist him.

20 **ADV THANDI NORMAN SC:** To assist, thank you Chair. Have you found it?

**MR HLAUDI GEORGE MOTSOENENG:** Yes thank you.

**ADV THANDI NORMAN SC:** Yes thank you. Could you just turn to page 1 of that statement? The markings are on the right hand corner in red.

**MR HLAUDI GEORGE MOTSOENENG:** Red.

**ADV THANDI NORMAN SC:** Yes and there is 001.

**MR HLAUDI GEORGE MOTSOENENG:** Yes I am with you.

**ADV THANDI NORMAN SC:** Thank you. Have you found it?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Thank you. Are those your names that are written there?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Yes. Thank you. And then could you turn to page – I will give you the page now sorry. Page 41.

10 **MR HLAUDI GEORGE MOTSOENENG:** 41?

**ADV THANDI NORMAN SC:** Yes. 41. Are you there?

**MR HLAUDI GEORGE MOTSOENENG:** Yes I am there.

**ADV THANDI NORMAN SC:** Thank you. There is a commissioner of oaths stamp but at page 40 there is a signature and your names appear is that your signature Sir?

**MR HLAUDI GEORGE MOTSOENENG:** Yes it is mine.

**ADV THANDI NORMAN SC:** Yes and did you depose to that affidavit on the 2<sup>nd</sup> September 2019?

20 **ADV THANDI NORMAN SC:** Yes and are the contents of that affidavit true and correct?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Thank you. Shall we then move on and identify the second – that is the supplementary affidavit and that will marked 30.2. It is further down in the pack.

**MR HLAUDI GEORGE MOTSOENENG:** Yes I am there.

**ADV THANDI NORMAN SC:** Are you there sorry? And if you could please have a look at page 227.

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Thank you. Are those your names that appear on that page?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** And then if you turn to page 240, 240.

**MR HLAUDI GEORGE MOTSOENENG:** I am there.

10 **ADV THANDI NORMAN SC:** Is that your signature that appears on that page?

**MR HLAUDI GEORGE MOTSOENENG:** It is mine.

**ADV THANDI NORMAN SC:** And your names appearing there?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Thank you. And then at page 241 there is a commissioner of oaths stamp. Did you depose to that affidavit on the 8<sup>th</sup> September 2019?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Yes thank you. And are the contents of the supplementary affidavit true and correct?

20 **MR HLAUDI GEORGE MOTSOENENG:** True and correct.

**ADV THANDI NORMAN SC:** Yes thank you very much. Shall we then go back to the main statement which appears under 30.1?

**MR HLAUDI GEORGE MOTSOENENG:** Sorry under 20?

**ADV THANDI NORMAN SC:** 30.1 the very first one.

**MR HLAUDI GEORGE MOTSOENENG:** Oh okay.

**ADV THANDI NORMAN SC:** Yes thank you.

**CHAIRPERSON:** I see Ms Norman that that one is written supporting affidavit.

**ADV THANDI NORMAN SC:** Yes Chair yes, yes.

**CHAIRPERSON:** Which ...

**ADV THANDI NORMAN SC:** Means that...

**CHAIRPERSON:** Creates the impression that there is another affidavit that it is supporting.

**ADV THANDI NORMAN SC:** Yes.

10 **CHAIRPERSON:** But I suspect that was just an error?

**MR HLAUDI GEORGE MOTSOENENG:** I – yes I suspect that the lawyers may – his representatives maybe made that error Chair yes. Thank you.

**CHAIRPERSON:** Yes. It is his main affidavit.

**ADV THANDI NORMAN SC:** Yes it is.

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN SC:** Chair these are the only ones that have been submitted.

**CHAIRPERSON:** Okay.

20 **ADV THANDI NORMAN SC:** To the commission.

**CHAIRPERSON:** Yes okay.

**ADV THANDI NORMAN SC:** Yes. Thank you. Thank you. Mr Motsoeneng it is correct – is it correct that you were approached by the investigators of the commission?

**MR HLAUDI GEORGE MOTSOENENG:** That is true.

**ADV THANDI NORMAN SC:** Yes and you were requested to deal with matters that related to the SABC?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Yes. Is it correct that at some point you will give us the details you were employed by the SABC?

**MR HLAUDI GEORGE MOTSOENENG:** It is true.

**ADV THANDI NORMAN SC:** Yes in what capacity were you employed?

**MR HLAUDI GEORGE MOTSOENENG:** Hey I occupy many positions.

**ADV THANDI NORMAN SC:** Yes.

10 **MR HLAUDI GEORGE MOTSOENENG:** Yes. Every position within the SABC I went through all the steps within the organisation.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Except the Chairperson of the board.

**ADV THANDI NORMAN SC:** That one is still coming possibly. Yes thank you. Could you just take the Chair through those steps that you...

**CHAIRPERSON:** Did you not want that one?

**MR HLAUDI GEORGE MOTSOENENG:** Sorry Chair.

20 **CHAIRPERSON:** Is that the one you did not want?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair well ...

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** I started at the SABC in 1989.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** As a freelancer. At that time I

was still at school. There were some talent search where the late Hlapane Masitenyane is the one person from the SABC and others they were head hunting young people because there was a Chappies Little League it was – it was sponsored young people soccer so they identified me there as potential to work for SABC as a freelancer at the time I was still at school.

**ADV THANDI NORMAN SC:** Yes. And then?

**MR HLAUDI GEORGE MOTSOENENG:** I – ai okay.

**ADV THANDI NORMAN SC:** Yes.

10 **MR HLAUDI GEORGE MOTSOENENG:** I moved from that position as a freelancer. I was approached by the late [indistinct] Qwaqwa to leave television.

**CHAIRPERSON:** I am sorry how long did you work as a freelancer or you cannot remember?

**MR HLAUDI GEORGE MOTSOENENG:** I work from 1989 until 1995 early because I started working permanently in 1995 March.

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Yes.

20 **MR HLAUDI GEORGE MOTSOENENG:** Yes Chair. After that I was a freelancer for radio as a journalist until 1995 when I was approached by Alwyn Kloppers who was in charge for news at that time to join SABC permanently and reason being that at that time they were looking for you know black journalists, also looking for people to come on board especially as journalists for different radio stations. We were many as freelancers from different radio stations. They approached me. I agree



to join SABC permanently so in 1995 I was head hunted. And I want to deal with the issue Chairperson here which for me it is – it is an insult for people to say that I have lied about matric. It is very serious issue to me Chairperson. It does not go well with me when everyone media and others they portray me as a liar including Public Protector. And I am going to demonstrate to you Chairperson that I was approached by Alwyn Kloppers.

**CHAIRPERSON:** What was – I do not know if it is he or she – what was his or her position?

10 **MR HLAUDI GEORGE MOTSOENENG:** Chairperson at that time Alwyn Kloppers was in charge for current affairs news.

**CHAIRPERSON:** Was that a man it is just that I cannot hear the name properly except the surname?

**MR HLAUDI GEORGE MOTSOENENG:** Alwyn Kloppers.

**CHAIRPERSON:** Yes would that be a man would that be...

**MR HLAUDI GEORGE MOTSOENENG:** Oh a man Chair.

**CHAIRPERSON:** So that would that be a man or a woman?

**MR HLAUDI GEORGE MOTSOENENG:** A man Chairperson.

**CHAIRPERSON:** Oh okay alright.

20 **MR HLAUDI GEORGE MOTSOENENG:** Yes it ...

**CHAIRPERSON:** So you say his position was what at the time?

**MR HLAUDI GEORGE MOTSOENENG:** He was in charge for current affairs news.

**CHAIRPERSON:** Yes. In the Free State?

**MR HLAUDI GEORGE MOTSOENENG:** Ja he was the [indistinct] in the

head office.

**CHAIRPERSON:** At head office?

**MR HLAUDI GEORGE MOTSOENENG:** At head office.

**CHAIRPERSON:** Okay alright.

**MR HLAUDI GEORGE MOTSOENENG:** Chairperson. I was head hunted and I declare from the onset that Alwyn I do not have matric and we have discussion with Alwyn and then he said to me but you are so talented I do not think I need matric for you to work for SABC. Because I have seen your contribution when you were still freelancing. He sent  
10 the late Olivier. The late Olivier was from Bloemfontein to say go and check this man. He does not have a matric go and engage him. So Olivier came to Qwaqwa to engage me now because I was supposed to go to Bloemfontein to work in Bloemfontein. I also declared to him when I declared he said no Alwyn told me that you do not have a matric. So we went and then we talk. Before I joined SABC permanently Chairperson they took me to a course to go and learn about broadcasting. Normally SABC they do not take a freelancer to go and train a freelancer. It has never happened in the history of the SABC. I am the first person to be taken. Even when I was taken  
20 Chairperson if you look the records of the SABC because normally what they will do I mean you know when you attend these courses they ask about qualifications, they ask about everything, about yourself and so on and so on. In those where we fill those forms you will never find a matric. You will never find where I said I have passed matric because it was a well-known fact that I do not have matric. And Chair I want to

demonstrate to you.

**ADV THANDI NORMAN SC:** I am sorry Mr Motsoeneng sorry to disturb you so that you do not lose this point that you have just made about Mr Kloppers. Chair if I may just refer Chair to the reference bundle.

**CHAIRPERSON:** Hm.

**ADV THANDI NORMAN SC:** Which is Exhibit CC32. Mr Motsoeneng you will see next to you on your left hand side there is a box.

**MR HLAUDI GEORGE MOTSOENENG:** On the left.

**ADV THANDI NORMAN SC:** In that box you will find...

10 **MR HLAUDI GEORGE MOTSOENENG:** One CC sorry.

**ADV THANDI NORMAN SC:** CC32. 32.

**MR HLAUDI GEORGE MOTSOENENG:** CC – oh yes.

**ADV THANDI NORMAN SC:** Thank you. Chair could I please refer the witness to an affidavit that the investigators found in his personal file.

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN SC:** Deposed to by Mr Alwyn Kloppers.

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN SC:** That he has mentioned.

**CHAIRPERSON:** Yes.

20 **ADV THANDI NORMAN SC:** That appears Chair at page 404.

**CHAIRPERSON:** 404.

**ADV THANDI NORMAN SC:** 404. Yes.

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN SC:** Thank you Chair. Is that Alwyn Kloppers that you mentioned to the Chairperson just now?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Yes. Are you aware of this affidavit or are you seeing it for the first time?

**MR HLAUDI GEORGE MOTSOENENG:** I know that affidavit even if I am sleeping.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** Oh do you – do you want to

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** I feel that he was still wanting to make his points. Do  
10 you want to let him finish the points he wants to make then revert to it?

**ADV THANDI NORMAN SC:** Then refer to this?

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN SC:** Oh okay Chair.

**CHAIRPERSON:** Let us allow him...

**ADV THANDI NORMAN SC:** Okay Chair I thought he had moved...

**CHAIRPERSON:** An opportunity to...

**ADV THANDI NORMAN SC:** To just...

**CHAIRPERSON:** To deal with this matter.

**ADV THANDI NORMAN SC:** Alright.

20 **CHAIRPERSON:** Because it is obviously a matter that is quite important to him and it is important to the public.

**ADV THANDI NORMAN SC:** Alright. Thank you Chair.

**CHAIRPERSON:** And this is an opportunity for him.

**ADV THANDI NORMAN SC:** Alright.

**CHAIRPERSON:** To deal with it properly.

**ADV THANDI NORMAN SC:** Okay thank you.

**CHAIRPERSON:** Yes Mr Motsoeneng.

**ADV THANDI NORMAN SC:** Thank you Chair.

**MR HLAUDI GEORGE MOTSOENENG:** Thank you Chair. So I was on the point that I went and attended this course here in Gauteng from Qwaqwa and I was fetched by the SABC employees at that time. Everybody knowing that I do not have a matric. I attend a course. There is a certificate Chairperson.

**CHAIRPERSON:** So in other words part of the point you make is there  
10 would have been no point in you at that time saying you have got matric when everybody knew that you did not have?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** That is part of the point you wanted to make.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Okay continue.

**MR HLAUDI GEORGE MOTSOENENG:** So I attend this course and the reasons for me to attend that course according to management now of the SABC. The reason was I shall get more experience on broadcasting. Because when you are a freelancer you are just you  
20 know reporting but you do not know the game of broadcasting. So I went. Everything went well Chairperson. After that ...

**CHAIRPERSON:** How long was the course? What was the duration of the course?

**MR HLAUDI GEORGE MOTSOENENG:** It was not too long Chairperson.

**CHAIRPERSON:** Like a week, a month, three months?

**MR HLAUDI GEORGE MOTSOENENG:** Let us say between a week and two weeks.

**CHAIRPERSON:** Okay alright.

**MR HLAUDI GEORGE MOTSOENENG:** I am – to be honest I will just check but yes it was not too long. So – and we went with others who were just employed by the SABC. Immediately Chairperson on the 17<sup>th</sup> February in 1995 I received a letter immediately after completing the course that you are employed permanently so from Olivier. And Chair if you look at that letter it is part of my attachment here.

10 **CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** You know what is very interesting? That letter it does not say a matric certificate and because they knew that I do not have a matric certificate. I think the SABC they were concerned about my health. You know when you read it you will see that they are talking about my health I – that is the condition that they put a health condition. So – and when you read that letter in full you will realise that there was no condition for matric. Because even in that document they are saying bring qualification. What will be qualification? Qualification it may be course that you did which I  
20 believe that is the course that I did. I gave them that qualification that they have empowered me. So that is qualification. There is no matric nothing because they knew and Chairperson when Alwyn came remember Alwyn I was supposed to go and work for Lesedi FM. It is just that he was a white man in charge for all this radio stations. What he need to do after that he need to go to the Lesedi FM management to

say I want this man and here are the reasons. When he talk and engage management of the SABC at that time the lady [indistinct] Phulaphula Mathibe [?] they said no actually we are very happy. Ndada [indistinct] I am the one who recruited the man from television and there is affidavit of Phulaphula Mathibe confirming the same matter Chairperson. I was appointed people know him exactly. The only issue that I want to demonstrate to you Chairperson you have probation at the SABC – six months' probation. If you join SABC you have that probation. The affidavit is – the attachment is there. That probation  
 10 for six months which means if I lied about matric I could not pass that probation. Because probation in my view they will look at your performance. They will look on your qualifications. They will ask you where is that matric that you said you have matric? We cannot employ you without that matric it has never happened. That is why I went through that probation. They were happy and they were not unhappy Chairperson. I want to clarify that Chairperson. The only issue that you will find there Chairperson is the issue that when I went to a clerk the lady called Marie Swanepoel – because now it is where you need to submit whatever that you must submit. In our discussion but I was  
 20 already appointed by the SABC. In our discussion she said Hlaudi here is the form and this form you must fill this form. I said to her, look you know what I have written matric but I did not pass matric. But at that time I am working for SABC Chairperson. And you will...

**CHAIRPERSON:** How long after you have started was it when you spoke to that lady?

**MR HLAUDI GEORGE MOTSOENENG:** Sorry Chair.

**CHAIRPERSON:** About how long had you started working permanently.

**MR HLAUDI GEORGE MOTSOENENG:** Ah Chairperson.

**CHAIRPERSON:** When you spoke to that lady more or less? A month, two months, six months?

**MR HLAUDI GEORGE MOTSOENENG:** No, no Chair remember I was a freelancer.

**CHAIRPERSON:** Yes no I mean after permanent appointment.

**MR HLAUDI GEORGE MOTSOENENG:** No, no after permanent  
10 appointment I was appointed in February but starting in March.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes. After that appointment I went to the lady...

**CHAIRPERSON:** Oh so it was immediately after getting the letter for appointment.

**MR HLAUDI GEORGE MOTSOENENG:** I think it was after a day.

**CHAIRPERSON:** After a day or so.

**MR HLAUDI GEORGE MOTSOENENG:** [indistinct] [Chair and Mr Motsoeneng speaking over one another].

20 **CHAIRPERSON:** Okay alright okay.

**MR HLAUDI GEORGE MOTSOENENG:** I went to the lady to do whatever. I mean your medical aid because I went and I give all those documents. There was a form there where I was supposed to fill whether I had passed Standard Ten or not. So I discussed with the lady. I said no you know what I have written matric but because I have



been supping you know you write and then...

**CHAIRPERSON:** You have been writing supplementary exams?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson.

**CHAIRPERSON:** Ja.

**MR HLAUDI GEORGE MOTSOENENG:** And not even going to school because I was already ...

**CHAIRPERSON:** Not attending school ja.

**MR HLAUDI GEORGE MOTSOENENG:** Working at the SABC and  
Chairperson I want to demonstrate this. It is so painful for us as black  
10 people when you know our history. You know I was alone and you find  
here now SABC is employing you as a freelancer I am not even talking  
about permanent. And you do not have anyone to look after you. What  
you will choose? You will say ai the bread I choose the bread. I say  
let me go and work for SABC. I will go and write which I did but  
normally if you do not attend classes the full time you will fail. Which I  
failed. But I said no someone actually called me and said Hlaudi you  
know what you need to do. If you can – if you can check with the  
Department of Education maybe combine your symbol you may get a  
pass. That was the information that I have got and I went – I said to  
20 this lady no I was advised that if maybe I go and combine the symbols I  
may get a pass. She said no it is fine but fill this form. I filled this  
form Chairperson. I said but I am not even sure about these symbols  
that I am putting here because remember it has been long I do not  
remember. I do not even have those symbols with me. They are in  
Qwaqwa I am in Bloemfontein at school. So I fill this symbols which I

mention I am not sure about the symbols and then he said no because you are going to Pretoria you can fill this one. When you come from Pretoria you can tell me whether you did combine the subject and you did receive a pass. I went with Sophie Mkwena to Pretoria to check my symbols. I came back. After coming back I told the lady no you know what it is a pity I did not succeed and I asked her myself. I said remember you said I should fill this form. She said no do not worry I will write outstanding. In my view outstanding it means that I do not have matric. That was my understanding. I did not take that issue of  
10 that I have written Standard Ten there as really the main issue that it is an issue. Because she said to me outstanding for me I do not have matric. But there are also engagement after that where the same lady. When I was investigated now by the SABC in 2000 the lady wrote a letter and the lady said I am aware that Hlaudi went to Pretoria to try to combine his symbols to get a pass. How can I combine if I said I have a matric? What am I going to combine? Because already I have a matric. It is insulting Chairperson for people who do not follow that narrative where I come from about all these issues. In any case Chairperson my view is the only person who can say I lie is my  
20 employer. The person who went and head hunt me and the management of the Lesedi FM. Those are the only people who can say I lied. Anyone who comes I do not know to be honest and it is so painful Chairperson because Media people have been tarnishing my name about matric certificate. Worst part is Public Protector. I do not know what was happening in the – in her mind with due respect Chairperson.

