



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID AFRIKA

Vol. 695

26

May  
Mei

2023

No. 48660

**PART 1 OF 4**

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ISSN 1682-5845



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**IMPORTANT NOTICE:**

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**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

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government  
printing

Department:  
Government Printing Works  
REPUBLIC OF SOUTH AFRICA

## HIGH ALERT: SCAM WARNING!!!

### TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

It has come to the attention of the *GOVERNMENT PRINTING WORKS* that there are certain unscrupulous companies and individuals who are defrauding unsuspecting businesses disguised as representatives of the *Government Printing Works (GPW)*.

The scam involves the fraudsters using the letterhead of *GPW* to send out fake tender bids to companies and requests to supply equipment and goods.

Although the contact person's name on the letter may be of an existing official, the contact details on the letter are not the same as the *Government Printing Works*. When searching on the Internet for the address of the company that has sent the fake tender document, the address does not exist.

The banking details are in a private name and not company name. Government will never ask you to deposit any funds for any business transaction. *GPW* has alerted the relevant law enforcement authorities to investigate this scam to protect legitimate businesses as well as the name of the organisation.

Example of e-mails these fraudsters are using:

[PROCUREMENT@GPW-GOV.ORG](mailto:PROCUREMENT@GPW-GOV.ORG)

Should you suspect that you are a victim of a scam, you must urgently contact the police and inform the *GPW*.

*GPW* has an official email with the domain as [@gpw.gov.za](mailto:@gpw.gov.za)

Government e-mails DO NOT have org in their e-mail addresses. All of these fraudsters also use the same or very similar telephone numbers. Although such number with an area code 012 looks like a landline, it is not fixed to any property.

*GPW* will never send you an e-mail asking you to supply equipment and goods without a purchase/order number. *GPW* does not procure goods for another level of Government. The organisation will not be liable for actions that result in companies or individuals being resultant victims of such a scam.

*Government Printing Works* gives businesses the opportunity to supply goods and services through RFQ / Tendering process. In order to be eligible to bid to provide goods and services, suppliers must be registered on the National Treasury's Central Supplier Database (CSD). To be registered, they must meet all current legislative requirements (e.g. have a valid tax clearance certificate and be in good standing with the South African Revenue Services - SARS).

The tender process is managed through the Supply Chain Management (SCM) system of the department. SCM is highly regulated to minimise the risk of fraud, and to meet objectives which include value for money, open and effective competition, equitability, accountability, fair dealing, transparency and an ethical approach. Relevant legislation, regulations, policies, guidelines and instructions can be found on the tender's website.

## Fake Tenders

National Treasury's CSD has launched the Government Order Scam campaign to combat fraudulent requests for quotes (RFQs). Such fraudulent requests have resulted in innocent companies losing money. We work hard at preventing and fighting fraud, but criminal activity is always a risk.

### How tender scams work

There are many types of tender scams. Here are some of the more frequent scenarios:

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to a company to invite it to urgently supply goods. Shortly after the company has submitted its quote, it receives notification that it has won the tender. The company delivers the goods to someone who poses as an official or at a fake site. The Department has no idea of this transaction made in its name. The company is then never paid and suffers a loss.

OR

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to Company A to invite it to urgently supply goods. Typically, the tender specification is so unique that only Company B (a fictitious company created by the fraudster) can supply the goods in question.

Shortly after Company A has submitted its quote it receives notification that it has won the tender. Company A orders the goods and pays a deposit to the fictitious Company B. Once Company B receives the money, it disappears. Company A's money is stolen in the process.

Protect yourself from being scammed

- If you are registered on the supplier databases and you receive a request to tender or quote that seems to be from a government department, contact the department to confirm that the request is legitimate. Do not use the contact details on the tender document as these might be fraudulent.
- Compare tender details with those that appear in the Tender Bulletin, available online at [www.gpwonline.co.za](http://www.gpwonline.co.za)
- Make sure you familiarise yourself with how government procures goods and services. Visit the tender website for more information on how to tender.
- If you are uncomfortable about the request received, consider visiting the government department and/or the place of delivery and/or the service provider from whom you will be sourcing the goods.
- In the unlikely event that you are asked for a deposit to make a bid, contact the SCM unit of the department in question to ask whether this is in fact correct.