Because here is the Public Protector. If you will check the transcript Chairperson or you listen the recording I deny lying about matric several, several times. Hey Chairperson she push. And the guy who was working with him investigator...

**CHAIRPERSON:** This is now the previous Public Protector?

**MR HLAUDI GEORGE MOTSOENENG:** Yes the former Public Protector.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Sorry Chair the former Public Protector.

10 **CHAIRPERSON:** Yes okay.

**MR HLAUDI GEORGE MOTSOENENG:** She pushed I can see but the Public Protector here what she is pushing? She said to me and this guy was closing the matter. Actually she was closing the matter. He said to the guy no, no, no Hlaudi has answered that question. I said okay. For me I am done. She went and said Hlaudi but looking back do you think you were supposed to write Standard Ten? Looking back, thinking about at that time you were 23 year old. Do you think? I said in my view I mean because Media has been tarnishing me and anybody – I was saying but maybe I was not supposed to even take advice from  
20 the HR to fill that form. But I am not accepting that I lied about my matric. I am just saying that looking now what people are saying about me. How people view me I think I was not supposed to do it. But it does not – I am not saying I accept that I lie – I never lied Chairperson. God knows that I have never lied. Those people who employed me they knew and what is very interesting Chairperson about this matric issue.

Even at the SABC you know when I address people everybody know that I will talk about matric. I will boost about matric. And I will tell people not here at head office even when I was in the Free State that me I will beat you. I am not afraid with your qualifications because I think I am capable and I have a vision and I have a plan. And Chairperson I have won many awards within the SABC. I have – including outside recognition including outside Chairperson. And I want to say Chairperson because I am going to talk about heads or argument Chairperson on the light note you know. You use that in court so. Here  
10 is my issue Chairperson I want to define education because if we do not tell the truth about education this country will collapse.

In my view Chairperson I am very educated. I am very educated and I will tell you why Chairperson I am saying this. If you check all the minutes of the SABC you will see 70 percent of the resolutions of the board or the resolution of the Exco I am the main man influencing the decision within the SABC. So that shows that I am capable.

I have skills but also Chairperson when you look and I am asking time on this Chairperson and I am sorry I know I am talking long  
20 ...

**CHAIRPERSON:** Yes. No that ...

**MR HLAUDI GEORGE MOTSOENENG:** But I would just ...

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Want to ...

**CHAIRPERSON:** I just want you to ...

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** To - to ...

**CHAIRPERSON:** It is an important point for you and to the public and this is an opportunity for you to put your - your side of the story on. So that is why I am allowing you but obviously we cannot go too far ...

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson.

**CHAIRPERSON:** But I am allowing to you a fair opportunity to put your side of the story.

**MR HLAUDI GEORGE MOTSOENENG:** And on the right note  
10 Chairperson when you were asking some questions to others you said to them but if you did advertise this post and allow others to participate you do not think maybe I am just - you did not say that - but you do not think maybe you will get another person who is better than Hlaudi. I can tell you in the SABC no one was better than me.

Even if they advertise it and Chairperson you - we should also look at the calibre of management and the board that the SABC is appointing. We must look at that because that is where the problem is Chairperson and I am going to demonstrate to you why I am saying this. You know you go for interviews. You will find the people who are  
20 asking you questions they are clueless but these people they have been put there and when I am saying they are clueless Chairperson I am not judging people about the degree that they have - how many degrees because the degrees Chairperson if you are appointed to sell milk.

You are a manager somewhere selling milk it does not mean

that you know the SABC because for me education is the knowledge, the expertise the skills of that environment. What I have realised Chairperson why I beat many people there is because at the top I was the only one who has grown within the ranks of the SABC and I understand the SABC.

Even when I talk to the employees of the SABC they know what I am talking about because those are the issues that they know but if you take someone from outside Chairperson those who are saying I am not educated I trained doctors at the SABC. I train lawyers.  
10 When they join SABC what do you know? It is theory because that is what our education system is.

People know theory and when you know theory that is where the problem is.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** You should combine ...

**CHAIRPERSON:** So you - you taught them about what happens in practice at the SABC and how SABC works. That is what you say you taught them about?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson.

20 **CHAIRPERSON:** Yes, yes.

**MR HLAUDI GEORGE MOTSOENENG:** That is why I am saying ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** It is an insult ...

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** For anyone who is saying

Hlaudi is Matricless.

**CHAIRPERSON:** And you - you say that the fact that you do not - you did not have Matric did not prevent you from acquiring a lot of knowledge about how SABC works and that was an important advantage on your side?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson and I want to thank the SABC ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** Because even if you check my  
10 profile ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** They took me to universities.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** I lecture at the universities.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** I wonder how many people who are saying I am uneducated ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** Even the - at - at Wits Business  
20 School ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** I lecture and my lectures ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** About leadership ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** They have turned them as part of their syllabus.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** Who said I am no - I am - I am educated ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** Chairperson.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** It is an insult because we must  
10 view education ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** Differently.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** The way people are viewing it because to have paper Chairperson ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** You are not educated.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** Paper opens doors for you ...

20 **CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** But also you need yourself ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** To empower yourself and I am also always saying Chairperson, education for me I learn every day.

**CHAIRPERSON:** Hm.



**MR HLAUDI GEORGE MOTSOENENG:** So that for me ...

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Is education. Maybe

Chairperson ...

**CHAIRPERSON:** Yes. I think ...

**MR HLAUDI GEORGE MOTSOENENG:** So that I do not long ...

**CHAIRPERSON:** Yes, yes.

**MR HLAUDI GEORGE MOTSOENENG:** Let me pause Chairperson.

**CHAIRPERSON:** *Ja.* No that is fine and then Ms Norman ...

10 **ADV THANDI NORMAN SC:** Thank you.

**CHAIRPERSON:** You can then ...

**ADV THANDI NORMAN SC:** Then take you ...

**CHAIRPERSON:** Take you through step by step ...

**ADV THANDI NORMAN SC:** Thank you.

**CHAIRPERSON:** And that might involve referring you to some of the documents that may have been - that are relevant to something you have already touched upon but she will then now lead you but I wanted you to have a fair opportunity of dealing with this matter that you feel strongly about.

20 **MR HLAUDI GEORGE MOTSOENENG:** Thank you Chair.

**CHAIRPERSON:** Thank you.

**ADV THANDI NORMAN SC:** Thank - thank you very much Chair.

Mr Motsoeneng could you just please have a look at that bundle that is marked CC32 which is next to you. It is - it is a reference file. I think this is the one on your write.

**MR HLAUDI GEORGE MOTSOENENG:** Oh.

**ADV THANDI NORMAN SC:** Yes. CC32.

**MR HLAUDI GEORGE MOTSOENENG:** 32?

**ADV THANDI NORMAN SC:** Yes, yes. On the spine - it is written on the spine outside

**MR HLAUDI GEORGE MOTSOENENG:** Oh, outside?

**ADV THANDI NORMAN SC:** It would be written 32. Is that the one?

**MR HLAUDI GEORGE MOTSOENENG:** Yes. It is the one.

**ADV THANDI NORMAN SC:** Thank you very much. Could you please  
10 turn then to page - I wanted to refer you to page 4-0-4. The affidavit of Mr Kloppers.

**MR HLAUDI GEORGE MOTSOENENG:** 4-0-4?

**ADV THANDI NORMAN SC:** Have you found it?

**MR HLAUDI GEORGE MOTSOENENG:** I am - I am nearly there.

**ADV THANDI NORMAN SC:** Okay, thank you.

**MR HLAUDI GEORGE MOTSOENENG:** Yes - yes Chair.

**ADV THANDI NORMAN SC:** Yes, have you found - thank you.

**MR HLAUDI GEORGE MOTSOENENG:** I am there.

**ADV THANDI NORMAN SC:** It is quite - it is about three pages long  
20 but I would like to take you just to identify who Mr Kloppers was and maybe just take you to the paragraphs that deal with your qualification if you are happy with that. Unless of course you feel that there are other paragraphs that you need to highlight. Thank you.

**MR HLAUDI GEORGE MOTSOENENG:** I am fine. I am fine.

**ADV THANDI NORMAN SC:** Yes. In paragraph 1 he says:

“I the undersigned Alwyn Kloppers do hereby make the following statement under oath. I am an adult male employed by the South African Broadcasting Corporation (“the SABC”) as its Manager Regional Resources SABC News. Facts deposed to herein contain save where otherwise stated or contrary appears from the context within my personal knowledge and are to the best of my knowledge and belief true and correct.”

10 And then he talks about Mr Reddy but in paragraph 5 or maybe four he says - I beg your pardon page 4. He says:

“Most newsrooms obliged ...”

It does not make sense now if I start there. Maybe Chair I should start from paragraph 3 in order to - for it to make sense.

**CHAIRPERSON:** That is fine. That is fine.

**ADV THANDI NORMAN SC:** Is it? Thank you.

20 “During 1994 I was tasked by the then Head of Radio Mr Govin Reddy to assist with the appointment of staff to make the SABC’s newsroom and political desk more representative. At the time I was the Managing Editor of SABC Radio News. Mr Reddy pointed out that the staff should reflect the language needs of the SABC’s audiences in the country and that reporters, news bulletin writers and current affairs staff were required to file

editorial content in all languages.”

Paragraph 4:

“Most newsrooms obliged and staff members were appointed over a period of a few months. However the Free State Newsroom expressed reservations about the drive to transform the SABC Radio News to reflect the demographics of SABC audiences. Several discussions were held with the then Regional Editor of the Bloemfontein Newsroom to convince him to appoint staff. His main reason not to appoint staff was that he could not find Sesotho speaking journalists.”

Five:

“I pointed out to the Regional Editor that he has only one Sesotho speaking person in the newsroom and that it would be impossible for that person to fill for news bulletins and current affairs. I advised him that more staff members were needed to gather news, to produce bulletins on the hour and to fill the current affairs slots of Lesedi Radio Station.”

Six:

“I reminded the Regional Editor that some months earlier I provided him with contact details of his Eastern Free State freelance Mr Hlaudi Motsoeneng who was in regular contact with the Bloemfontein

newsroom and provided quality news for broadcasting. He said that Mr Motsoeneng did not have Matric and as such he would not appoint him.”

Seven:

“The matter was subsequently discussed with Mr Reddy to whom I explained the difficulty I had with the Regional Editor in Bloemfontein and how he was not ...”

**CHAIRPERSON:** Well I am sorry ...

10 **ADV THANDI NORMAN SC:** Sorry.

**CHAIRPERSON:** Ms Norman.

**ADV THANDI NORMAN SC:** It is too long - or maybe the one ...

**CHAIRPERSON:** Ms Norman *ja*. I do think you should read the whole of it.

**ADV THANDI NORMAN SC:** No, thank you. Can we move to paragraph 10?

**CHAIRPERSON:** I - sorry.

**ADV THANDI NORMAN SC:** Paragraph 10 Chair.

20 **CHAIRPERSON:** I think just to tell us what the gist is what it is of what it says.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** Because he has ...

**ADV THANDI NORMAN SC:** He has testified ...

**CHAIRPERSON:** *Ja*.

**ADV THANDI NORMAN SC:** To it.

**CHAIRPERSON:** *Ja.*

**ADV THANDI NORMAN SC:** Maybe paragraph 10 Chair because this is important. He says ...

**CHAIRPERSON:** *Ja* that is fine.

**ADV THANDI NORMAN SC:** “Mr Motsoeneng never lied to or misled the SABC about his qualifications as the SABC was fully aware that he did not have a Matric Certificate when it employed him. In fact he declared this from the outset.”

10 So is that the affidavit that you say you know off by heart?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Hm.

**ADV THANDI NORMAN SC:** In response to the questions and then following that page Mr Motsoeneng there is page 4-0-7. There is the application for employment form. Do you see that?

**MR HLAUDI GEORGE MOTSOENENG:** Yes I see that.

**ADV THANDI NORMAN SC:** Did you complete that form yourself?

20 **MR HLAUDI GEORGE MOTSOENENG:** Yes. I did but some of the - some of the spelling there or the one who wrote Matric is not me. It is the two people who wrote there.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** If you can check the spelling. It is not even the same.

**ADV THANDI NORMAN SC:** Yes but on - on the form itself did you complete your name and your names there?

**MR HLAUDI GEORGE MOTSOENENG:** Yes, yes.

**ADV THANDI NORMAN SC:** Your name and your surname there?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** And your home address and postal addresses?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** And telephone numbers?

10 **MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Thank you and then if you turn over the page you have put in your ID number and your place of birth?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** And you put in the high school?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** And then the highest standard past if you look at that form and you put in there 10?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** And you put in the year that you passed?

20 **CHAIRPERSON:** I am sorry.

**ADV THANDI NORMAN SC:** Sorry Chair.

**CHAIRPERSON:** Oh you are - you are at page 4-0-8?

**ADV THANDI NORMAN SC:** That is correct Chair.

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** *Ja.*

**ADV THANDI NORMAN SC:** You put in highest standard past and what did you put in there?

**R HLAUDI GEORGE MOTSOENENG:** I put 10.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** And then you - there is year and then what year did you put in?

**MR HLAUDI GEORGE MOTSOENENG:** It is 1991.

10 **ADV THANDI NORMAN SC:** And then you put in your age?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Yes. So do you agree that that information was false? That you had standard - you had passed Standard 10?

**MR HLAUDI GEORGE MOTSOENENG:** I - I do not agree. Reason being as I have already alluded to the issue I did not lie about Standard 10. I was advised by the HR. That is the reason why I went to Pretoria to check whether I can combine those symbols to give me a Matric Certificate. I did not lie at all and already I was employed by - by the  
20 SABC.

The - the issue that I am saying Chairperson that I am saying - I am saying looking back. Not accepting - looking back I was not supposed to take this advice from the lady but there is no lie and the SABC did not - the SABC knew that I do not have a Matric. They employed me because the Public Protector what he was pushing he was



saying no actually Hlaudi was - he was supposed to be employed because of Matric.

That is false. It is wrong and misleading Chairperson honestly ...

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Because I - I - if -if I was another person I would say no because this form even if you check Chairperson is - is written - many people written there but because I am honest I accept did you say who. Yes. I - I put that one. I will say it is  
10 Marie Swanepoel because she is the one who wrote here if I was having my own but I knew that did it but I was not lying. I did not lie.

**ADV THANDI NORMAN SC:** Yes. I am going to put this question differently.

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** If I divorce my mind from your evidence that you have given earlier and all I have before me is this form page 408. If I look at that form I can say that the person who is mentioned on this form has passed Standard 10 and ...

**MR HLAUDI GEORGE MOTSOENENG:** No.

20 **ADV THANDI NORMAN SC:** Sorry, sorry. May I finish please?

**MR HLAUDI GEORGE MOTSOENENG:** Okay.

**ADV THANDI NORMAN SC:** Okay. The person who is mentioned on these pages passed Standard 10 and his subjects he had English an E symbol; South Sotho, E symbol; Afrikaans, E symbol; Bibs, E symbol and History F. That is what I read from this page. Alright. Would this

information be correct?

**MR HLAUDI GEORGE MOTSOENENG:** It is not correct because when you look Chairperson in that form outstanding Matric.

**ADV THANDI NORMAN SC:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** On the right hand side which was written by the lady called Marie Swanepoel. When you look here and this talks to the issue that I was not even sure about my symbols Chairperson - when you look here the symbols that I put here I was just putting - I put the symbols there but they do not even give you a pass.

10 Those symbols they do not give you a pass.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** They are - four of them are symbol E and then the fifth one is - is it J?

**MR HLAUDI GEORGE MOTSOENENG:** F Chair.

**CHAIRPERSON:** F, okay.

**ADV THANDI NORMAN SC:** Yes Chair.

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Yes. So the point that I am making is you must remember a person looking at this form does not know your  
20 interactions with Ms Swanepoel. The person looking at this form is looking at a person who has passed Standard 10 according to what is recorded here.

**MR HLAUDI GEORGE MOTSOENENG:** Chair with due respect I will submit that just reading the form it does not give you the person passed Standard 10. If you did not go to school you can believe this

but if you went to school you must read you must check what is the - what is the meaning of all issues and analyse it.

**ADV THANDI NORMAN SC:** So I just want to understand. Are you saying because I need to understand exactly what the point you making is. I am not understanding it. Are you saying that this information that you are putting - that you had put in here was unreliable information because you must look at it and compare with what Ms Swanepoel had said on the right hand side?

**MR HLAUDI GEORGE MOTSOENENG:** I - I am saying this  
10 Chairperson. I was advised - I am saying I was not sure about the symbols which Marie Swanepoel in her own letter confirmed this. Marie Swanepoel in her own - by writing outstanding Matric confirmed this. This document according to me Chairperson in - in my view when I came from Pretoria now coming back to say I do not have Matric.

I cannot get those symbols to give me a pass. For me the HR - they were supposed to remove this paper. They were supposed - as HR - they were supposed to - to remove it but instead of removing it they put outstanding and in my understanding because I engaged - in my understanding outstanding is - Matric is outstanding.

20 **ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** So - and it - it was well known that I did not lie about Matric.

**ADV THANDI NORMAN SC:** So in other words then if you say they could have put it away then it makes the point which I am making to you that then - that information was unreliable - incorrect information.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair. You know it is English.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** I do understand, yes.

**ADV THANDI NORMAN SC:** Thank you.

**MR HLAUDI GEORGE MOTSOENENG:** It is unreliable the ...

**ADV THANDI NORMAN SC:** It is, yes.

**MR HLAUDI GEORGE MOTSOENENG:** The information.

**ADV THANDI NORMAN SC:** And it is ...

10 **CHAIRPERSON:** Well let - let me ...

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** Let me - let us leave - leave aside reliable or not reliable. Let us go back to the question that Ms Norman put about whether the information was false. The information that you had passed Standard 10 on what you have told me today could not have been true. Do you - do you understand that or do you want me to continue before you - so that you can follow it?

Maybe let me continue. It could not have been true because you yourself have told me today that you did not have Matric. Standard  
20 10 was Matric. Okay, but it seems to me that what you maybe wanting to say is that although this information that you had passed Matric was not true in writing it down you may have acted in good faith on the advice of Ms Swanepoel if that is the case but it seems to me basically from what you are saying that you cannot say you did not have Matric then but the information that says you had passed Standard 10 is

correct.

The two are mutually exclusive but it is a different thing if you say I accept that what I wrote there is not true but here are the circumstances under which I wrote what I wrote there and when I look at those circumstances I believe I did not do anything wrong - if that is what you say. You - you understand? You understand the distinction?

**MR HLAUDI GEORGE MOTSOENENG**: Chairperson ...

**CHAIRPERSON**: Yes.

**MR HLAUDI GEORGE MOTSOENENG**: 100 percent I agree with you.

10 That is why I was saying even when the Public Protector earlier - when I said looking back I was not supposed to take that advice ...

**CHAIRPERSON**: Yes.

**MR HLAUDI GEORGE MOTSOENENG**: From Marie Swanepoel.

**CHAIRPERSON**: Yes.

**MR HLAUDI GEORGE MOTSOENENG**: I agree with you Chair.

**CHAIRPERSON**: Yes, yes. Okay.

**ADV THANDI NORMAN SC**: Thank you.

**CHAIRPERSON**: Okay.

20 **ADV THANDI NORMAN SC**: Thank you Chair and on the point now that you have agreed with Chair maybe we should take you to what is contained at page 4-1-3 of the same document - same bundle ...

**MR HLAUDI GEORGE MOTSOENENG**: Page?

**ADV THANDI NORMAN SC**: CC32. Page 4-1-3.

**CHAIRPERSON**: I am - I am sorry Ms Norman. Let me just clear this.

**ADV THANDI NORMAN SC**: Yes Chair.

**CHAIRPERSON:** The - the words outstanding Matric Certificate which are written on that page 4-0-8 were they written after you had come back from Pretoria or before you went to Pretoria or do - do you not remember?

**MR HLAUDI GEORGE MOTSOENENG:** I - I Chairperson. I remember everything.

**CHAIRPERSON:** Yes, yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair. The - the symbols on the left hand side ...

10 **CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** I have written them before I went to Pretoria.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** The outstanding one ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** Marie Swanepoel wrote when I came from Pretoria.

**CHAIRPERSON:** Yes, yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

20 **CHAIRPERSON:** Yes, okay. Okay. That is after you had reported back to her how you had gone in Pretoria?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Okay, alright. Thank you.

**ADV THANDI NORMAN SC:** Thank you Mr Chairman. Maybe to - to be fair to you Mr Motsoeneng we should start at page 4-1-1.

**MR HLAUDI GEORGE MOTSOENENG:** I am there Chair.

**ADV THANDI NORMAN SC:** 4-1-1. Are you there? Thank you.

**CHAIRPERSON:** Yes. Page 4-1-1 ...

**ADV THANDI NORMAN SC:** 4-1-1 Chair.

**CHAIRPERSON:** Of the same bundle, *ja*.

**ADV THANDI NORMAN SC:** Same bundle, yes. Thank you Chair.

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** This is a letter that was written to you  
Mr Motsoeneng from Mr Paul Tati Human Resources Consultant. Is that  
10 correct?

**MR HLAUDI GEORGE MOTSOENENG:** That is correct Chair.

**ADV THANDI NORMAN SC:** And - and that letter was dated  
27 March 1996.

**MR HLAUDI GEORGE MOTSOENENG:** Is correct.

**ADV THANDI NORMAN SC:** And then it - the reference is “Educational  
Qualification” and this is what it says:

20 “We refer to the conversation between yourself and  
the writer on 19 March 1996 in the above regard  
and confirm that you have undertaken to write the  
outstanding course towards obtaining your Matric  
Certificate during October 1996. We also confirm  
that it was pointed out to you that the lack of this  
certificate will be a serious impediment in your  
career progression in the corporation. We wish you  
every success in your academic endeavours and

advice that we will follow your progress with interest. Yours faithfully, Paul Tati.”

You - did you receive that letter?

**MR HLAUDI GEORGE MOTSOENENG:** Yes I did.

**ADV THANDI NORMAN SC:** Thank you. If you could just turn over the page at page 4-1-2. This was another letter it appears to be. It looks like a memo but it - it is - it was written to you. Mr Motsoeneng from Ms H Mofokeng dated 12 October 1999 and the subject:

10 “Educational Qualification Matric Certificate: we refer to letter dated 27 March 1996 from Paul Tati regarding outstanding Matric Certificate. You are hereby once again requested to hand in a copy of your Matric Certificate as soon as possible. Attached please find a copy of the letter sent to you by Paul Tati.”

Which is the same letter that we have already read. Oh sorry. I beg your pardon. It is another letter and that appears at page 4-1-3. That one was date 4 May 2000.

20 “Dear Mr Motsoeneng, Matric Certificate: I refer to the above matter and confirm that despite numerous requests and reminders your Matric Certificate is still outstanding. Management must insist that this certificate is submitted to your local Human Resources Office by no later than Friday 12 May 2000. I must also draw your attention to



the fact that you have recorded your highest standard passed as Standard 10 in the application for employment form which you completed when you joined the SABC in 1995. I appreciate your assistance in this regard. Yours faithfully,  
Mr P M Tati.”

Did you also receive that one?

**MR HLAUDI GEORGE MOTSOENENG:** Yes I did.

**ADV THANDI NORMAN SC:** Thank you. Then the last one I would like  
10 to refer you to is the one written by Ms Marie Swanepoel. Is that the lady that you referred to as the one who had written outstanding certificate?

**MR HLAUDI GEORGE MOTSOENENG:** Yes, yes, yes.

**ADV THANDI NORMAN SC:** Thank you and that appears at page 4-1-4. She mentions your name in the second paragraph. Although says re - reference:

“To whom it may concern.”

The letter is dated 5 September 2000.

“G H Motsoeneng, A398.”

20 And she says that - I am sorry just:

“Ms H Botes was aware of the fact that Mr Motsoeneng did not hand in his Matric Certificate which I just wrote on the application form outstanding Matric Certificate March 1995. Mr Motsoeneng thereafter went to Pretoria to see if

he can get a Matric Certificate to combine his symbols. He informed me on the date of appointment that he was not sure of the symbols of his subjects and I informed him that it was fine.”

**MR HLAUDI GEORGE MOTSOENENG:** Correct.

**ADV THANDI NORMAN SC:** Yes. Is that correct; and then the last one on the Matric Certificate issue is also from Ms Letsatsi and that is page 4-1-5 dated 4 May 2000.

10 “I refer to the above matter and confirm that despite numerous requests and reminders your Matric Certificate is still outstanding. Management insists that this certificate be submitted to your local Human Resources Office by Friday ...”

Is it not the same that I read? Yes, it is the same. It is the same letter as the one that I read. I beg your pardon Chair.

**MR HLAUDI GEORGE MOTSOENENG:** I think ...

**ADV THANDI NORMAN SC:** Yes. It is the same letter as the one that appears at 4-1-3 and then page 4-1-6. Do you recognise that document Mr Motsoeneng?

20 **MR HLAUDI GEORGE MOTSOENENG:** Yes. I do.

**ADV THANDI NORMAN SC:** Yes. What - what is this? What - what is this document?

**MR HLAUDI GEORGE MOTSOENENG:** This document it will be the symbols.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** That I was referring to the - now when you combine your - your symbols.

**ADV THANDI NORMAN SC:** Yes. Is this the certificate that you submitted then to your employer?

**MR HLAUDI GEORGE MOTSOENENG:** I - yes.

**CHAIRPERSON:** (Intervenes) certificate.

**MR HLAUDI GEORGE MOTSOENENG:** I think this one Chair it goes hand in hand with Marie Swanepoel.

**CHAIRPERSON:** Hm.

10 **MR HLAUDI GEORGE MOTSOENENG:** Is when the SABC they were starting to investigate this matter. Some people were believing that no I lied ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** For me to be employed at the SABC ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** And then that is when now I - I tried to get this - what do you call? This certificate.

**CHAIRPERSON:** Hm.

20 **MR HLAUDI GEORGE MOTSOENENG:** So that I can check ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** My - whether - my symbols.

**CHAIRPERSON:** Hm.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes. It confirms what

Marie Swanepoel was saying.

**CHAIRPERSON:** Hm.

**ADV THANDI NORMAN SC:** Thank you. So just to end up then that topic all in all then as you can read from what Miss – I know what you had said outstanding matric but outstanding matric certificate may mean that you passed matric but the certificate you have not submitted?

**MR HLAUDI GEORGE MOTSOENENG:** In my view, not at all, in my understanding I'm just talking in my understanding especially knowing  
10 that I have lied, I have never said I have got matric certificate.

**ADV THANDI NORMAN SC:** But then why is that Mr Tati kept on harping on the certificate, when are you submitting your matric certificate?

**MR HLAUDI GEORGE MOTSOENENG:** Ai Chair, maybe he knows why because if you look at his letters, contradiction, in one letter he's saying that our discussion, which is true, our discussion, in that you were right outstanding subjects and he said this is going to have impact on you for your progress.

**CHAIRPERSON:** Yes let's go to that letter because that might be  
20 important.

**ADV THANDI NORMAN SC:** That is true Chair, we'll find it, sorry...[intervenes]

**CHAIRPERSON:** Maybe before we go there just remind me again on which page I find Mr Motsoeneng's application form, the one written...[intervenes].

**ADV THANDI NORMAN SC:** The one we referred to Chair?

**CHAIRPERSON:** Ja.

**ADV THANDI NORMAN SC:** Page 408.

**CHAIRPERSON:** Okay I'd lost it.

**ADV THANDI NORMAN SC:** Page 408 Chair.

**CHAIRPERSON:** Okay alright.

**ADV THANDI NORMAN SC:** And then the letter that Mr Motsoeneng refers to that is 411.

**CHAIRPERSON:** 411?

10 **ADV THANDI NORMAN SC:** That's correct Chair.

**CHAIRPERSON:** Yes, well if you – if one reads that letter from Mr Paul Tati at page 411, it – just reading that letter alone leaving out others, it seems that certainly, as at the 27<sup>th</sup> of March 1996, which is the date of his letter to you, he did understand that you had – you had not passed matric yet?

**ADV THANDI NORMAN SC:** It is true Chair

20 **CHAIRPERSON:** Yes and he confirms that in the conversation that he had, had with you there was an indication that you undertook to write the outstanding course – I don't know if it was course or courses at that time but the outstanding course, that's what he says, towards obtaining your matric certificate, that's how he puts it at that time?

**ADV THANDI NORMAN SC:** That's true Chair.

**CHAIRPERSON:** Yes but I wanted to go back to when you were employed permanently in 1995, I think you said earlier on, something to the effect that possession of matric was not a requirement for the

position for which you were appointed, did I understand you correctly?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Are you sure about that?

**MR HLAUDI GEORGE MOTSOENENG:** Chair, I'm sure because I needed to produce the letter where we can see my appointment letter, I think it would talk to your question Chair and give you comfort on that, on that letter what the letter says, and also Chairman, let me just add there are many people at that stage that don't have matric, even today.

**CHAIRPERSON:** Yes.

10 **MR HLAUDI GEORGE MOTSOENENG:** SABC even on record publically so.

**CHAIRPERSON:** I think Dr Ngubane said the same thing yesterday.

**MR HLAUDI GEORGE MOTSOENENG:** Yes there are many people, at the SABC Chairperson, you also look at talent, you know SABC Chairperson even if you can come with a degree if you don't have talent, if you are not a singer you are not a singer.

**CHAIRPERSON:** Hmm, hmm.

**MR HLAUDI GEORGE MOTSOENENG:** Yes if you are not a broadcaster because broadcaster is talent, that's why Chairperson  
20 you'll find that – and I'm not saying this because I don't have those degrees, the history of the SABC most people who are excelling is talent, it's not those qualifications. There are those that are excelling but you can see that at least they have empowered themselves and also enhanced their talent.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** But most of them they are not – because talent is talent Chairperson, we even in a Board meeting argue these issues to say, look here you are not Eskom so even if you employ people, we even – I don't remember well Chairperson but I think we even changed the policy of the SABC to say, let us look at talent because when people have talent you can't go wrong. They are the ones who bring audience because it's all about – sometimes Chairperson those who are not really having all those degrees, you know some people will say, no these people useless stuff but that person is the most person that is being followed by the audience. For me it's just maybe – it's a broadcaster Chairperson. People who are acting as actors, your soapies and dramas, some of them they don't have even matric but...[intervenes].

**CHAIRPERSON:** But they are good actors.

**MR HLAUDI GEORGE MOTSOENENG:** I think even the judges they watch these people, they are so excited.

**CHAIRPERSON:** [Laughter]

**MR HLAUDI GEORGE MOTSOENENG:** So you see Chairperson that's why I'm saying in South Africa we must be able to talk to the business.

**CHAIRPERSON:** Well you see Mr Motsoeneng, and we'll go back to my question now, I mean, you don't have to convince me or persuade me that somebody who doesn't have matric or somebody who never went to school may have talent, may be bright, may be smart and may be very good in certain things, you don't have to convince me I know

that to be true. So I would not look down upon a person just because they don't have formal education or because they don't have matric, or because they don't have a degree, you see. Obviously if in an institution the law or the policies or the regulations say for this position you must have a certain qualification, then for me it is important that there must be compliance with the law, the regulations and the policies but just because somebody doesn't have that qualification doesn't mean that they are useless, doesn't mean that they don't deserve respect, it doesn't mean that they don't have dignity.

10 They are important, they can play a very important part and make a very important contribution in society without that. So I just thought maybe I must just make that clear. But let's go back to the question, you were looking for a letter but when you gave evidence earlier, I understood you to be suggesting that the letter might not necessarily have said anything about matric but it said something about your health and I – from that I suspected that the point you wanted to make was if matric was a requirement, the letter would have said something about it, is that correct?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson...[intervenes].

20 **CHAIRPERSON:** In other words if we go – if we look for it, it's not going to – we're not going to find any sentence in the letter that says matric is not a requirement but what you want to say is, it doesn't refer to matric because matric was not a requirement, that's how you read it and it does refer to the issues of health because issues of health were a requirement, that's what you wanted to say?



**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair because normally if you are employed in that letter it will be, submit your matric certificate or your diploma, I'm just giving...[intervenes].

**CHAIRPERSON:** Yes that's how normally it would – yes but in this case it didn't say that?

**MR HLAUDI GEORGE MOTSOENENG:** It didn't say that Chair and that letter is here...[intervenes].

**CHAIRPERSON:** Yes I'm sure we will find it.

**ADV THANDI NORMAN SC:** Yes it's page 209 Chair – I beg your  
10 pardon Chair that would be page 209 of CC...[intervenes].

**CHAIRPERSON:** On the bundle that has got his statement.

**ADV THANDI NORMAN SC:** His statement it's an Annexure to Mr Motsoeneng's...[intervenes].

**CHAIRPERSON:** What's the divider?

**ADV THANDI NORMAN SC:** The divider number Chair, would be at number 11.

**ADV THANDI NORMAN SC:** Have you found it Chair?

**CHAIRPERSON:** Yes I found it, it says,

20 "Dear Motsoeneng the SABC has pleasure in offering you're the following position, that is trainee journalist",

Then it gives details thereafter it says,

"Your appointment is also conditional upon a satisfactory medical certificate and X-ray report. Attached is medical questionnaire to be completed by a medical practitioner, it will be in your own interest to undergo the medical examination

before you commence service. The corporation will make arrangements for the X-ray examination after you been appointed. Membership of the pension fund”,

Then I think the point you wanted to make...[intervenes].

**ADV THANDI NORMAN SC:** The next page Chair.

**CHAIRPERSON:** Oh the next page,

10 “Please report to blah-blah-blah then says documents relating to appointment including a copy of the corporations disciplinary code and grievance procedure which form part of your conditions of service will be handed to you, in accordance with the personnel regulations you are requested to submit, the following document’s when you report for duty, 1) birth certificate or national identity document, 2) educational certificates, 3) unemployment insurance card, income tax reference, valid drivers licence ban/building society, then kindly inform me within 15 days of this letter whether you accept the appointment, this is done by completing the declaration at the end of the original of this letter”,

I think what I’ve read includes what you wanted to highlight.

20 **MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** And it says you must submit your educational qualifications without saying matric, just educational qualifications.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Yes okay so going back you say on the basis of this letter, you say that possession of matric was not a requirement of a

position to which you were appointed in 1995?

**MR HLAUDI GEORGE MOTSOENENG:**

**CHAIRPERSON:** Yes, and then in regard to – if we go back to 408.

**ADV THANDI NORMAN SC:** That will be in the other bundle.

**CHAIRPERSON:** Ja the other bundle that is the application for employment, so the symbols which you wrote there appear to be very much more or less the same as the symbols that appear in the letter from the Department of Education that we looked at some minutes ago, maybe there might be one or two differences, you remember that letter.

10 **ADV THANDI NORMAN SC:** That will e 416 Chair.

**CHAIRPERSON:** 416 okay.

**MR HLAUDI GEORGE MOTSOENENG:** Yes I remember Chair.

**CHAIRPERSON:** Yes the difference – or maybe I'm wrong, the first, you said the first three English, South Sotho and Afrikaans and [indistinct], you said there you got E, symbol E, in terms of that letter South Sotho, first language higher grade what was E, English second language standard grade was f, Afrikaans second language standard grade it was F, Biblical studies it was E and the History F, Biology H. you say when you wrote these symbols on the application form, you  
20 were not sure of the symbols that you had already received?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair that will be supported by – if you check 1990 and then you check 1992, [indistinct] this is what I was saying.