Any incidents of corruption, fraud, theft and misuse of government property in the *Government Printing Works* can be reported to:

Supply Chain Management: Ms. Anna Marie Du Toit, Tel. (012) 748 6292.  
Email: [Annamarie.DuToit@gpw.gov.za](mailto:Annamarie.DuToit@gpw.gov.za)

Marketing and Stakeholder Relations: Ms Bonakele Mbhele, at Tel. (012) 748 6193.  
Email: [Bonakele.Mbhele@gpw.gov.za](mailto:Bonakele.Mbhele@gpw.gov.za)

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.  
Email: [Daniel.Legoabe@gpw.gov.za](mailto:Daniel.Legoabe@gpw.gov.za)

# Closing times for **ORDINARY WEEKLY** **GOVERNMENT GAZETTE** **2023**

*The closing time is **15:00** sharp on the following days:*

- **08 December**, Thursday for the issue of Thursday **15 December 2022**
- **15 December**, Thursday for the issue of Friday **23 December 2022**
- **22 December**, Thursday for the issue of Friday **30 December 2022**
- **29 December**, Thursday for the issue of Friday **06 January 2023**
- **06 January**, Friday for the issue of Friday **13 January 2023**
- **13 January**, Friday for the issue of Friday **20 January 2023**
- **20 January**, Friday for the issue of Friday **27 January 2023**
- **27 January**, Friday for the issue of Friday **03 February 2023**
- **03 February**, Friday for the issue of Friday **10 February 2023**
- **10 February**, Friday for the issue of Friday **17 February 2023**
- **17 February**, Friday for the issue of Friday **24 February 2023**
- **24 February**, Friday for the issue of Friday **03 March 2023**
- **03 March**, Friday for the issue of Friday **10 March 2023**
- **10 March**, Friday for the issue of Friday **17 March 2023**
- **16 March**, Thursday for the issue of Friday **24 March 2023**
- **24 March**, Friday for the issue of Friday **31 March 2023**
- **30 March**, Thursday for the issue of Thursday **06 April 2023**
- **05 April**, Wednesday for the issue of Friday **14 April 2023**
- **14 April**, Friday for the issue of Friday **21 April 2023**
- **20 April**, Thursday for the issue of Friday **28 April 2023**
- **26 April**, Wednesday for the issue of Friday **05 May 2023**
- **05 May**, Friday for the issue of Friday **12 May 2023**
- **12 May**, Friday for the issue of Friday **19 May 2023**
- **19 May**, Friday for the issue of Friday **26 May 2023**
- **26 May**, Friday for the issue of Friday **02 June 2023**
- **02 June**, Friday for the issue of Friday **09 June 2023**
- **08 June**, Thursday for the issue of Thursday **15 June 2023**
- **15 June**, Thursday for the issue of Friday **23 June 2023**
- **23 June**, Friday for the issue of Friday **30 June 2023**
- **30 June**, Friday for the issue of Friday **07 July 2023**
- **07 July**, Friday for the issue of Friday **14 July 2023**
- **14 July**, Friday for the issue of Friday **21 July 2023**
- **21 July**, Friday for the issue of Friday **28 July 2023**
- **28 July**, Friday for the issue of Friday **04 August 2023**
- **03 August**, Thursday for the issue of Friday **11 August 2023**
- **11 August**, Friday for the issue of Friday **18 August 2023**
- **18 August**, Friday for the issue of Friday **25 August 2023**
- **25 August**, Friday for the issue of Friday **01 September 2023**
- **01 September**, Friday for the issue of Friday **08 September 2023**
- **08 September**, Friday for the issue of Friday **15 September 2023**
- **15 September**, Friday for the issue of Friday **22 September 2023**
- **21 September**, Thursday for the issue of Friday **29 September 2023**
- **29 September**, Friday for the issue of Friday **06 October 2023**
- **06 October**, Friday for the issue of Friday **13 October 2023**
- **13 October**, Friday for the issue of Friday **20 October 2023**
- **20 October**, Friday for the issue of Friday **27 October 2023**
- **27 October**, Friday for the issue of Friday **03 November 2023**
- **03 November**, Friday for the issue of Friday **10 November 2023**
- **10 November**, Friday for the issue of Friday **17 November 2023**
- **17 November**, Friday for the issue of Friday **24 November 2023**
- **24 November**, Friday for the issue of Friday **01 December 2023**
- **01 December**, Friday for the issue of Friday **08 December 2023**
- **08 December**, Friday for the issue of Friday **15 December 2023**
- **15 December**, Friday for the issue of Friday **22 December 2023**
- **20 December**, Wednesday for the issue of Friday **29 December 2023**