**CHAIRPERSON:** Okay.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Okay alright but just to go back if you – as I understand it you have now accepted that writing 10 where the form required you to write the highest standard passed, that was not true but you say, it should be looked at in the context of the evidence you were given in regard to what advice you were given?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Thank you Mr Chairman. Chair the time now is 1 o'clock, may we take the lunch adjournment?

10 **CHAIRPERSON:** Oh yes let's take the lunch adjournment we are going to resume at 2 o'clock.

**REGISTRAR:** All rise.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON:** Are you ready?

**ADV THANDI NORMAN SC:** Yes. Thank you, Mr Chairman.

**CHAIRPERSON:** Were you going to move away from this Matric issue?

20 **ADV THANDI NORMAN SC:** Yes, Chair but there was just one reference we were going to make before which related to the question that you asked whether Matric was a requirement.

**CHAIRPERSON:** Okay. Let's do that.

**ADV THANDI NORMAN SC:** Yes, thank you.

**CHAIRPERSON:** Let's do that because I may have two or three questions to round off that.

**ADV THANDI NORMAN SC:** To that? Yes. Thank you, Chair. Mr

Motsoeneng, could you please turn to page 214 of where your statement is, Exhibit 30; CC30?

**CHAIRPERSON**: On the bundle that has got his statement?

**ADV THANDI NORMAN SC**: His statement. Thank you, Chair.

**CHAIRPERSON**: What is the page number?

**ADV THANDI NORMAN SC**: Page 214.

**CHAIRPERSON**: Okay.

**MR HLAUDI MOTSOENENG**: Bundle?

**ADV THANDI NORMAN SC**: That's CC30, three zero.

10 **CHAIRPERSON**: The bundle that has got your statement.

**ADV THANDI NORMAN SC**: Thank you. Page 214.

**MR HLAUDI MOTSOENENG**: 214?

**ADV THANDI NORMAN SC**: Yes. It will be under divider number 11.

**MR HLAUDI MOTSOENENG**: Yes, I'm there.

**ADV THANDI NORMAN SC**: Yes, thank you. This is an email dated, sent. It's from Ms Mofokeng sent on the 31<sup>st</sup> of October 2014 to Ms Mosweu or Mr Mosweu, I beg your pardon and this is what she says,

20 Dear Mr Mosweu, requested clarification letter by Ms HM Mofokeng dated 12 October 1999. Mr Motsoeneng was appointed as a trainee journalist with a condition that he will complete his Matric certificate as agreed having written the outstanding course in October in 1996. He should have been in possession of the certificate during 1997. It is procedural that HR from time to time audit the personnel files to ensure that all required documents are correctly filed. Hence, my follow-up

on Mr Tati's letter to Mr Motsoeneng. The expectation by the employer was that Mr Motsoeneng would have written the outstanding subjects as per his discussion with Mr Tati and should have handed in the certificate which was a requirement for the job.

What is your comment to that? She says that says that that was a requirement for the job and you were expected to complete your Matric.

**MR HLAUDI MOTSOENENG**: It was not a requirement that.

**ADV THANDI NORMAN SC**: Yes.

- 10 **MR HLAUDI MOTSOENENG**: But I think when you read Mr Tati's letter, for me to be honest I think it was good to encourage someone to go and acquire a certificate but it was not requirements.

**ADV THANDI NORMAN SC**: Yes. And then just on that score.

**CHAIRPERSON**: I'm sorry. Where is the part in the letter that says, Matric was a requirement?

**ADV THANDI NORMAN SC**: Which was a requirement for the job. That's page, the last two last sentences Chair just before regards. The expectation, it starts with the expectation by employer.

**CHAIRPERSON**: I'm sorry. Is that 208? No, 214?

- 20 **ADV THANDI NORMAN SC**: 214, Chair.

**CHAIRPERSON**: Okay, I'm sorry. I'm looking at a wrong.

**ADV THANDI NORMAN SC**: 214, okay.

**CHAIRPERSON**: Ja, it says which was a requirement for the job.

**ADV THANDI NORMAN SC**: Yes, Chair.

**CHAIRPERSON**: But the paragraph before that makes it clear that

when he was appointed, that is Mr Motsoeneng.

**ADV THANDI NORMAN SC**: Yes.

**CHAIRPERSON**: As a trainee journalist, he was appointed as it says with a condition that he will complete his Matric certificate as agreed. Now, to say he would complete his Matric certificate is of course not an accurate; not accurate language.

**ADV THANDI NORMAN SC**: Yes.

**CHAIRPERSON**: It must mean that he will complete his Matric.

**ADV THANDI NORMAN SC**: His Matric. That's correct. Yes, Chair.

10 **CHAIRPERSON**: So, which means if one looks at this letter, this email it must mean that the author is acknowledging that when he was appointed, that is Mr Motsoeneng.

**ADV THANDI NORMAN SC**: Yes.

**CHAIRPERSON**: There was an acceptance that he was yet to complete his Matric.

**ADV THANDI NORMAN SC**: His Matric. Yes, Chair.

**CHAIRPERSON**: So, although he says or is it a she later on in the email, this was a requirement for the job. It may mean that it was a requirement for the job but it had been decided for whatever reasons  
20 that that should not be enforced immediately.

**ADV THANDI NORMAN SC**: Yes.

**CHAIRPERSON**: But he was encouraged to.

**ADV THANDI NORMAN SC**: To complete his Matric.

**CHAIRPERSON**: To complete his Matric.

**ADV THANDI NORMAN SC**: Yes, Chair.

**CHAIRPERSON**: They may or may not have discussed within what time.

**ADV THANDI NORMAN SC**: Yes.

**CHAIRPERSON**: Within what time frame and what would happen if he failed to.

**ADV THANDI NORMAN SC**: He failed to fulfil that condition.

**CHAIRPERSON**: Yes.

**ADV THANDI NORMAN SC**: Yes, yes Chair.

**CHAIRPERSON**: Ja.

10 **ADV THANDI NORMAN SC**: Yes, thank you. And then maybe lastly... (intervention).

**CHAIRPERSON**: And you would go along with that interpretation?

**MR HLAUDI MOTSOENENG**: Yes, Chair and I can also allude to the issue that all these people who are writing these letters they were not there when I was employed.

**CHAIRPERSON**: Yes, yes.

**MR HLAUDI MOTSOENENG**: So, at that time the conditions of employment no Matric as the letter alluded to the issue.

**CHAIRPERSON**: Yes.

20 **MR HLAUDI MOTSOENENG**: Yes, Chair.

**CHAIRPERSON**: But did you ever see the documents that would have specified what the requirements for that position were? Or are you simply saying possession of Matric was not a requirement simply because nobody said to you this is a requirement? And the way they handled the situation suggested to you that Matric was not a



requirement?

**MR HLAUDI MOTSOENENG**: Chair, I think the Matric issue the way I see it in my view is because I have already told them that I don't have Matric. So, maybe that letter that is the reason why they didn't look for Matric. But in the history that I, in my history at the SABC even Alwyn Kloppers during my disciplinary hearing he alluded to the issue that he was not even sure whether Matric was a criterion to employ at the SABC.

**CHAIRPERSON**: Yes, no but what I want you to, what I want to  
10 establish is whether when you say Matric was not a requirement for that position you say so because you did have a look at the requirements, at the documents of SABC where the requirements for the position were laid down. And you know that they did not include Matric or whether you are simply saying it was not a requirement because one, they employed you knowing you did not have Matric. Two, that letter that we talked about earlier on.

**MR HLAUDI MOTSOENENG**: Chair, I can only deal with my issue because they employed me knowing that I don't have Matric.

**CHAIRPERSON**: Yes.

20 **MR HLAUDI MOTSOENENG**: On other matters really, I can't go far.

**CHAIRPERSON**: Okay. So, in that event think the correct answer therefore is that you are not sure whether possession of Matric was a requirement for the position at the time. But what you do know is that you disclose to them that you did not have Matric and nevertheless that did not present an obstacle to them appointing you. That's all you can

say.

**MR HLAUDI MOTSOENENG**: Yes, Chair.

**CHAIRPERSON**: Ja, okay.

**ADV THANDI NORMAN SC**: Thank you, Chair. And in his opening address, Mr Motsoeneng had mentioned the fact of him having, of his probation having been confirmed.

**CHAIRPERSON**: Yes.

**ADV THANDI NORMAN SC**: Chair, would recall that.

**CHAIRPERSON**: Yes.

10 **ADV THANDI NORMAN SC**: And may I just refer Chair to page 212?

**CHAIRPERSON**: Okay.

**ADV THANDI NORMAN SC**: Thank you. 212 of the same bundle.

**MR HLAUDI MOTSOENENG**: 212.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: I have lost the page.

**ADV THANDI NORMAN SC**: Yes, you mentioned early... (intervention).

**CHAIRPERSON**: Have you got it, Mr Motsoeneng?

**MR HLAUDI MOTSOENENG**: Chair?

**CHAIRPERSON**: Have you got the page?

20 **MR HLAUDI MOTSOENENG**: Not yet but I know very well about the letter, Chair.

**CHAIRPERSON**: Oh okay.

**MR HLAUDI MOTSOENENG**: I'm comfortable. Yes, Chair.

**CHAIRPERSON**: Okay.

**ADV THANDI NORMAN SC**: Yes, it says written on the 25<sup>th</sup> of October

1995 addressed to you Mr Motsoeneng. It says,

Dear Mr Motsoeneng, as you have successfully completed your probationary period, I have pleasure in confirming your appointment to the permanent staff. We wish you every successful in future.

Is this the confirmation that you were referring to?

**MR HLAUDI MOTSOENENG**: Yes, Chair.

**ADV THANDI NORMAN SC**: Yes, thank you. Mr Motsoeneng, just to close this issue. Would you agree with me that were it not for the form  
10 itself that had the symbols and that indicated that you had passed Standard 10, no one would say there was any misrepresentation? Because according to the letters that we've addressed, Mr Tati and everybody else appreciate that you had to complete a certain or one of the subjects at least. So, were it not for the form and the way it was completed that we find at page 408 of Exhibit CC32, no one would be raising the issue of misrepresentation?

**MR HLAUDI MOTSOENENG**: Yes, I think as the Chair did alluded early when you check the background of my employment. But if someone just check and have his own and interpret it differently.

20 **ADV THANDI NORMAN SC**: Yes, and in fairness to the Public Protector you might find that that was her focus as well. That form was her focus.

**MR HLAUDI MOTSOENENG**: I explain several times. To be honest Chair, I don't know why the Public Protector came to such conclusion. Remember also, she ignored the main employer. The affidavit of Alwyn

Kloppers, the affidavit of Pupula Muthibi she ignored everything. So, for me in the issue is really getting the truth she was supposed to even call them, Chair. To say, can you come and clarify these issues because I'm confused here. So, for me I don't know what informed the Public Protector but I can say here, Chair I have never agreed with the Public Protector that I lied on my Matric issue.

**ADV THANDI NORMAN SC**: Thank you, Chair.

**CHAIRPERSON**: You are done?

**ADV THANDI NORMAN SC**: Yes, yes Chair, yes.

10 **CHAIRPERSON**: Yes. Let's go to, would you please just repeat the conversation that transpired between you and Ms Swanepoel as best as you can in terms of your recollection on the occasion when you were signing, you were completing this employment form which is at page 408 in the bundle that has got your statement. Just tell me how the conversation happened. Is she the one that gave you the form?

**MR HLAUDI MOTSOENENG**: Yes, Chair.

**CHAIRPERSON**: She's the one who gave you the form?

**MR HLAUDI MOTSOENENG**: Yes, Chair.

20 **CHAIRPERSON**: Yes. Are you there already the form or you are able to, you don't need to see it? You can answer questions.

**MR HLAUDI MOTSOENENG**: Ah Chairman I'm very good.

**CHAIRPERSON**: Yes, okay.

**MR HLAUDI MOTSOENENG**: Yes, I know the story.

**CHAIRPERSON**: So, she gave you the form and then did you complete it in front of her or did you go away to complete it and brought it back?

**MR HLAUDI MOTSOENENG**: She gave me the form, Chair. We discussed the issue of writing Standard 10 in that form between me and her.

**CHAIRPERSON**: Yes, how did that come about? I just want if you are able to. I know it's a long time ago. If you are able to remember say, after she had given me the form, I realized that I was supposed to write this and this and this is what I said and this is what she said. I just want to understand that conversation.

**MR HLAUDI MOTSOENENG**: Chair, she was told that I don't have  
10 Matric.

**CHAIRPERSON**: That is now before she gave you the form, she knew that?

**MR HLAUDI MOTSOENENG**: Yes.

**CHAIRPERSON**: Okay.

**MR HLAUDI MOTSOENENG**: She knew that because when the late Olifire went to QwaQwa to engage me on the matter, Alwyn has already told Olifire. Olifire told other members of the SABC. So, when I went there, she knew already that I don't have the Matric certificate and in any case Chair, she was just a clerk.

20 **CHAIRPERSON**: Yes, but your knowledge that she knew that you did not have Matric, is that based on the fact that that's what she told you in the conversation? Is that based on the fact that you knew that she was present when somebody told staff or told a certain group of people that you didn't have Matric? How do you know that?

**MR HLAUDI MOTSOENENG**: No, Chair I know that because she is the

one who called me to say, come and fill these forms. I was told that you were appointed and you don't have a Matric. That's why Chairman in that the process.

**CHAIRPERSON**: Yes, that's what she said, ja.

**MR HLAUDI MOTSOENENG**: We discussed the issue of Matric. And then I said to her, no someone just told me that. Why can't you go to Pretoria to check if you combine your symbols you can't get a pass? Those were discussion between me and her. She said, no Hlaudi if that is the case it's fine. You can write what you remember and then maybe  
10 when you come back you will come and tell us what. And then I went  
Chairperson with an employee of the SABC to Pretoria to check. When I arrived there, they told us, no even if we combined the symbols you are not getting a pass. So, I went back. I said, no I didn't get a pass. That's why she wrote outstanding Matric because I came back and report back. Yes, Chairman.

**CHAIRPERSON**: Now, so did you specifically discuss with her? Did the two of you specifically discuss what you should write on the block where it says, highest Standard passed?

**MR HLAUDI MOTSOENENG**: She advised me Chairperson.

20 **CHAIRPERSON**: And what was the advice?

**MR HLAUDI MOTSOENENG**: The advice, fill this form.

**CHAIRPERSON**: Ja.

**MR HLAUDI MOTSOENENG**: When you come back, we will deal with the form.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: Which I came back.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: When I came back that's why she wrote that outstanding, Chairperson.

**CHAIRPERSON**: Yes. So, when you went to Pretoria you had already filled the form and completed that part?

**MR HLAUDI MOTSOENENG**: Yes, Chairperson.

**CHAIRPERSON**: Yes. Now you have just said, she said fill this form. Did she say, put 10 where it says highest Standard passed? Did she  
10 say that?

**MR HLAUDI MOTSOENENG**: Yes, Chair.

**CHAIRPERSON**: Yes, and what did you say in response?

**MR HLAUDI MOTSOENENG**: In my response Chair I said, no but I didn't pass Standard 10. And then she said, but you are going to Pretoria. We will sort out the form when you come back. So, even when I came back, I explained to her as to say, you see I didn't go well. So, she said, no it's fine. That outstanding, Chair that she wrote confirms what I'm saying. Yes, Chair.

**CHAIRPERSON**: Now, did I understand correctly that at the time you  
20 may have been 23 years old?

**MR HLAUDI MOTSOENENG**: Yes.

**CHAIRPERSON**: But if you don't want to disclose your age Mr Motsoeneng.

**MR HLAUDI MOTSOENENG**: No, no it's not a problem Chairman.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: It's true, Chair. I was 23.

**CHAIRPERSON**: You were about 23?

**MR HLAUDI MOTSOENENG**: Yes, Chair.

**CHAIRPERSON**: Now of course, when you are 23 you are young but you are not 10 years old, you're not 15 years old. Okay now, why did you not say to her but I'm not prepared to write something that is false here? I haven't passed Standard 10. It would be wrong.

**MR HLAUDI MOTSOENENG**: Chairperson, the issue is why I didn't say that is because we agree. Her letter said combine the symbols. So,  
10 which means when I come back report to her to say, I don't have that Matric certificate. She wrote outstanding. In my personal view, outstanding is I don't have Matric. I didn't make an issue, Chair to be honest.

**CHAIRPERSON**: Yes, yes.

**MR HLAUDI MOTSOENENG**: Yes, I did and make an issue about it.

**CHAIRPERSON**: Yes, you know I think you are right in saying outstanding Matric certificate you know may be said to mean Matric is outstanding or the certificate is not there because you haven't passed Matric. You know that's possible. I think based on that certainly after  
20 she written that there must have been certainly a common understanding between the two of you that definitely you did not have Matric. I'm just concerned that before that happened here is a clear block where the question is, write down your highest Standard passed and you know that you have not passed Standard 10 and you have told her that you have not passed Standard 10. One, on what you have told



me she says, write that you have, write Standard 10 and yet she knows that that would not be true. You understand what I'm looking at?

**MR HLAUDI MOTSOENENG**: Chairperson, and understand you clearly so.

**CHAIRPERSON**: Yes, yes.

**MR HLAUDI MOTSOENENG**: And that issue Chairperson as I said even during the Public Protector, I was not supposed.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: To take that advice.

10 **CHAIRPERSON**: Yes. It was a wrong advice.

**MR HLAUDI MOTSOENENG**: It was a wrong advice Chairperson.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: That when I have admitted.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: What I said I don't admit.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: Is I lied for me to be employed.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: By the SABC.

20 **CHAIRPERSON**: Yes, yes because all those who made decisions about your appointment knew that you did not have Matric. You are disclosing that part you have indicated. So, what we have on your version is simply that you wrote something false on the employment, on the application for employment form and you must just tell me if I misunderstand here. My understanding is that you knew when you wrote

it that it was not true but you were given advice. That's the point you make by Mr Swanepoel, Ms Swanepoel that write this false information. Effectively she didn't put it that way but the both of you knew that you had not passed Standard 10.

**MR HLAUDI MOTSOENENG**: Chairperson, the Standard 10 it was well-known as I have alluded previously. Even when I went to her it was well-known. The only issue that in my mind after someone told me if maybe you combined your symbol you will get a pass.

**CHAIRPERSON**: Yes.

10 **MR HLAUDI MOTSOENENG**: That is the only reason why.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: I wrote those symbols. Even though symbols Chair normally you will do seven subjects.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: So, I was not even remembering.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: How many subjects. I just wrote those subjects but I knew I failed History.

**CHAIRPERSON**: Yes.

20 **MR HLAUDI MOTSOENENG**: That when I was sure.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: That is why I wrote that one.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: These others I was not really if I combined maybe I did very well.

**CHAIRPERSON:** Ja.

**MR HLAUDI MOTSOENENG:** Yes, Chairman that is the case.

**CHAIRPERSON:** At that time, was there a process where somebody who had been writing supplementary examinations because I think you said you had been writing supplementary examinations. Was there a process within the Department of Education in terms of which somebody in that position could go to the department and say to them, look what I have, look at the symbols I have achieved? Have I not now passed to be eligible to be given a Matric certificate? Was there a  
10 process like that that you knew about? Where did this idea come from that if you combine the symbols you could get a certificate?

**MR HLAUDI MOTSOENENG:** I was told by my lady principal.

**CHAIRPERSON:** Yes.

**MR HLAUDI MOTSOENENG:** Yes, to say no what you need to do.

**CHAIRPERSON:** Yes.

**MR HLAUDI MOTSOENENG:** You can come to school.

**CHAIRPERSON:** Yes.

**MR HLAUDI MOTSOENENG:** And then we can work that process and check with the Department of Education.

20 **CHAIRPERSON:** Yes.

**MR HLAUDI MOTSOENENG:** But at that time because I was also coming to Johannesburg.

**CHAIRPERSON:** Yes.

**MR HLAUDI MOTSOENENG:** It was easier for me. I'm coming to Johannesburg and then I took my colleagues and then we went and

check.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: And then they confirmed that I did not pass Matric.

**CHAIRPERSON**: Yes. Okay thank you. Do you, is Ms Swanepoel still available? Is she going to be called to talk about the advice?

**ADV THANDI NORMAN SC**: Chair, the investigators are looking into that Chair.

**CHAIRPERSON**: Yes, they must try and see if they can find her.

10 **ADV THANDI NORMAN SC**: Yes.

**CHAIRPERSON**: So, that she can testify about the advice that she may have given Mr Motsoeneng.

**ADV THANDI NORMAN SC**: Yes, but except that something that comes close to that is that letter that you read where she says, I said you just put it in.

**CHAIRPERSON**: Yes.

**ADV THANDI NORMAN SC**: But the advice aspect doesn't come out clearly in the letter.

**CHAIRPERSON**: Yes, ja.

20 **ADV THANDI NORMAN SC**: Thank you.

**CHAIRPERSON**: Ja, ja.

**ADV THANDI NORMAN SC**: Thank you, Chair.

**CHAIRPERSON**: Yes, no thank you very much Mr Motsoeneng. Yes, you may continue.

**ADV THANDI NORMAN SC**: Yes, thank you Mr Chairman. Chair, just

for completeness sake maybe just where the Public Protector deals with this issue Chair, is in bundle CC27 at pages 295 up to, I think it ends at page 298 yes. Thank you, Chair.

**CHAIRPERSON**: Okay. Do you want to ask Mr Motsoeneng to get it?

**ADV THANDI NORMAN SC**: Mr Motsoeneng, next to you on your left-hand side. Have you?

**MR HLAUDI MOTSOENENG**: Sorry, Chairperson?

**CHAIRPERSON**: Yes.

10 **MR HLAUDI MOTSOENENG**: Do you mind if I just because I know all this?

**CHAIRPERSON**: Yes. No, no if you are comfortable that's fine.

**MR HLAUDI MOTSOENENG**: No, Chairman. Yes, I know everything.

**CHAIRPERSON**: Yes, no, no if you are comfortable. Ja, but if it any stage you think you want to look at a document just say so.

**MR HLAUDI MOTSOENENG**: Yes, Chairman.

**CHAIRPERSON**: Okay, alright.

**ADV THANDI NORMAN SC**: Thank you, Chair.

**CHAIRPERSON**: But let me get to.

**ADV THANDI NORMAN SC**: To that.

20 **CHAIRPERSON**: Is it page 295?

**ADV THANDI NORMAN SC**: 296, Chair. In fact, it starts from 295 but the actual point that you are dealing with, with Mr Motsoeneng now is at page 296.

**CHAIRPERSON**: Okay.

**ADV THANDI NORMAN SC**: Thank you. Are you there, Chair? Have

you found it? Oh, thank you.

**CHAIRPERSON**: Yes, I found the page, ja.

**ADV THANDI NORMAN SC**: Yes, thank you. Mr Motsoeneng, just for us to complete this issue and understand exactly what is it that the Public Protector actually said. If I may read from paragraph 6.1.3.22 at page 296. In the preceding paragraph she had listed the symbols as they are reflected at page 408. And then she says,

10                   On the application form that Mr Motsoeneng completed, he only noted five subjects completed and not the usual six. During the interview, Mr Motsoeneng admitted falsifying his Matric qualification and blamed a Ms Swanepoel whom he said gave him the application form to fill in anything. In other words, to make up the symbols from the top of his head which he did. With regard to the Matric certificate the form says outstanding giving the impression that the certificate exists and would be submitted in due course. A copy of a transcript of the interview held with Mr Motsoeneng on 19 July 2013 with me is annex to the report. Below is an extract from the transcript.

20                   **Advocate Madonsela**: But you knew. You are saying to me you knew then that you had failed. So, you because when you put the symbols you knew that you hadn't found or never seen them anywhere you were making them up. So, I'm asking that in retrospect. Do you think you should have made up the symbols? Now that you are older and you are not 23.

**Mr Motsoeneng**: From me, for now because I do understand all the issues. I was not supposed to be honest. If I was, now I was clear in my mind. Like now I know what is wrong, what is right. I was not supposed to put it but there they said, no put it. But what is important for me Public Protector is everybody knew and even when I put there I said to the lady, I'm not sure about my symbols. And why I was not sure Public Protector is because I go SAP you know. I remember okay in English I think it was E because it was you know after it was 1995. If you check there, we are talking about 1991. Now it was 1995 and for me I had to even go. I was supposed to go to school to check. Someone said, no, no, no. You know what you need to do, just go to Pretoria. At that time Public Protector taxi go and check. Then said, no you fail. I went that one and people we are putting this Public Protector. I know it is Siphumelele and Charlotte and these people when SABC were charging me they were my witnesses.

10

**Mr Madiba**: I think I want to understand you correctly. You say you were asked by the SABC to put in those forms, I mean to put in those and Advocate Madonsela to make up the symbols? Mr Madiba to make of the symbols. You recall who said that to you and your answer was Marie Swanepoel. And Mr Madiba, Marie Swanepoel and the answer is, yes.

20

So, this is the portion of the evidence of the Public Protector that you say you challenge as not being correct; the finding.

**MR HLAUDI MOTSOENENG**: Yes. Yes, Chair.

**ADV THANDI NORMAN SC**: Sorry.

**MR HLAUDI MOTSOENENG**: Can I?

**CHAIRPERSON**: Yes, you want to add something?

**MR HLAUDI MOTSOENENG**: Yes.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: Through you, Chair I think this goes back to what I was saying when it comes to this issue of Public Protector. I said I didn't lie about Matric but when she was saying looking back 23  
10 years because people were talking about all these issues Chairperson about, he has lied about Matric and so on. I said but looking back checking I was not supposed to take this advice from Marie Swanepoel which I still believe I was not supposed to take that advice but I was not admitting that I lied to be employed at the SABC. In any case, I'm the one who confessed to the SABC to my employer that I don't have a Matric. And also, the issue is why the Public Protector didn't go and call those people who employed me or including Chair Marie Swanepoel. Although, Marie Swanepoel was not my employer. When I went there, I was already employed by the SABC.

20 **CHAIRPERSON**: Yes. You see I think because that form says application for employment the form which we are talking about it gives the impression that that is when you were applying for employment but you are saying when you filled the form you had already been appointed as I understand. Is that correct?

**MR HLAUDI GEORGE MOTSOENENG**: Yes Chair. I did not even apply.



**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** I was headhunted.

**CHAIRPERSON:** Yes, yes.

**MR HLAUDI GEORGE MOTSOENENG:** They catch the fish that they were looking for.

**CHAIRPERSON:** Yes, yes. So - so these forms that application for employment and then somebody says okay this person applying for employment is being asked what is your highest standard that you have passed and this person says Standard 10, but we know in this room  
10 that you have made it clear that that was not the true position.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** You see. So it seems to me that whatever point you want to make insofar as the filling in of that form in regard to saying Standard 10 it seems to me that whatever you maybe wanting to say would be directed at saying that you - you accept that what you wrote down when you said Standard 10 was false but you are simply saying there is an explanation how and why you came to write information that was false and the explanation is the discussion you had with Ms Swanepoel and the advice that you say she gave you and the - the  
20 advice amounted to saying even though you - we know that you do not have - you have not passed Standard 10 write down Standard 10 and there was an understanding as I understand your evidence that you were going to go to Pretoria and see whether as you put it if they combine all the symbols that you had obtained when you were writing supplementary examinations that would not give you a pass for Matric.

That - that seems to me the upshot of what you are saying. It does not seem to me that you can deny that writing Matric on the form was false but what you - what you are saying is do not ignore the context in which that happened. Do not ignore the fact that I was given advice and do not ignore the fact that everyone knew I did not have Matric and do not ignore the fact that I was going to go to Pretoria to see whether when they combine all my symbols the result would not be that I have passed. That is my understanding. Is - is that correct?

**MR HLAUDI GEORGE MOTSOENENG:** It is correct Chair.

10 **CHAIRPERSON:** Thank you.

**ADV THANDI NORMAN SC:** Thank you. Thank you Mr Chairman. Thank you. Mr Motsoeneng maybe let us go back to your statement now. In fact let us go - we are still dealing with your career progression and then - then we decided to deal with this issue. You were at a point when you were telling the Chairperson that then you were then employed as - as a - as a journalist. Am I correct?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Yes. From there then could - could you then continue from - from where you left off?

20 **MR HLAUDI GEORGE MOTSOENENG:** Chairperson I was a trainee journalist when I was employed at the SABC and I grew within the SABC. I became a - a journalist. I became a producer. I became an Executive Producer. I became a Specialist Producer. I became - I was also at a certain point Acting as Regional Editor Free State and Northern Cape.

I was appointed to be General Manager in the Office of the GCO. I was appointed to be Group Executive for Stakeholder and Provinces outside now the GCO. I also dealt with the issue of the communication of the - of the board and that is where I moved to become the Acting COO of the SABC.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** I think that is my profile.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** In short.

10 **ADV THANDI NORMAN SC:** In short, yes and then - and then one bit was when then after Acting as COO then you became the COO.

**MR HLAUDI GEORGE MOTSOENENG:** Yes. I ...

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Sorry, sorry Chair. I became the COO.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Yes. Could - could you just tell the Chair how - how was that process handled? You had been acting.

20 Dr Ngubane who testified yesterday had - we had taken Dr Ngubane through letter - a letter from the Minister when - when you were appointed to act as - as COO. You would recall that Minister Dina Pule approved that - that acting appointment. Then from then - (indistinct).

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN SC:** Then from then Dr Ngubane testified that

he then left the SABC and you were appointed after he had left the SABC. Could you just take - I know the - the issue of your appointment has - has been - has been subjected to litigation and there are judgments that relate to that but can you just in your own words briefly tell the Chairperson the process that was followed before you were appointed the COO of the SABC.

**MR HLAUDI GEORGE MOTSOENENG:** Chair I do not think I can deal with that one because it is the board issue who took that decision. I may say that ...

10 **CHAIRPERSON:** *Ja.*

**MR HLAUDI GEORGE MOTSOENENG:** I did raise the issue about me raising more than - you know acting more than two years ...

**CHAIRPERSON:** Yes. As COO.

**MR HLAUDI GEORGE MOTSOENENG:** And not me alone also. As the Acting COO.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** Not me alone. I - I was saying but if I am this fish that you want I mean why can you not - you move on. I mean I cannot act for more than two years because I do not know

20 whether I am going backwards or I am ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** I am going forward ...

**CHAIRPERSON:** Hm, hm.

**MR HLAUDI GEORGE MOTSOENENG:** And - and I also wrote a letter Chairperson.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** I must declare that.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** I wrote a letter to I think to the Chairperson of the board to say here is my situation. I am unhappy about this situation. I cannot act forever ...

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** But the appointment and the process ...

10 **CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** I was not party, yes.

**CHAIRPERSON:** Yes. Of course what you would be able to do is to ask - to answer specific questions in regard to that process where you do have knowledge of what happened but you are right to say in fact you did not appoint yourself. Those who appointed you are the ones who can answer certain questions but there would be certain things that you know about. How you came to be appointed ...

**ADV THANDI NORMAN SC:** Yes.

20 **CHAIRPERSON:** But maybe Ms Norman can specific questions to you ...

**ADV THANDI NORMAN SC:** Yes thank you.

**CHAIRPERSON:** And what you know you would say. What you do not know you would say you do not know.

**ADV THANDI NORMAN SC:** Thank you. You would have applied for that position. Am I correct?

**MR HLAUDI GEORGE MOTSOENENG:** I did not apply Chair.

**ADV THANDI NORMAN SC:** Yes, yes and this is - we go back to my first question. So if you did not apply was it simply offered to you - that position? Yes.

**CHAIRPERSON:** Or maybe we should because - I am sorry Ms Norman ...

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** Because he did say he wrote a letter.

**ADV THANDI NORMAN SC:** Yes.

10 **CHAIRPERSON:** You wrote - you said you wrote a letter I assume to the board. Is that correct? Where you were complaining that you were effectively complaining or expressing concern that you had been acting for a long time. There is uncertainty. You do not know whether you are coming or going. Is that right?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Did the board - was the - a letter addressed to the Chairperson of the Board or you do not remember?

**MR HLAUDI GEORGE MOTSOENENG:** Let me say Chair ...

**CHAIRPERSON:** Hm.

20 **MR HLAUDI GEORGE MOTSOENENG:** To the Chair but the Chair represents the Board.

**CHAIRPERSON:** Yes. No, it was addressed ...

**MR HLAUDI GEORGE MOTSOENENG:** (Intervenues) yes.

**CHAIRPERSON:** *Ja*, you meant for the board?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**CHAIRPERSON:** Not for him alone.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Did they respond to the letter either in writing or verbally and if they did what was their response?

**MR HLAUDI GEORGE MOTSOENENG:** No Chair. What I know there were some discussions because those are minutes of the SABC where I was ...

**CHAIRPERSON:** There were discussions within the board?

**MR HLAUDI GEORGE MOTSOENENG:** Within the - within the board  
10 and then they discussed the matter and I think they voted amongst themselves. There is some of them disagreed with the process and so on and so on Chair, yes.

**CHAIRPERSON:** Did - did you - were - were you present when those- when your - when those discussions took place in the - in the board meetings or were you asked to recuse yourself or anything like that?

**MR HLAUDI GEORGE MOTSOENENG:** I was not present Chair.

**CHAIRPERSON:** You were not present each time they discussed?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** *Ja*, but you - you knew that in that meeting they will  
20 be having a discussion that concerns the - that concerned you or the feeling of the position?

**MR HLAUDI GEORGE MOTSOENENG:** No the - the Chair did not explain to me that she is going to raise the issue. They are going to discuss the matter Chair.

**CHAIRPERSON:** Oh he did not say that to you?

**MR HLAUDI GEORGE MOTSOENENG:** (Intervenes) yes.

**CHAIRPERSON:** So these - these discussions at a certain stage the Chairperson must have come back to you after those discussions and - and told you something or did he come back to you and say I did receive your letter and since then we have had some discussions in the board and this is what we propose to do?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair. I think - I think through HR if I - I do not remember well who ...

**CHAIRPERSON:** Yes.

10 **MR HLAUDI GEORGE MOTSOENENG:** Yes, but what I know that I - I received a letter from - from HR but the letter was signed by the Chairperson of - of the Board ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** But you know SABC is SABC Chair.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** Everything already all over ...

**CHAIRPERSON:** *Ja.*

**MR HLAUDI GEORGE MOTSOENENG:** In the board meeting this time.

20 **CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** This is what happened. How many people voted? It - it was - I mean it is ...

**CHAIRPERSON:** Before you - you mean before you received the letter you - you knew what had happened?

**MR HLAUDI GEORGE MOTSOENENG:** People were - were already



talking about that meeting.

**CHAIRPERSON**: Yes, yes.

**ADV THANDI NORMAN SC**: Yes, Chair.

**CHAIRPERSON**: And - and the talk was - was the talk that you had been appointed by the board?

**MR HLAUDI GEORGE MOTSOENENG**: I - I think so Chairperson. The talk was that there were divisions.

**CHAIRPERSON**: Oh there were divisions within the board?

**MR HLAUDI GEORGE MOTSOENENG**: Yes amongst the board.

10 **CHAIRPERSON**: About - about your - your appointment?

**MR HLAUDI GEORGE MOTSOENENG**: Yes, yes Chair.

**CHAIRPERSON**: Okay and then you received a letter. You said that was signed by the Chairperson of the Board then. Who was the Chairperson of the board at the time ...

**MR HLAUDI GEORGE MOTSOENENG**: Hm.

**CHAIRPERSON**: Because Dr Ngubane said he had left already by then?

**MR HLAUDI GEORGE MOTSOENENG**: Hm, hm.

**CHAIRPERSON**: Was it professor ...?

20 **ADV THANDI NORMAN SC**: I think.