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2018**

### NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

### EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3026.32** per page.

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**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

### CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.

2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website [www.gpwnonline.co.za](http://www.gpwnonline.co.za)

All re-submissions will be subject to the standard cut-off times.

**All notices received after the closing time will be rejected.**

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
<i>Extraordinary Gazettes</i>	As required	Any day of the week	<i>Before 10h00 on publication date</i>	<i>Before 10h00 on publication date</i>
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days <b>after</b> submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

### GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days <b>after</b> submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days <b>after</b> submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days <b>after</b> submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

### EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

### NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
  - 8.1. Each of the following documents must be attached to the email as a separate attachment:
    - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
      - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
      - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
    - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. (*Please see Quotation section below for further details*)
    - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
    - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (*Please see the Copy Section below, for the specifications*).
    - 8.1.5. Any additional notice information if applicable.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES**

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by “walk-in” customers on electronic media can only be submitted in *Adobe* electronic form format. All “walk-in” customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

**QUOTATIONS**

13. Quotations are valid until the next tariff change.
  - 13.1. **Take note:** **GPW**'s annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.
  - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
  - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
  - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
  - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
    - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
  - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
  - 19.1. This means that **the quotation number can only be used once to make a payment.**

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
- 20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.
- The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:
- Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;
- Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

**CANCELLATIONS**

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

**REJECTIONS**

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

27. The Government Printer will assume no liability in respect of—
  - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
  - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

**CUSTOMER INQUIRIES**

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

**GPW** has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**

NO. 3455

26 May 2023

**AGRICULTURAL PRODUCT STANDARDS ACT, 1990  
(ACT No. 119 OF 1990)****INVITATION FOR THE PUBLIC TO COMMENT ON REGULATIONS RELATING TO THE GRADING,  
PACKING AND MARKING OF MAIZE INTENDED FOR SALE IN THE REPUBLIC OF SOUTH AFRICA**

I, Angela Thoko Didiza, Minister of Agriculture, Land Reform and Rural Development, acting under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) hereby publish the attached Regulations regarding the grading, packing, and marking of maize destined for sale in the Republic of South Africa, for public comment.

All interested parties are invited to submit comments and any representations concerning the proposed revised regulations in writing within **30 days** from the date of publication of this Notice to the following address:

Executive Officer: Agricultural Product Standards  
Department of Agriculture, Land Reform and Rural Development  
Private Bag X343, Pretoria, 0001  
30 Hamilton Street, Harvest House Building, Arcadia, Room 152  
Tel. no. 012 319 6171; Fax no. 012 319 6265  
Email: [VictorMa@dalrrd.gov.za](mailto:VictorMa@dalrrd.gov.za)

The revised regulations are available on the Department's website [www.dalrrd.gov.za](http://www.dalrrd.gov.za), go to "Branches" → "Agricultural Production, Health & Food Safety" → "Food Safety & Quality Assurance" → "Draft legislation for comments", or can be forwarded via electronic mail or posted to any person upon request.

  
**MRS AT DIDIZA, MP****MINISTER FOR AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**

**DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT****NO. 3456****26 May 2023****AGRICULTURAL PRODUCT STANDARDS ACT, 1990 (ACT No. 119 OF 1990)****REGULATIONS REGARDING CONTROL OVER THE SALE OF MAYONNAISE AND SALAD DRESSING  
IN THE REPUBLIC OF SOUTH AFRICA: REVISION OF REGULATIONS**

I, Angela Thokozile Didiza, Minister for Agriculture, Land Reform and Rural Development, acting under section 15 of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990), hereby make known that I intend to publish revised "Regulations regarding control over the sale of mayonnaise and salad dressing in the Republic of South Africa" (No.R.636 of 30 June 2000).

All interested parties are invited to submit comments or make representations concerning the revision of the regulations within **30 days** from the date of publication of this notice to the following address:

Executive Officer: Agricultural Product Standards  
Department of Agriculture, Land Reform and Rural Development  
Private Bag X343, Pretoria, 0001  
30 Hamilton Street, Harvest House Building, Arcadia, Room 155  
Tel. no. 012 319 6027; Fax no. 012 319 6265  
Email: [NielE@dalrrd.gov.za](mailto:NielE@dalrrd.gov.za)

The proposed revised regulations are available on the Department's website at the following address:

<http://www.old.dalrrd.gov.za/Branches/Agricultural-Production-Health-Food-Safety/Food-Safety-Quality-Assurance/Draft-Legislation-for-Comments>

or can be forwarded via electronic mail or posted on request.

**A.T. DIDIZA****MINISTER FOR AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT**

## DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 3457

26 May 2023

**GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994), AS AMENDED**

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, Act No. 22 of 1994 as amended a land claim has been lodged by Mabunda Daniel Hlegani, Mthombeni Soyaphi Simeon, Mthombeni Gabaza Mphephu, Muavha Florah Farisani, Mthombeni Rungurisa Khubani, Rathaha Mokhutlane William, Zitha Murimisi Simon, Zitha Hlekani Lettie, Zitha Welazi July, Zitha Madzibi Jerry, on the farms Portion 1, Portion 2, Portion 5, Remainder of the farm Kremetart 231 LT, Remainder of Greater Giyani 891 LT, Remainder of Giyani 664 LT and Matiko 898 LT in Greater Giyani Municipality, Mopani District of the Limpopo. This land claim was lodged before the cut-off date of 31<sup>st</sup> December 1998.

Preliminary investigations that were done by the Office of the Regional Land Claims Commissioner: Limpopo indicates that the Mabunda Tribe was dispossessed of land rights on the farms Portion 1, Portion 2, Portion 5, Remainder of the farm Kremetart 231 LT, Remainder of Greater Giyani 891 LT, Remainder of Giyani 664 LT and Matiko 898 LT.

Detailed information of the farm is as indicated in the below table.

NO	PROPERTY	LANDOWNER	EXTENT (HA)	ENDORSEMENT/ENCUMBRANCES	TITLE DEED	CLAIMANT
1	Portion 1, Portion 2, Portion 5, Remainder of Kremetart 231 LT	National Government of the Republic of South Africa	105.9120 ha	None	Unsurveyed state land	Mthombeni families
2	Remainder of Greater Giyani 891 LT, Matiko 891 LT, Portion 5 of Kremetart 231 LT	National Government of the Republic of South Africa	182.2154 ha	None	Unsurveyed state land	Mabunda families
3	Remainder of Greater Giyani 891 LT	National Government of the Republic of South Africa	594.8207 ha	None	Unsurveyed state land	Zitha families

4	Remainder of Greater Giyani 891 LT, Remainder of Giyani 664 LT	National Government of the Republic of South Africa	348.2813 ha	None	Unsurveyed state land	Ratlhaha families
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All interested parties should take note that the Officer of the Regional Land Claims Commissioner: Limpopo is investigating these land claims. Any party that has an interest in the above-mentioned properties is hereby invited to submit in writing within 14 (fourteen) days of publication of this notice, any comments, objections or information under KRP number quoted on the table outlining the claimants as the reference number to:

**The office of the Regional Land Claims**

Commissioner: Limpopo  
Private Bag x9552  
POLOKWANE  
0700



L H MAPHUTHA

REGIONAL LAND CLAIMS COMMISSIONER

DATE: 31.03.2023

**Submission may also be delivered to:**

First Floor, 96 Kagiso House  
Corner Rissik & Schoeman Streets  
POLOKWANE  
0700