**CHAIRPERSON**: Who was it?

**MR HLAUDI GEORGE MOTSOENENG**: Maybe Chair let me - the letter - I received a letter from the - the HR because normally the - HR is the custodian ...

**CHAIRPERSON**: *Ja*.

**MR HLAUDI GEORGE MOTSOENENG:** Of the process of the SABC ...

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** But I - I want to withdraw the  
Chairperson signing ...

**CHAIRPERSON:** Oh, you are not sure about (intervenes)?

**MR HLAUDI GEORGE MOTSOENENG:** Yes. I expect that one whether  
it was the - whether it was HR or who signed it.

**CHAIRPERSON:** Yes, okay.

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

10 **CHAIRPERSON:** But it was a letter that you received that was on the  
HR letterhead or something?

**MR HLAUDI GEORGE MOTSOENENG:** Yes, it - SABC letterhead.

**CHAIRPERSON:** SABC letterhead but Human Resources Department?

**MR HLAUDI GEORGE MOTSOENENG:** Yes. They - normally after the  
appointment they will call you.

**CHAIRPERSON:** *Ja.*

**MR HLAUDI GEORGE MOTSOENENG:** You will engage with HR.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

20 **CHAIRPERSON:** So that is the letter that you got?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson.

**CHAIRPERSON:** And was the letter saying the board has decided to  
appoint you as COO of - Group COO of the SABC in effect?

**MR HLAUDI GEORGE MOTSOENENG:** Chairperson I - I will have to  
check.

**CHAIRPERSON:** You cannot remember?

**MR HLAUDI GEORGE MOTSOENENG:** Because I do not want to talk about issues and then I am not sure about the content of ...

**CHAIRPERSON:** Yes, but ...

**MR HLAUDI GEORGE MOTSOENENG:** But yes I received the letter.

**CHAIRPERSON:** *Ja* ...

**MR HLAUDI GEORGE MOTSOENENG:** Hm.

**CHAIRPERSON:** But obviously you - you remember the gist of what this letter said? I would imagine.

10 **MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Or you cannot remember what the gist was of the message it was given you?

**MR HLAUDI GEORGE MOTSOENENG:** Chairperson when you hear that you are COO of the organisation.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** I was really excited. These other matters they did not (laughing). What - what I know Chairperson is the process will be the board they will need the approval from the shareholder.

20 **CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** That process I knew that it went - it went through because they could not appoint me without the approval of the shareholder.

**CHAIRPERSON:** Yes, but what I am trying to - to understand is to distinguish is what you heard in the grapevine as it were as to what the board had decided and that there were divisions and so on and what was written in black and white. So I am trying to - I - I understand that you did hear from the grapevine that the board had appointed you and that there were divisions within the board about the issue but I am trying to establish whether the letter that you are talking about is the official letter that conveyed to you the decision of the board to appoint you.

10 **MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** It is the one?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Okay, but you say once you had this what happened?

**MR HLAUDI GEORGE MOTSOENENG:** I was thinking of transforming South Africa.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Especially the SABC.

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** That it should change  
20 especially Chair I - I think everybody knows my impression is content.

**CHAIRPERSON:** Yes. So - so this letter told you about the decision of the board to appoint you as COO of SABC but your understanding was or the letter did say that this was subject to the concurrence or approval of the shareholder?

**MR HLAUDI GEORGE MOTSOENENG:** No Chair. When I received the

letter at that time I think the Minister has already approved the ...

**CHAIRPERSON:** Oh, the ...

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**CHAIRPERSON:** The whole issue was finalised?

**MR HLAUDI GEORGE MOTSOENENG:** Yes was finalised ...

**CHAIRPERSON:** Oh.

**MR HLAUDI GEORGE MOTSOENENG:** Because when I received the letter ...

**CHAIRPERSON:** Yes.

10 **MR HLAUDI GEORGE MOTSOENENG:** Now we were engaging with HR just to finalise ...

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** You - you know the package of the position and so on ...

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** And so on yes Chair.

**CHAIRPERSON:** Yes. So you did not apply for appointment to this position of COO as such but what you did was to complain about how long you had been acting in the position. Is that correct?

20 **MR HLAUDI GEORGE MOTSOENENG:** It is correct Chair.

**CHAIRPERSON:** Yes and nobody ever asked you to a - to apply for the position - to fill in forms or anything like that?

**MR HLAUDI GEORGE MOTSOENENG:** No - no Chair because they did not advertise the post.

**CHAIRPERSON:** They did not advertise the post?

**MR HLAUDI GEORGE MOTSOENENG:** Yes. Yes Chair.

**CHAIRPERSON:** Yes. Okay. Do you want to take it from there Ms Norman?

**ADV THANDI NORMAN SC:** Yes thank you very much Chair. We had - there is - if I may just refer Chair to the reference bundle at page 2-1-6. Reference bundle at page 2-1 - there is an advert that relates to the Chief Operating Officer.

**CHAIRPERSON:** Reference bundle being EXHIBIT 32?

**ADV THANDI NORMAN SC:** 32. I beg your pardon Chair.

10 **CHAIRPERSON:** EXHIBIT 32.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** What page?

**ADV THANDI NORMAN SC:** At page 2-1-6.

**CHAIRPERSON:** 2-1-6?

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Through you Chair which bundle?

**ADV THANDI NORMAN SC:** Oh sorry. The one - EXHIBIT ...

**CHAIRPERSON:** But - but you must remember that ...

20 **ADV THANDI NORMAN SC:** I beg ...

**CHAIRPERSON:** You must remember that Mr Motsoeneng said he might not need to have a look at ...

**ADV THANDI NORMAN SC:** To refer yes Chair.

**CHAIRPERSON:** *Ja, ja.* So - so just ask him the question. If he has a problem he will tell you.

**ADV THANDI NORMAN SC:** Thank you Chair.

**CHAIRPERSON:** Ja. Do not ask him to look for ...

**ADV THANDI NORMAN SC:** To - to look for ...

**CHAIRPERSON:** Pages and documents, yes.

**ADV THANDI NORMAN SC:** Thank you Chair. This is reference bundle. It is EXHIBIT CC32 at page 2-1-6. This is an advert for the position of Chief Operations Officer. We - we referred to this advert yesterday when we were dealing with the evidence of Dr Ngubane and the closing date for applications was 15 February 2013. Were you  
10 aware at this point that there was an advert for this position of the  
Coo?

**MR HLAUDI GEORGE MOTSOENENG:** Chair through you - you know that position of COO it has been going up and down because of the - the previous person who was supposed to occupy the positions advertising and then - not advertising because he went to court. So there were - there - there were many issues there really. I think at a certain stage SABC said we are going to advertise.

We withdraw - withdrawn the application - the advert - the advert because of the court matters. I - I saw the - the advert but  
20 really I cannot attest because there were - I think there were more than  
three adverts.

**CHAIRPERSON:** At different stages?

**MR HLAUDI GEORGE MOTSOENENG:** At different stages and I am not sure which one at that time when I Acting COO ...

**CHAIRPERSON:** Hm.

**MR HLAUDI GEORGE MOTSOENENG:** That went - went through.

**CHAIRPERSON:** But of ...

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** What can help of course is for you to confirm the date with effect from which your appointment started ...

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Hm.

**CHAIRPERSON:** And I am sure you cannot forget that date.

**MR HLAUDI GEORGE MOTSOENENG:** Not at all Chairperson. The  
10 acting one Chair.

**CHAIRPERSON:** No, no the permanent one as COO. That is the one we are talking about.

**MR HLAUDI GEORGE MOTSOENENG:** That one ...

**CHAIRPERSON:** Oh you remember the acting one?

**MR HLAUDI GEORGE MOTSOENENG:** That - the acting one Chairperson I - I remember very well. This (indistinct) has been caught in the (indistinct). Sometimes I want to just ...

**CHAIRPERSON:** Okay.

**MR HLAUDI GEORGE MOTSOENENG:** But I think it was around  
20 July 2014 Chairperson.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** The permanent appointment?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Okay. The acting one would have been in 2012/2013?

**MR HLAUDI GEORGE MOTSOENENG:** 2011 in November ...



**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** On the 18<sup>th</sup>.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Okay, alright.

**ADV THANDI NORMAN SC:** Thank you.

**CHAIRPERSON:** No, thank you.

**ADV THANDI NORMAN SC:** Thank you.

**CHAIRPERSON:** So - so the - the permanent appointment you say  
10 would have been around ...

**ADV THANDI NORMAN SC:** July.

**CHAIRPERSON:** Would have been in 2014?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Yes, okay. This advert is dated or the closing date ...

**ADV THANDI NORMAN SC:** The closing date.

**CHAIRPERSON:** Is given date as 15 February 2013.

**ADV THANDI NORMAN SC:** Yes Chair.

**CHAIRPERSON:** Yes, okay.

**ADV THANDI NORMAN SC:** Chair - Chair, may I just refer you to the  
20 Reference Bundle CC32 page 226. That is where Mr Motsoeneng's  
confirmation of appointment letter to the COO position is. Page 2-2-6,  
2-2-7, 2-2-8 and then from 2-2-9 there is a copy of his contract with the  
SABC.

**CHAIRPERSON:** Starting at 2-2-7?

**ADV THANDI NORMAN SC:** 2-2-6 Chair.

**CHAIRPERSON:** 2-2-6?

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** I have got - that is 8 July 2014. That is a letter of confirmation of his appointment ...

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** As COO, *ja*.

**ADV THANDI NORMAN SC:** That is correct.

10 **CHAIRPERSON:** *Ja* that - so that - that is 8 July. The letter is 8 July 2014.

**ADV THANDI NORMAN SC:** 2014, yes Chair.

**CHAIRPERSON:** Does it say - oh, it says commencement date same date 8 July 2014 and it is for a fixed term up to 30 June 2019.

**ADV THANDI NORMAN SC:** That is correct Chair.

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** Does that sound right Mr - does it sound correct that - those dates?

20 **MR HLAUDI GEORGE MOTSOENENG:** Correct Chair.

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Yes thank you and - and at page 2-2-8 sir - Chair you would find Mr Motsoeneng's full names and is acceptance of the terms and conditions.

**CHAIRPERSON:** Yes. He signed on 8 July 2014. That is the same

date to accept the offer.

**ADV THANDI NORMAN SC:** Yes.

**CHAIRPERSON:** Subject to the above terms and conditions, *ja*.

**ADV THANDI NORMAN SC:** Yes. Thank you Chair. Thank you. Then maybe before we deal with your era as the COO of the SABC because we are going to have to relate to certain minutes there. Maybe we should just go back to the statement so that we can continue from there before we deal with that era because it is going to relate to some of the people that have implicated you as you are aware where we had written  
10 or issue - where the Commission had issued 3.3 Notices to you. Are you happy if you do that?

**MR HLAUDI GEORGE MOTSOENENG:** (Intervenes).

**ADV THANDI NORMAN SC:** Thank you. Can you just go back to page 5 of your statement?

**CHAIRPERSON:** Oh ...

**ADV THANDI NORMAN SC:** Sorry Chair.

**CHAIRPERSON:** You - you not pursuing anything on that advertisement?

**ADV THANDI NORMAN SC:** No, no Chair because there is - there is a  
20 lot that we need to deal with. There is a lot of litigation that ...

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Relates to that ...

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Yes Chair but I am ...

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Just thinking because it will ...

**CHAIRPERSON:** Yes.

**ADV THANDI NORMAN SC:** Once we start with it then we must go back to the ...

**CHAIRPERSON:** No that is fine.

**ADV THANDI NORMAN SC:** Notices as well. Yes, thank you.

**CHAIRPERSON:** Okay.

**ADV THANDI NORMAN SC:** Thank you Chair.

**CHAIRPERSON:** So we must go to what page?

10 **ADV THANDI NORMAN SC:** Got back to - that is CC30 Chair.

**CHAIRPERSON:** And what page?

**ADV THANDI NORMAN SC:** At page 5 Chair.

**CHAIRPERSON:** Oh we are going back to his statement?

**ADV THANDI NORMAN SC:** To his statement yes.

**CHAIRPERSON:** Before we go back I would just like to take a few minutes adjournment.

**ADV THANDI NORMAN SC:** Yes Chair. Thank you.

**CHAIRPERSON:** I will take a five minutes adjournment. We will resume at about 3 o' clock.

20 **ADV THANDI NORMAN SC:** Thank you Chair.

**CHAIRPERSON:** We adjourn.

**REGISTRAR:** All rise.

**INQUIRY ADJOURNS**

**INQUIRY RESUMES**

**CHAIRPERSON:** Okay let's proceed.

**ADV THANDI NORMAN SC:** Chair thank you, at page Mr Motsoeneng of your affidavit you deal with the support structure of the SABC, I take it that this is the support structure at the time when you were now the COO, am I correct?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**ADV THANDI NORMAN SC:** Yes, and you deal with what the operations team was dealing with in paragraph 14.3, could you just tell the Chairperson what were you dealing with there?

**MR HLAUDI GEORGE MOTSOENENG:** Here Chair I am referring to all  
10 the divisions that reports to me, which I have already mentioned, which divisions there were reporting me. The key divisions there would be your television/radio and media technology and commercial space, those I am just mentioning a few Chair so that I don't put everything, but also I mean if you look Chairperson you also have your office manager the role of office manager is a very, very critical one, she is not above the Group Executive but the – everything that comes to me it goes to the office manager, to check the process, to check everything whether – the same group executive they have followed process that they are supposed to follow, it is a very critical position Chairperson.

20 **ADV THANDI NORMAN SC:** Yes and at page 43, if you could just turn to page 43, you make reference to that annexure which is the organisational structure of the SABC, page 43.

**MR HLAUDI GEORGE MOTSOENENG:** Yes I am there.

**ADV THANDI NORMAN SC:** Is that the picture of the organogram? It will be under divider number one?

**MR HLAUDI GEORGE MOTSOENENG:** Yes, yes.

**ADV THANDI NORMAN SC:** Oh you have it, oh I beg your pardon, okay, thank you.

**MR HLAUDI GEORGE MOTSOENENG:** Yes I have it.

**ADV THANDI NORMAN SC:** And then where would the office manager fit in there on that organogram?

**MR HLAUDI GEORGE MOTSOENENG:** The office manager sits in my office, you have divisions that reports to me.

**ADV THANDI NORMAN SC:** Yes.

10 **MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Also she will be in this office where you are if one were to draw a line within on that organogram, so one would have to put the office manager next to the COO's office, the position?

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**ADV THANDI NORMAN SC:** Okay.

**CHAIRPERSON:** She is part of your staff?

**MR HLAUDI GEORGE MOTSOENENG:** She is part Chairperson.

**ADV THANDI NORMAN SC:** Alright, okay.

20 **MR HLAUDI GEORGE MOTSOENENG:** She is the most family person in the organisation because every time in the morning we meet each and every day.

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes.

**CHAIRPERSON:** She would be the most, would she be the most senior staff member within your staff, within your staff in your office of COO?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**ADV THANDI NORMAN SC:** Yes Chair, thank you Chair. And then this structure is it the structure as it was at the time when you were COO, is – it has always been the structure that everybody including news would report to the COO or was it the organogram that you've put up at the point when you were the COO?

**MR HLAUDI GEORGE MOTSOENENG:** All the broadcasting divisions they have been reporting to me, the only division that we put together it was the technology and the commercial one. The reason being Chair a  
10 broadcaster you need A to know what B is doing, so you need a team. In the past the divisions they were independent from their units, so we put a strategy that let us put this team together so that when you go and – sales division you go and sell content, you know what you are selling, you are part of that team, you sit in those meetings, you take decisions together, so but in the past everybody was doing operating in silos, that is the reason why we put that structure together and that structure Chairperson did very well to generate more revenue and also put stability within the organisation.

**ADV THANDI NORMAN SC:** And in paragraph 17 you state that you  
20 couldn't allow the Board to appoint senior management, and could you just – or at least to appoint the people that were reporting to you suggesting that you had to appoint your own staff, is that what you are trying to convey in that paragraph?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair, in the past the SABC Board they were appointing Group Executive because you have

directors, your GCO, your COO and the CFO, they were appointing these people for three directors. My view was if these people are going to report to me I am accountable, why should be appointed by the Board when in any case the Board appoints us and that Chairperson it was causing havoc in the organisation because people that report to you they will tell you no, the Board is responsible, you are not responsible so it was causing more tension, operational tension within the team, but in a normal organisation the three directors they should be able to appoint but not only them also, even senior managers they

10 should appoint people within their delegation of authority.

**ADV THANDI NORMAN SC:** Yes, and then ...(intervention)

**CHAIRPERSON:** Sorry, I'm sorry.

**ADV THANDI NORMAN SC:** Sorry Chair.

**CHAIRPERSON:** So you say before this change happened that you are talking about the Board used to appoint Group Executives is that right?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson.

**CHAIRPERSON:** And those who fell under the category of Group Executives were the GCEO, the COO, the CFO and who else?

**MR HLAUDI GEORGE MOTSOENENG:** Can you repeat the question

20 Chair?

**CHAIRPERSON:** The question who fell under that category of Group Executives?

**MR HLAUDI GEORGE MOTSOENENG:** Oh okay.

**CHAIRPERSON:** Who were appointed by the Board at some stage before this change happened?



**MR HLAUDI GEORGE MOTSOENENG:** Okay Chair, it would be all your Group Executives, your Group Executive of Television, Radio, Technology all of them those divisions. There are about eleven.

**CHAIRPERSON:** Oh there would be about eleven?

**MR HLAUDI GEORGE MOTSOENENG:** Yes they form Exco, together we form Exco.

**CHAIRPERSON:** Okay but if one has regard to the organogram that you have put up or that has been put up at page 43 that we are looking at, before the change that you are talking about who would they be reporting to, would they be reporting to those people to – would some of them be reporting to the Chief Financial Officer, others to the COO, others to the Group Chief Executive Officer, or would they all be reporting to only one of these people?

**MR HLAUDI GEORGE MOTSOENENG:** No Chair, you are correct, they will report, the broadcasters will report to the COO, the financial team including your procurement they will report to the CFO.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Your legal, HR and other divisions they will report to the GCEO but the two directors, COO and CFO, will report to the GCEO.