## DEPARTMENT OF EMPLOYMENT AND LABOUR

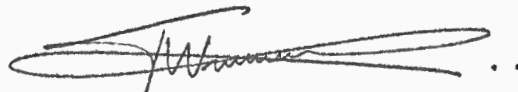
NO. 3458

26 May 2023

## LABOUR RELATIONS ACT, 1995

**SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL:  
EXTENSION TO NON-PARTIES OF THE MAIN COLLECTIVE AGREEMENT**

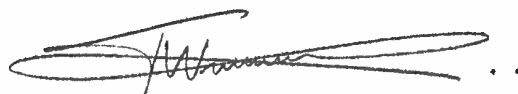
I, **THEMBELANI WALTERMADE NXESI**, Minister of Employment and Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the **South African Road Passenger Bargaining**, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that Industry with effect from the second Monday after publication until **31 March 2024** or until replaced by a subsequent agreement.



MR TW NXESI, MP  
MINISTER OF EMPLOYMENT AND LABOUR  
DATE: 10/05/2023

**UMNYANGO WEZEMISEBENZI NEZABASEBENZI****UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995****SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL:  
UKWELULELWA KWESIVUMELWANO PHAKATHI KWABAQASHI  
NABASEBENZI ESIYINGQIKITHI SELULELWA KULABO ABANGEYONA  
INGXENYE YESIVUMELWANO**

Mina, **THEMBELANI WALTERMADE NXESI**, onguNgqongqoshe Wezemisebenzi neZabasebenzi, ngokwesigaba 32(2) soMthetho Wobudlelwano Kwezabasebenzi ka-1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa kwi **South African Road Passenger Bargaining**, ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi, ka 1995 esibopha labo abasenzayo, sizobopha abanye abaqashi nabasebenzi kuleyoMboni, kusukela ngomSombuluko wesibili emuva kokushicilelwa kwalesisaziso kuze kube isikhathi esiphela ngomhlaka **31 kuNdasa 2024** noma kufikela ngesikhathi sibuyiselwa ngesinye isivumelwano.



**MNUMZANE TW NXESI, MP**  
**UNGQONGQOSHE WEZEMISEBENZI NEZABASEBENZI**  
**USUKU: 10/05/2023**

**SCHEDULE****THE SOUTH AFRICAN ROAD PASSENGER BARGAINING COUNCIL (SARPBAC)****MAIN COLLECTIVE AGREEMENT**

in accordance with the provisions of the Labour Relations Act 66, 1995, made and entered into by and between the

**SOUTH AFRICAN BUS EMPLOYER'S ASSOCIATION**

And

**COMMUTER BUS EMPLOYER'S ORGANISATION**

(hereinafter referred to as the "Employers" or the "Employers' Association"), of the one part, and the

**NATIONAL UNION OF METAL WORKERS OF SOUTH AFRICA****SOUTH AFRICAN TRANSPORT AND ALLIED WORKERS UNION**

And

**TRANSPORT AND ALLIED WORKERS UNION OF SOUTH AFRICA**

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the South African Road Passenger Bargaining Council (SARPBAC)

(hereinafter referred to as the "Bargaining Council")

JSSM

we  
[Signature]



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[Signature]

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## 1. SCOPE OF APPLICATION AND PERIOD OF AGREEMENT

### 1.1. SCOPE OF APPLICATION

The terms of this agreement shall be observed in the Road Passenger Transport Trade as defined hereunder in the Republic of South Africa:

1.1.1 'Road Passenger Transport Trade' or 'trade' means the trade in which employers and their employees are associated for the purpose of conveying for reward on any public road any person by means of a power-driven vehicle (other than a vehicle in possession and under the control of Transnet) intended to carry more than 16 persons simultaneously including the driver of the vehicle and includes all operations incidental or consequential thereto."

1.1.2 Notwithstanding the provisions of sub-clause 1.1.1, the terms of this agreement shall: -

- a. apply to all employees for whom wages are prescribed in this agreement and to employers of such employees.