**CHAIRPERSON:** Okay, okay, okay, so the change that you wanted was that even if people fell within the category of Group Executives, if they were not COO and they were not CFO and they were not GCEO they should be appointed by the relevant Corporate Executive among these three, so some would be appointed in terms of your proposal, would be

appointed by the COO, the broadcasters, those that fall under that and those that fall under the Chief Financial Officer in terms of your proposal would have to be appointed by either the Chief Financial Officer or somebody lower than that within that stream and then there would be some that may be appointed by the GCEO.

**MR HLAUDI GEORGE MOTSOENENG:** The Exco Chair which is the Group Executive, eleven of them, if they were supposed to be appointed the three directors including the HR they will sit down, go through all the interviews and appoint. For instance when I was the  
10 COO I appointed eight women, same time Chairperson, because at the SABC at the top we did not have women in those positions Chairperson, so that will – but it is not me, it is me and the panel the three directors we appointed those although I championed women to be appointed at the SABC.

**CHAIRPERSON:** Okay, okay, thank you.

**ADV THANDI NORMAN SC:** Thank you Chair. And then by making those appointments I take it that there would have been advertisements and people would respond, there would be interviews and then those women would then be appointed. Did you follow that process or did  
20 you introduce a new process?

**MR HLAUDI GEORGE MOTSOENENG:** We followed the process of advertising the post Chair. Although I was having a different view Chairperson and I will tell you why I was having a different view, but not just to appoint people, now I was saying why do we want – when you know that you want women why do you want men to come in, the

HR said to me no, it's discrimination, but I said you know the equity is there that you must have, they said no but it is fine, allow them to go for interviews, but unfortunately even in those interviews we appoint all these women chairperson, which I am very proud of.

**ADV THANDI NORMAN SC:** Yes. Thank you. And then in paragraph Mr Motsoeneng you make the point about the broadcaster not being a political party, I am just trying to understand why you needed to make that point at this stage of your affidavit, and could you just take the Chair through the reasons why you felt that at this point of your  
10 evidence in your affidavit you should raise that point?

**MR HLAUDI GEORGE MOTSOENENG:** Chairperson I think everybody knows that SABC it is a public broadcaster, everyone is having interest in the SABC, so the reason why even when people were appointed as Group Executive for me they were appointed some of them politically so, that is why Chairperson during my time I argued forcefully to say why can't we employ people within SABC because SABC already was bloated and if the SABC is bloated why can't you advertise and appoint within the organisation.

The reason why there is no stability at the SABC is because of  
20 politics Chairperson, and I raised issues even the Board, the appointment of the Board to say in my view Chairperson, I know some people they hammer me on this, but that is what I stand for, I even said the SABC should not be appointed by Parliament, and I said it should be chaired by a retired Judge, because of the politics that I have been through within the organisation and I serve under three

Boards Chairperson, so I have seen that there is a problem when it comes to politics.

Example Krish Naidoo, who was a Board member, we discussed these issues of politics and then including my former GCEO, the one that I still respect even today, Me Lulama, I was having a problem where they would report ...(intervention)

**CHAIRPERSON:** I'm sorry, you mentioned the name, what was the name? You mentioned the name of this GCEO that you said ...(intervention)

10 **MR HLAUDI GEORGE MOTSOENENG:** My former GCEO Me Lulama.

**CHAIRPERSON:** Oh, okay Ms Mokhobo.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson. Where a politician will call the directors of the SABC to attend workshops of a political party, so I was fighting for that, I said no I don't agree that we as SABC, and Chairperson I can tell you I come from the ANC, but I cannot allow to be controlled by a political party when I am supposed to serve the public. This is what I said in those minutes of the Board, where I was warning Krish Naidoo because he was saying no I am – we are deployed here as political – coming from different political parties, I  
20 said no but that is wrong because immediately when you occupy this position you leave that head, now you focus on the SABC, and Chair what happened there is Krish Naidoo to be honest me and him I know that my GCEO was saying no we lock horns, but I do not have horns I think he was just teasing, we worked very close together and I still respect her even today Chairperson, but ...(intervention)

**CHAIRPERSON:** That is Ms Makhobo, she was the CEO.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair. So Krish Naidoo was working in Ntuli House and I was always having a problem because Krish Naidoo is the one who said to ANC as long as Hlaudi is there you are not going to make it and I was fighting with Chris because Chris was interfering Chairperson, in the operations of the SABC, where he is not supposed to operate. I raised those issues in the Board, in the minutes you realise those issue are there. I said Krish I disagree with you and many Board members who had been influenced by politics  
10 Chairperson. That was the issue to be honest I don't believe that political parties should get involved in the running of the SABC.

**CHAIRPERSON:** Was he fulltime at Luthuli House, Mr Krish Naidoo, to your understanding was he employed fulltime there or what was the position?

**MR HLAUDI GEORGE MOTSOENENG:** Chairperson I can't say really sure but every day he was in Luthuli House, most of the time, not every day, most of the time he will say no, no, no, we are having a meeting in Luthuli House, I am coming, we are having a case in the Free State, he is in Northwest, I am going to work, so for me I think he was – but  
20 under correction Chairperson, I don't want to put ...(intervention)

**CHAIRPERSON:** Yes, yes you are not sure.

**MR HLAUDI GEORGE MOTSOENENG:** But I think he was working for ANC.

**CHAIRPERSON:** Yes, now you made a statement which you attributed to him a few minutes ago namely that he said something along the lines

that we are deployed by the ANC, did I understand you correct, is that what he said?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair in these minutes we have those minutes, yes you're correct so.

**CHAIRPERSON:** Yes, yes, okay thank you. So you say except for your disagreement on this issue the two of you worked quite well?

**MR HLAUDI GEORGE MOTSOENENG:** With Krish Naidoo?

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Haai Chairman no,

10 **CHAIRPERSON:** Oh, I thought that's what you were saying.

**MR HLAUDI GEORGE MOTSOENENG:** No I was saying the former GCEO.

**CHAIRPERSON:** Oh, okay, okay.

**MR HLAUDI GEORGE MOTSOENENG:** Not with Krish Naidoo Chair.

**CHAIRPERSON:** Oh, okay, okay not with Mr Naidoo.

**MR HLAUDI GEORGE MOTSOENENG:** Chairperson hey the story there is it's tough but we will not talk about it now.

**CHAIRPERSON:** Yes okay.

**MR HLAUDI GEORGE MOTSOENENG:** No, it didn't go well together.

20 **ADV THANDI NORMAN SC:** Thank you Chair. Now that you mentioned Ms Makhobo maybe I should put this question to you. I don't know whether you did watch her evidence when she testified but she did mention something that – after the appointment you took her to the Gupta Family where she was congratulated by some of the Gupta brothers. Could you just deal with that?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair we enjoyed curry there, big time Chairperson, together with Me Lulama.

**CHAIRPERSON:** And she said it was something like within a week after her appointment?

**ADV THANDI NORMAN SC:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** No Chairperson as – I was acting as the GCO ...(intervention)

**CHAIRPERSON:** Before she was appointed?

**MR HLAUDI GEORGE MOTSOENENG:** Yes, I was acting as a GCO, it  
10 was part of handover.

**CHAIRPERSON:** Okay, yes.

**MR HLAUDI GEORGE MOTSOENENG:** And it was partly because I said to her look compliance they inform me that there is this relationship between TNA and the SABC but we as SABC are not complying because there is no MOU on this matter. These are the people that we are working with them, but these people they talk to me to say we will be happy if we can meet your new GCO, what she is saying I went to her a day before that morning that she is referring that I just came and said let's go to the Guptas, now we discussed  
20 Chairperson. Yes, in the morning I went into her office and then when I arrived I said hey GCO you know what I have some stuff that I want to deal with at ten so but if we can see these people if you are okay, but we have already discussed a day before, we went there Chairperson, she was very happy, I was very happy, including myself, what happened there it was breakfast Chairperson, we went and then we eat breakfast

and they proposed Chairperson like any business people, you know even Chairperson when I go in the street people propose, they give you a proposal, they said because you are going to migrate we wish that we can have channels in that bouquet of the SABC, which it is normal, everyone does that, there was nothing wrong about those issues.

But the concern Chairperson is I don't know when you talk about Guptas there's this people they don't want to hear anything, they run away, they want to go under the tables, I don't know what is the problem, but reality is we have met Guptas, we have engaged them  
10 Chairperson and I was to allude to this Chairperson because  
...(intervention)

**CHAIRPERSON:** And you ate the curry.

**MR HLAUDI GEORGE MOTSOENENG:** I enjoyed it Chairperson, yes. And I want to allude to this Chairperson, you are dealing with State Capture Chairperson, in my view I was capturing private sector.

**CHAIRPERSON:** Just repeat that?

**MR HLAUDI GEORGE MOTSOENENG:** Sorry Chairperson.

**CHAIRPERSON:** Just repeat that sentence.

**MR HLAUDI GEORGE MOTSOENENG:** You know sometimes you want  
20 to speak your own language. I am saying Chairperson now I was trying to capture private sector and I want to demonstrate to you, that is only where I know that I differ with my former GCEO, Me Lulama, because in a meeting of Eskom I said to her, not to her, Eskom, as we were discussing issues, I said but these people we have a partnership with them, and they have jet, they have all these things, nice stuff, flying,



why can't we – because we – already we were in this partnership, why can't we use them Chairperson it was a big no from Me Lulama, maybe she was referring to that, that is the only issue that we really and I was very, because for the first time she differed with me on that issue, but not – we were still working, laughing, but she said Hlaudi, the Guptas, I said what's wrong, everybody now is talking about the Guptas, we can't. But I said no already we are in, we are partner, why can't we use their jet, because Chairperson we fly to all these Provinces, we fly to Cape Town, for me it was an opportunity, for me also to capture  
10 them.

So and that Chairperson it will go the same with – maybe because I'm talking about this issue, it will go to MultiChoice, you see even MultiChoice Chairperson they didn't approach us at the SABC, for that channel or those two channels, I approached them, but the first person who approached Multichoice it was our former GCEO, Me Magubo and Dr Ngubane, they went and approached them because there was a pressure to say but you SABC why are you not competing in this space of news.

**CHAIRPERSON:** 24 Hour news service ja.

20 **MR HLAUDI GEORGE MOTSOENENG:** Yes chair, when you have your ETV competing in that space there was pressure even from the Portfolio Committee but even citizens generally to say why you don't have a channel like ETV because they've got a channel there.

**CHAIRPERSON:** A 24 hour news channel?

**MR HLAUDI GEORGE MOTSOENENG:** A 24 hour news channel

Chairperson. So and then what happened is they went and talked and engaged.

**CHAIRPERSON:** That is now Dr Ngubane, the chairperson of the Board and Ms Mokhobo the then GCEO.

**MR HLAUDI GEORGE MOTSOENENG:** Yes, they went and approached them, they came back to the Board, the Board was not happy about their process and so on but we resolved those issues, but it could not kick off because of the financials, because their Multichoice they were saying they are going to fund SABC for R50million for five years.

10 **CHAIRPERSON:** Hang on Mr Motsoeneng, I know that Ms Norman will be dealing with that at some stage.

**ADV THANDI NORMAN SC:** Yes Chair yes.

**CHAIRPERSON:** So I don't know whether you might not go that far, so that we keep to the point, I think you were the question, you were dealing with the question of you and Ms Mokhobo going to the Gupta residence. That's how it ended, you were saying you had spoken to her before, the day before you didn't just come out of the blue and say let's go somewhere, you say you had spoken before and then the following morning you came.

20 **MR HLAUDI GEORGE MOTSOENENG:** Yes Chair but I want to submit with due respect Chair, what my former GCEO was saying it was not correct, because when she was dealing with the issue it seems as if I went into her office, called her, let's go, even my daughter eight years will ask me dad where are we going, she knew where we were going, yes Chairperson she knew where we were going, it's not like I

...(intervention)

**CHAIRPERSON:** Did she know that from the previous day's discussion?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson.

**CHAIRPERSON:** So the previous day you had said, the two of you had a discussion in terms of which you were going to go to the Gupta residence the following morning.

**MR HLAUDI GEORGE MOTSOENENG:** What we discussed Chair we said the Guptas they have asked me so that I can see her, but we didn't  
10 say the same morning we will go.

**CHAIRPERSON:** Oh you didn't fix the date?

**MR HLAUDI GEORGE MOTSOENENG:** No, no we didn't fix the date, but I – the issues that we are talking about it was compliance.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes, but in the morning when I came I went to her office, but she knew that that plan was already there to go to.

**CHAIRPERSON:** But when you went to her the following morning did you say let's go to the Guptas?

20 **MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** You did?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Okay so she didn't find out only when she arrived at the Gupta residence?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair because I have

already mentioned the compliance issue.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Talking about the Guptas.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** And the previous day I told her about they want to see her but we didn't finalise the date.

**CHAIRPERSON:** Yes okay, alright. Before Ms Norman continues I just want to ask you another question, you say once you were at the Gupta residence you enjoyed curry there, what curry was it?

10 **MR HLAUDI GEORGE MOTSOENENG:** Chairperson I went there more than – I can't count.

**CHAIRPERSON:** You went there many times?

**MR HLAUDI GEORGE MOTSOENENG:** No, no Chairperson I cannot count.

**CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** Yes, because I must tell you the truth, I cannot count, I went there several times and I enjoyed curry Chairperson I don't want to lie.

20 **CHAIRPERSON:** Yes, and it would be fair to say you became friends with them? When you say you went there so many times you cannot remember it looks like you were friends with them.

**MR HLAUDI GEORGE MOTSOENENG:** No Chairperson you know I know people have friends, but now I don't have friends, I have people that I know, I don't call them friends.

**CHAIRPERSON:** Yes, okay, okay, so that must be a wrong term, but

you interacted with them countless times?

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chairperson.

**CHAIRPERSON:** Okay, now I will tell you later why I am pursuing the issue of curry, what curry was it, was it beef curry, was it lamb curry or was it chicken curry, what curry was it, can you remember?

**MR HLAUDI GEORGE MOTSOENENG:** Chairperson I don't think they eat meat.

**CHAIRPERSON:** Hey!

**MR HLAUDI GEORGE MOTSOENENG:** I don't think they eat meat.

10 **CHAIRPERSON:** Yes.

**MR HLAUDI GEORGE MOTSOENENG:** But it has something called curry, yes I don't know ...(intervention)

**CHAIRPERSON:** Which didn't have meat.

**MR HLAUDI GEORGE MOTSOENENG:** But I don't think it's – they call it curry ...(intervention)

**CHAIRPERSON:** It's not the curry as we know it.

**MR HLAUDI GEORGE MOTSOENENG:** I think so Chairperson.

**CHAIRPERSON:** Yes, as far as you recall there was no meat in the curry that you ate, that you enjoyed.

20 **MR HLAUDI GEORGE MOTSOENENG:** No Chairperson, I don't think, yes I don't think there was meat.

**CHAIRPERSON:** No, no I was asking that question because in Ms Mentoor's statement and in her evidence before the Commission she said that when she had a meeting, when she was at the Gupta residence where she was offered the position of Minister of Public

Enterprises on her version I think she was offered curry and I think she said, I don't know if she said lamb curry or beef curry, now in response to that Mr Ajay Gupta in his affidavit said there is no way we could have offered you beef curry or lamb curry, I just cannot remember which one, but he said we couldn't offered you that, we are Hindu and so on, so I wanted to check what kind of curry you were given but you say it did not have meat.

**MR HLAUDI GEORGE MOTSOENENG:** Yes Chair.

**CHAIRPERSON:** Okay, thank you.

10 **ADV THANDI NORMAN SC:** Yes. Thank you, Chair. Maybe Mr Motsoeneng, we could just deal with the 90/10 policy and just get it out of the way. Could you just tell the Chair what motivated this policy and what was it all about? Because it's something that the interim board, I'll direct you to those pages was critical of and also, one of the witnesses if you may recall Mr Phiri testified before the Chairperson. That he didn't think that it was a bad idea to introduce that policy but it was the manner in which it was introduced that he was critical of.

**MR HLAUDI MOTSOENENG:** Chairperson, I think it is very important for all people of South Africa to bless their own people first before they  
20 can bless people from outside the country. Reason being when we came with 90%, we didn't wake up in the morning and introduce 90%. It has been a process Chairperson because in broadcasting as the COO I have the summit. Annually so I have a summit where we go through all the programs that are performing and non-performance and when you look all those programs the non-performance our international content.

I know that they were saying that no, local content actually caused harm for the SABC. It is not true Chairperson. Look Generation, look Uzalo those are the most watched soapies in South Africa. So, there is no way that international content will beat local content. We went through Chairperson after our summit but my issue was, we as SABC we have been talking for many, many years Chairperson. Even before I came, people were talking about local content but when they talk at the SABC they believe that when they have a paper they have put, they have delivered. So, for me when I see outcome I have delivered. But

10 also, Chairperson we look at the books of the SABC. Example, when you take artist of South Africa you know people tape the... (indistinct) and people are so excited. I mean I don't know because people talk about it. For me it's painful if you are going to use that word for your own artist. I realized that actually we are paying artists outside more than our own artists in South Africa. And I said to the team, we can't be a blesser. You must bless your own children first before you bless people from outside. So, that is the reason why we introduce local content. But we also went across the country talking to people, citizens asking them about what they feel about the SABC. The majority of them

20 they said, why do you show us the Bold and the Beautiful? Some of them they are saying no, when we grow, we are getting older. We are still seeing this the Bold and the Beautiful. So, I said, why can't we have our own the Bold and the Beautiful as South Africans Chairperson? And if you look in Africa Chair, many people they watch Nigerian content. Why? Because it's appealing. Even here in South

Africa we can do that Chairperson, South Africa will create employment, South Africa will create sustainable artists because they die as... (indistinct) because the money goes out. So, those are the issues Chairperson. But also, Chairperson it is not about the artist. It is also about your production houses because we were saying it can't be right that when you go to KwaZulu Natal, you go to Limpopo I can't leave my province Free State Chairperson. You go to Free State, you don't have actors coming from those provinces when actually we are a public broadcaster. What kind of content are we supposed to do? It's a local  
10 content. Even when you check the broadcasting Act, it talks about SABC developing local content production houses. That is what we did Chairperson. To be honest I have a pain where I am Chairperson that the board, they reverse 90/10. You know why they reversed it? They didn't want the person but the person was correct. But if you don't want the person don't destroy what is good for the country because that is what SABC is doing. They are destroying everything that we implemented Chair. And you can imagine Chairperson President Ramaphosa now another president comes. He just wake up and feel no man that president was not doing and you destroy everything. That's  
20 why SABC will be always in these troubles that they are facing Chairperson because you should take the good and leave the bad that you think this one is not working. But in the local content I can attest it's the diamond of South Africa for our artists and business people generally Chairperson. So, I believe in us before I can believe in other people. And Chairperson, I went abroad. You know what is very



interesting I was really honoured to be invited by broadcasters internationally in India not to the Guptas, Chair. In India were all the broadcasters went and discussed because when I introduced 90/10 all South Africa people were excited. Wake up, I mean you go to the airport you feel you are in South Africa. It's all this music, our African music. They invited me to come to say but why are you getting rid of us. Why are you saying 10% international content not at least 60% for South Africa? At least we can see that we are moving somewhere. But I said to them, tell me how many artists do you play in this country? I

10 have been here for a week. I have never listened to music or a musician from Africa. It's all the Americans and others. You don't play our music. When it comes to content Chairperson, I said to them, for us to buy your content our own actors here those who are acting Generations and other soapies when we buy, we must benefit. We must have our own actors there in the Bold and the Beautiful; example acting internationally because I believe our people are capable to act internationally. We agree Chairperson. I'm surprised that the new board is talking bad about local content. But I can tell you Chairperson, they don't know broadcasting. This one Chairperson I can attest to you.