### 1.2. TERM OF THE AGREEMENT

This Agreement shall come into operation for the parties to this Agreement on 1 April 2023 and for non-parties on such date as may be decided upon by the Minister of Employment and Labour in terms of section 32 of the Labour Relations Act 66 of 1995 (LRA) and shall remain in force until 31 March 2024 or until replaced by a subsequent agreement and shall be applicable to all Eligible Employees and their Employers.

## 2. DEFINITIONS

Unless the context otherwise indicates, any expressions which are used in this Agreement and which are defined in the Labour Relations Act, 1995, shall have the same meaning as in that Act and for the purposes of this Agreement an Employee shall be deemed to be in the job title in which he is wholly or mainly engaged; further, unless inconsistent with the context:

"**Bargaining Council**" means the South African Road Passenger Bargaining Council (SARPBAC);

"**Basic Wage**" means the amount of money payable to an Employee in respect of his/her ordinary hours of work;

"**Bus**" means a power-driven vehicle intended to carry more than 16 persons, including the driver of the vehicle;

"**Day**" means the period of 24 hours from midnight to midnight. Provided that in the case of a member of the operating staff it shall mean a period of 24 consecutive hours calculated from the time the Employee commences work;

"**Daily wage**" means an Employee's hourly rate multiplied by the Employee's ordinary hours of work in a day;

WC  
S.M.  
J. M.

**"Eligible Employee"** means an individual, other than an individual who is part of an Employer's Management, Supervisory or Management Support Staff, who works in the Road Passenger Transport Trade and who is in the employment of an Employer.

**"Employee"** for the purpose of this agreement means "Eligible Employee"

**"Employer"** means an individual, company or organisation that employs or provides work for any person or employs an Eligible Employee in the Road Passenger Transport Trade

**"Hourly Rate"** means an Employee's hourly rate of pay;

**"Job Title"** means the position occupied by an Employee within an Employer's organization;

**"Management Staff"** mean those individuals who are responsible for the management of the business or a division, department, depot, section or workshop within such a business. Business owners, directors and/or persons holding positions of assistant manager, or any more senior position within an Employer's staff structure, fall within the definition of this category of staff;

**"Management Support Staff"** means those individuals' providing support services within a business. Individuals involved in the auditing, accounting, personnel administration, payroll, recruitment, welfare, public relations, secretarial and/or information technology functions as well as those with insurance claim processing, disciplinary activities or security services (other than individuals working as security guards) fall within the definition of this category of staff

**"Minimum Hourly Rate"** means the minimum basic hourly rate of pay applicable to a specific job as reflected in "Annexure A";

**"Monthly wage"** means an Employee's Weekly Wage multiplied by 52 and divided by 12;

**"Operating Staff"** means a bus driver, bus driver-conductor, checker/regulator, conductor, dispatcher/transport officer, inspector, point controller, clip card seller, ticket office Employee, senior inspector, senior dispatcher/transport officer, senior checker/regulator;

**"Ordinary Hours of Work"** means the hours of work prescribed in clause 6 or if by agreement between Employer and his Employee the latter works a lesser number of hours, such shorter hours, and includes:

- (a) all periods during which an Employee is obliged to remain at his post in readiness to commence or proceed with his work; and
- (b) all time spent by a bus driver or bus driver-conductor on work connected with the bus or the passengers and all time spent by a driver of a motor vehicle on work connected with the vehicle or its load, but does not include any meal interval, sleep-over period or any time for which a subsistence allowance is payable to an Employee, if during such period, the Employee does no work other than remaining in charge of the vehicle;

**"Overtime"** means that portion of any period worked by an Employee during any week or on any day which is longer than his weekly or daily ordinary hours of work, as the case may be, but does not include any period during which an Employee works for his Employer on a paid holiday, on his weekly day off as referred to in Clause 6.5 of this Agreement, or on a Sunday;

MC  
TSS.M

**"Paid Holiday"** means New Year's Day, Human Rights Day, Good Friday, Family Day, Freedom Day, Workers' Day, Youth Day, National Women's Day, Heritage Day, Day of Reconciliation, Christmas Day, Day of Goodwill and any other day declared to be a paid public holiday in terms of the Public Holidays Act No. 36 of 1994;

**"Registration"** means Registration by companies or Employers falling within the Road Passenger Transport Trade as defined in this agreement of the particulars (name, employee number and identity number) of all Eligible Employees with SARPAC as required by the Department of Employment and Labour.

**"Retirement Fund"** shall mean a fund established in terms of the Pension Funds Act no 24 of 1956;

**"Short-time"** means a temporary reduction in the number of ordinary hours of work owing to slackness in trade, inability to operate normal services, a breakdown of plant, machinery, a bus or buses or a breakdown or threatened breakdown of buildings;

**"Spread-over"** means the period in any day from the time an Employee commences work until he ceases work for that day;

**"Subsidised Contract"** means a contract between an Employer and government in terms of which the Employer receives a subsidy in return for rendering prescribed services and is liable for the payment of penalties for non-performance.

**"Supervisory Staff"** means those individuals' exercising supervisory control and who are responsible for the activities and/or work performance of Employees falling within the ambit of such control. Individuals occupying a position such as assistant manager or higher in the administration function, charge hand or higher in the engineering function, chief inspector or higher in the traffic function, chief operator or higher in the traffic control function or assistant chief ticket office clerk or higher in the revenue receiving function fall within the definition of this category of staff;

**"Terminally Ill Employee"** means a permanent Employee who has been diagnosed by a company appointed and/or approved certified specialist physician as suffering from a terminal disease;

**"Week"** in relation to an Employee, means the period of seven days within which the working week of the Employee ordinarily falls.

**"Weekly wage"** means an Employee's hourly rate multiplied by the ordinary hours worked in a week.

### 3. ACROSS THE BOARD INCREASE

An across-the-board increase on the hourly rate of all Employees, for the term of the Agreement, will apply as follows:

- 3.1. The base rate of pay for the purpose of this clause will be the hourly rate payable to Employees immediately preceding the commencement date of this Agreement.

WC  
  


- 3.2. An across-the-board increase of 7% on the base rate of pay will become due from the 1 April 2023 for parties and for non-parties on a date determined by the Minister, until 31 March 2024 or until replaced by a subsequent agreement and shall be applicable to all Eligible Employees and their Employers.

4. **MINIMUM HOURLY RATE**

The minimum hourly wage for Employees will not be less than R45.86 per hour from 1 April 2023 for parties and for non-parties on a date determined by the Minister.

5. **JOB TITLES, GRADES, MINIMUM HOURLY RATES**

- 5.1. The provisions of this Agreement shall apply to the job titles set out in Annexure A, which specifies:
- 5.1.1. The definition applicable to each job title.
  - 5.1.2. The various occupations within the trade which are encompassed within the job title.
  - 5.1.3. The permissable grade range applicable to such job title.
  - 5.1.4. The minimum hourly rate applicable to such job title.
- 5.2. Where an Employer's entry level hourly rate in respect of new Employees is greater than the minimum hourly rate specified in Annexure A, the Employer shall be entitled to maintain such entry level hourly rate without increase.

6. **ORDINARY HOURS OF WORK AND OVERTIME**

- 6.1. **Ordinary hours of work** – Ordinary hours of work shall not exceed 45 hours in any week.
- 6.2. **Averaging of hours** – Notwithstanding the provisions of this Agreement, an Employer may conclude a collective agreement which permits the Employer to average the ordinary hours of work and overtime of Employees over a period of up to 4 months, provided:
- 6.2.1. That the Employer may not require or permit an Employee who is bound by the collective agreement to work more than:
    - a) An average of 45 ordinary hours of work in a week over the agreed period.
    - b) An average of 5 hours overtime in a week over the agreed period.
  - 6.2.2. That the collective agreement lapses after 12 months.
  - 6.2.3. That the proviso referred to in sub-paragraph 6.2.2 above only applies to the first two collective agreements concluded in terms of this clause.

MC  
S.M.