20 They don't understand broadcasting. Example Chairperson, the Chairperson of the board including the GCO they talk about you need to invest in time before you put a content and they make misleading issue about Uzalo. Uzalo Chairperson is my project, it's my baby because it was a pilot project when we introduced to say, we want to see all provinces producing content in their own languages. So, when I and

people were fighting Chairperson. They didn't want that Uzalo. I think if you were reading newspapers Chairperson if you read newspapers Chair you realize that at certain point there was hullabaloo about Uzalo and so on. And I said to the team of the SABC, let us give them a chance and see how this baby will grow. Chairperson, within three months Uzalo was leading Generation and other soapies. Which means people love local content. As I'm speaking now Uzalo is competing amongst the top three. So, which means local content is lekker and we as South Africans we must invest in local content, Chairperson. That is  
10 what I want to say to you, Chair.

**ADV THANDI NORMAN SC**: Thank you. Thank you, Chair.

**CHAIRPERSON**: Yes, thank you.

**ADV THANDI NORMAN SC**: Thank you. May I just refer you to what the interim board in its report says? It will be in the reference bundle CC32 at pages 5, matters that relate to the 90/10. It will be page 5, Chair.

**CHAIRPERSON**: Page 5?

**ADV THANDI NORMAN SC**: Page 5. Yes, Chair.

**CHAIRPERSON**: Okay.

**ADV THANDI NORMAN SC**: Yes. Where the heading is, Performance  
20 Review.

**CHAIRPERSON**: Yes.

**ADV THANDI NORMAN SC**: Thank you. But your attention Mr Motsoeneng is drawn to paragraph 2.1.2D, C I beg your pardon where they say,

The interim board took the following decisions

reviewed the 90/10 local content directive to align with ICASA rules with particular reference to those stations which suffered audience and revenue loss.

And then it page 11, Chair paragraph 2.1 .13 the subheading is, Evaluate financial and legal implications of unilateral changes to policy.

It was established that the 90/10 local content directive had a negative impact on audiences and advertising revenue of some radio and TV stations totalling 183 million (unaudited) in television and 29 million (unaudited) in radio.

10 These figures excluded the additional costs of 72 million for the replacement of local content and losses due to unused foreign rights already contracted. The interim board has taken a decision to reverse the 90/10 local content directive. The corporation remains compliant and above with the requirements of the ICASA regulations.

Thank you. Do you wish to comment?

**MR HLAUDI MOTSOENENG**: Yes. Through you Chair, I think Chair the board is misleading the public. There is no way where local content can cause revenue for SABC. As I have alluded to the issue that local  
20 content generates more revenue.

**CHAIRPERSON**: You mean can cause revenue loss?

**MR HLAUDI MOTSOENENG**: Sorry, Chair?

**CHAIRPERSON**: You mean there is no way local content could cause revenue loss for SABC?

**MR HLAUDI MOTSOENENG**: There is no way Chairperson.

**CHAIRPERSON**: That is what you mean, ja.

**MR HLAUDI MOTSOENENG**: There is no way because local content  
Chairperson, when we introduce local content well, I must be honest  
Chair. Some of advertisers they were not happy but they were not even  
happy even when we were still having that content that we were having  
at the SABC. So, after introducing local content we went to see all  
these advertisers and we, it was public knowledge because it was on  
media, it was on television where we engaged them there indoors. To  
say that they were going to invest in local content it can't be correct.

10 The issue that I'm thinking Chairperson they don't know the SABC you  
have a sales division. Their work is to sell the SABC the value of the  
SABC and when they sell this value of the SABC most of the time they  
give discount. If you give discount which means you don't value your  
own SABC because I value SABC very highly so. If you don't give them  
discount because when people want money, they want quick money. So,  
they will say 100 million is coming tomorrow but you lose half of 100  
million. So, for me is they don't understand the business. Why SABC  
didn't collapse when I was there and the previous boards? Because  
Chair I can attest to you. If you look the financials of the SABC you will  
20 realize that from 2008 until 2016 especially 2013 Chairperson we  
improved a lot. It was around billion, billion, billion. When I left at the  
SABC it was 881 cash in the bank and that is where they come in.  
When they come in Chairperson, if you have 881 cash in the bank, they  
just know there is money but they don't know what they need to do to  
make sure that they increase the money. Because that money

Chairperson that I'm talking about the financials they are audited financials. I saw when the board when they were presenting and the GCO they were talking about hearsay. They were telling the Commission about their own views. They didn't produce the report Chairperson. If you go through those lies you will see that SABC financially has been doing very well. And when you check Chairperson if you have 881 million to run SABC to operate you need 600 million. But those when you close the financials they are audited, everything is done. Now you have 881 million. What do you need to do? I call cycle.

10 You have the first cycle where you need to recover because now you have paid everything. Now you have 800 million. You must make sure when you come to June at least you have covered that amount. When it comes to September you are around 1.1 billion/1.2 billion. That is how we have been running SABC Chairperson. It's the understanding of the business. They don't understand the business Chairperson. That is my view that I will submit that no, these people they don't know what they're talking about Chairperson. Even if Chairperson they can be given bailout, they'll never take SABC anywhere because Chairperson why do you just want to eat, eat, eat you don't think? In the board  
20 meeting Chairperson, the minutes are there will attest to that. I said, why do we want bailout from government Chairperson? It's written in the minutes Chairperson and reason being Chairperson when I came at the SABC now I'm talking as an acting COO. I realized that people they don't use their own thinking and innovation to deal with issues. Because when I came Chairperson the financials were bad and I'm not

taking credit as an individual. I'm taking credit with the team in the previous boards but I had come with innovation Chairperson how to make sure that SABC is sustainable.

**ADV THANDI NORMAN SC**: Yes. We are going to deal with that maybe in the morning because I think there is a paragraph where you deal. There is minutes where it's dealt with about you having raised funds for the SABC. So, we are going to deal with all of those. I think that also falls within what you call your innovations. But for now, let's just deal with another big policy change.

10 **MR HLAUDI MOTSOENENG**: Sorry, Chair

**ADV THANDI NORMAN SC**: Sorry.

**MR HLAUDI MOTSOENENG**: Through you, Chair.

**CHAIRPERSON**: Sorry, yes.

**MR HLAUDI MOTSOENENG**: I just before because I'm going to forget this one Chairperson.

**ADV THANDI NORMAN SC**: Alright.

**CHAIRPERSON**: Yes.

**MR HLAUDI MOTSOENENG**: On the same matter Chairperson, you know the weakness there at the SABC also it was people will project  
20 loss and also if you go to the minutes Chairperson, I refuse SABC to project loss. Because if you project loss, what are you saying? You are saying let's collapse, let's close the shop. So, those I'm just saying. Those are the issues Chairperson that we must think about.

**ADV THANDI NORMAN SC**: Yes, thank you.

**CHAIRPERSON**: So, you say that will be dealt with tomorrow morning?

**ADV THANDI NORMAN SC**: Yes, tomorrow Chair. Yes, Chair.

**CHAIRPERSON**: Okay.

**ADV THANDI NORMAN SC**: Chair, I'm not sure whether I should start but we still have 15 minutes.

**CHAIRPERSON**: Let's try and use.

**ADV THANDI NORMAN SC**: And use it. Thank you, Chair.

**CHAIRPERSON**: Because yesterday we, was it yesterday?

**ADV THANDI NORMAN SC**: Yes, we finished early.

**CHAIRPERSON**: We adjourned about 15h40.

10 **ADV THANDI NORMAN SC**: That's correct, Chair.

**CHAIRPERSON**: Ja, let's try and go.

**ADV THANDI NORMAN SC**: And make time. Thank you. Mr Motsoeneng, can we also deal with another change that you implemented as the COO. You must have heard the journalists that's testified including, these are matters that would relate to the SABC 8 if you recall about the change that violent protests were not to be covered. They have testified to the Chair that they felt that was interference with news and that was something that they frowned upon and you would have listened to all of their evidence. In fact, I think one  
20 of the witnesses categorized it as a matter that was kind of treasonous because in other words you are saying to the public, I'm not going to show you exactly what's happening but I will conceal that from you. Could you just testify to that?

**MR HLAUDI MOTSOENENG**: With pleasure, Chair. Chairperson I think people when we talk about media, they confuse issues. I did hear when

they were testifying to say I was interfering. It was my job to interfere. I don't Chairperson I just want to demonstrate. It was my job to interfere because their argument is, they are independent. The question we need to ask Chairperson, independent to who if they are independent because independency it is an organization. It's not me as an individual. It is an organization independent. In the Broadcasting Act, Chairperson it's clear the independence of a broadcaster, all re-broadcasters not individual and when it comes these visuals Chairperson, I don't know what is happening in South Africa because I  
10 want to demonstrate Chairperson. The visuals, what we see today is because of how media cover these riots that is happening in South Africa. And if you check the Nigerians are taking business people in Nigeria, what cause that? When they saw it on our television. Chairperson, my view on the visuals you can show the visuals but there are certain visuals that you can't show. Their issue Chairperson is no, the journalist should be creative, independence. The Broadcasting Act they don't talk about journalist being independent as journalist. And my view on independence Chairperson is that you should not be influenced by other forces maybe outside but internally Chairperson. You know  
20 people interfere to me as the COO. They interfere in my work. They will tell me here we think you are wrong or we think here but I don't take it as an interference. I take as people who are assisting me to do what we are supposed to do at the SABC Chairperson because the Broadcasting Act, Chair is against the glamorizing violence. It's there in the Broadcasting Act and it is unlawful. It is not me. In the Broadcasting



Act it says it is unlawful to the glamorizing violence Chairperson. So, my view is Chairperson that decision that I have taken or we have taken at the SABC we were within the Broadcasting Act because that's what the Broadcasting Act says. That know when we deal with broadcasting, we must be very careful about some of the issues that we are doing. Chairperson, I don't believe that you should go and burn a library at Wits University. Where are our children going to learn if you burn a library? Because for us as South Africa it seems as if we want to produce monsters in my view Chairperson. Because if you check

10 Chairperson, South Africa what is news is bad. Bad news is news that is occupying everything. Why are we not producing role models? Why the journalists are not going and talk to people who are doing well for the community? I'm just giving you examples Chairperson.

**ADV THANDI NORMAN SC:** Yes. Can I just interrupt just on that? How would you want it to be covered? If the Wits is being burned down, how would you in terms of your policy how would you have expected journalists to cover that story?

**MR HLAUDI MOTSOENENG:** They can cover the story. I don't have a problem with them covering the story but let's take a burn example

20 Chairperson which I clarify to media general not even SABC workers. I said, no look let's take Vuyani. People go and burn a school. You don't know who is inside the school. Television these days is live Chairperson. You can see people walking around being burned on television. We must not allow that to happen Chairperson. Even here in Alexandra, that burn people were found there, Chairperson. I'm saying

when I was dealing with the issue, Chairperson including myself and Joe Tloloe and Ntate Joe Tloloe and I respect him. We went and debated this issue of visuals. I said, no my issue is the physicality of showing those visuals. You can show the building but I don't think every day we must watch building, people have burned a building, people are killing each other and I'm aligned with the Broadcasting Act. Chairperson I want anyone who will say the Broadcasting Act is talking differently from what I'm saying because there are portion even in my affidavit that I'm referring to.

10 **ADV THANDI NORMAN SC:** Yes. And I think that portion is in paragraph 43 of your statement that where you are quoting the conduct for broadcasting licenses regulations of 2009. Is that the one?

**MR HLAUDI MOTSOENENG:** Yes, Chair.

**ADV THANDI NORMAN SC:** Which is,

The broadcasting service licenses must not broadcast material which judged within context

a. contains violence which does not play an integral role in developing the plot character or theme of the material as a whole or sanctions or promotes or glamorizes violence or unlawful  
20 conduct.

**MR HLAUDI MOTSOENENG:** Yes, Chair.

**ADV THANDI NORMAN SC:** That's the point that you are making?

**MR HLAUDI MOTSOENENG:** That is the point, Chair. That is the point that I demonstrated to the SABC personnel. To say, as a public broadcaster because they compare them with a private broadcaster or

media general outside. In their minds they are independent because they are media but we are guided by the Broadcasting Act.

**ADV THANDI NORMAN SC:** Yes. But then even taking that example that you've given. So, what it means that the public then if supposing that you are correct in your interpretation of what the regulations say and supposing that you have used the correct, it would mean that a journalist would go and cover a story. That story without anyone's plan turns or the situation turns violent and buildings are burnt down. If one were to look at what you suggesting then that journalist must simply  
10 cover the aspect where there is no violence and then walk away from the scene. Meaning then the public would not know what happened, what situation developed from the initial story.

**MR HLAUDI MOTSOENENG:** My interpretation is different. My interpretation is you can show the visuals but you should be selective what kind of visuals that you are going to show people. You can report about people toying toying but Chairperson in my understanding I may be wrong and I know Chairperson you will correct me when you deal with your findings. I may be wrong because I'm not even a lawyer but it's just my understanding what I'm understanding and that point. Actually,  
20 were not even supposed to glamorize this violence. It is unlawful because that is what the Act says there, Chairperson. It is my understanding but as a human being Chairman now ubuntu. As a human being, as an African you know Africans, we, I don't know Chairperson and I know they said, no I said to them America. It is true. America there is poverty Chairperson. America even when the plane, you know

that plane you know is normal. What you see there, Chairperson you just see kwi but they don't show you. They hide it. So, for some own their own reason because I don't want to get involved there. But here Chairperson I'm just dealing with what the law says in my understanding. I'm not a lawyer but that is. I may be right, I may be wrong but that is my understanding.

**CHAIRPERSON**: Yes. You are explaining how you, what informs your view on the issue.

**MR HLAUDI MOTSOENENG**: Yes, Chair.

10 **CHAIRPERSON**: That is what you are explaining.

**MR HLAUDI MOTSOENENG**: And my view Chairperson is South Africa or Africa we can't really just because this encourages Chairperson. It's a, I was a journalist Chairperson. When you go with cameras, even these journalists they will tell you here. When you go with cameras especially when you are known, they know you they do some stuff. Stones, everything just happens. Chairperson, we should not really encourage that Chairperson. I'm just talking from, not from the point of view of the SA. Personally, that is what I don't think because I think Chairperson especially SABC we should make sure that we balance the  
20 stories. But we don't really put all these visuals that are bad for the country. Even I'm happy Chairperson. The president of the country currently agrees with me. Minister Naledi Pandor agrees with me which means now they are following me because this is what I have been saying.

**ADV THANDI NORMAN SC**: Thank you. On that note, Chair it's now 4

o'clock.

**CHAIRPERSON**: Yes.

**ADV THANDI NORMAN SC**: May we then adjourn for the day?

**CHAIRPERSON**: What's your estimation of how long we should be tomorrow with Mr Motsoeneng?

**ADV THANDI NORMAN SC**: Chair, we should finish in two hours.

**CHAIRPERSON**: In two hours?

**ADV THANDI NORMAN SC**: Yes.

**CHAIRPERSON**: And then how many witnesses have you lined up for  
10 tomorrow other than him?

**ADV THANDI NORMAN SC**: I'm sorry, Chair. Chair might I just?

**CHAIRPERSON**: Ja, okay.

**ADV THANDI NORMAN SC**: Two. We've got after Mr Motsoeneng we could move another witness. Then we can have two more witnesses, Chair.

**CHAIRPERSON**: Are the others brief witnesses?

**ADV THANDI NORMAN SC**: Yes, Chair. Yes.

**CHAIRPERSON**: Okay.

**ADV THANDI NORMAN SC**: What were you going to suggest, Chair?

20 **CHAIRPERSON**: No, no, no. I was just thinking whether if we start at  
10 o'clock we would be fine.

**ADV THANDI NORMAN SC**: Oh, whether we should start.

**CHAIRPERSON**: But I think let's start at 10 o'clock, yes.

**ADV THANDI NORMAN SC**: We will be fine, Chair yes.

**CHAIRPERSON**: Okay, ja.

**ADV THANDI NORMAN SC**: Yes, thank you.

**CHAIRPERSON**: Okay. We are going to adjourn for the day and then we will proceed tomorrow. We will start at 10 o'clock tomorrow. So, you will come back Mr Motsoeneng tomorrow morning.

**ADV THANDI NORMAN SC**: Yes. Thank you, Chair.

**CHAIRPERSON**: We adjourn.

**INQUIRY ADJOURNS TO 11 SEPTEMBER 2019**