- 6.3. **Meal interval** – An Employer shall not require or permit an Employee to work continuously for more than five hours, without a meal interval, of not less than 30 minutes, during which interval, such Employee shall not be required or permitted to perform any work and such interval shall not form part of the ordinary hours of work or overtime.
- 6.4. **Rest intervals** – An Employer shall grant to his Employee, other than a member of the operating staff, a rest interval of not less than 10 minutes as nearly practicable in the middle of each first work period and second work period of the day, and during such interval the Employee shall not be required or permitted to perform any work and such interval shall be deemed to be part of the ordinary hours of work of the Employee.
- 6.5. **Weekly day off** – An Employer shall grant to every Employee at least one full day off during every seven consecutive days.
- 6.6. **Spread-over** – In the case of a member of the operating staff the ordinary hours of work, including the meal interval where applicable, and all overtime, shall on any day be completed within a spread-over of 14 hours.
- 6.7. **Overtime** – Employees working overtime will be compensated at a rate of 1.5 times their normal hourly rate on an ordinary day and double their normal hourly rate on a working day off.
- 6.8. **Sunday** – Employees working on a Sunday which is not their weekly day off will be compensated at a rate of 1.5 times their normal rate for each hour worked on the Sunday.
- 6.9. **Limitation of overtime:**
- 6.9.1. An Employer shall not require or permit an Employee to work overtime, otherwise than in terms of a collective agreement or an agreement concluded with the Employee.
- 6.9.2. The maximum permitted overtime may not exceed 15 hours per week.
- 6.10. **Set-off** – Where in any one week an Employee absents himself/herself from work during any or all of the ordinary hours of a shift or shifts, without authority, any overtime worked by the Employee shall be paid at the Employee's ordinary rate of pay for a period equivalent to the period of such absence.
- 6.11. **Rest period** – An Employer shall grant the Employee, other than a member of the operating staff, a daily rest period of at least 12 consecutive hours between the Employee ending and recommencing work.
- 6.12. **Short-time** – An Employer shall be entitled to implement short-time upon notice to Employees in which event the provisions of clause 36.4.4 will apply.
7. **SCHEDULING OF WORK**
- 7.1. Employers have the right to schedule Employees for all ordinary hours of work in any day and/or week at ordinary rates of pay.

Handwritten signatures and initials, including 'me' and 'S.M.', are present at the bottom right of the page.

7.2. Schedules may make provision for waiting/standby periods, to the extent decided by the Employer, which periods may, amongst other duties, include driving, special hires, attendance at training courses or meetings.

7.3. Employers may amend schedules provided that 7 days' notice is given prior to the implementation of such new schedules.

#### 8. TRAINING

Where training is provided outside of the Employee's normal working hours, Employees required to attend such training will not be remunerated for the first 24 hours of such training in any given calendar year.

#### 9. SUBSISTENCE & TRAVEL ALLOWANCE

9.1. An Employee, who is away from his Employer's establishment on special hire/charter duties or on instructions from his Employer and is, as a consequence thereof and at the instruction of the Employer, required to sleep out, will be paid an allowance of R749.03 for each night that the employee is required to sleep out to cover the costs of meals and accommodation.

9.2. An Employee, who is away from his Employer's establishment, for more than 7 hours 20 minutes, on special hire/charter duties or on the instruction of the Employer but is not required/instructed by the Employer to sleep out, will be paid a meal allowance of R11.01 per hour for each completed hour of such special hire/charter or absence.

9.3. The above allowances will not be paid where, in terms of the Employer procedures, the Employer or a third party provides accommodation and/or food, pays for such expenses directly or where accommodation and/or food are made available at no cost to the Employee.

#### 10. NIGHT-SHIFT ALLOWANCE

A night-shift allowance of R11.01 per hour will be payable to Employees for the work performed between 20:00 and 03:00

#### 11. TOOL ALLOWANCE

An allowance of R53.42 will be paid to Employees who, as a requirement of the Employer, are in possession of the applicable tool kit complying with the Employer's specifications.

#### 12. CROSS BORDER EXPENSES AND ALLOWANCES

When an Employee is required by the Employer to cross the South African National border into a foreign country, the Employer will:

12.1 Reimburse the Employee for the required expenses of obtaining a passport, visa, medical certificate and medication.

12.2 Pay the Employee who is away from the Employer's establishment on special hire/charter duties or on the instruction of the Employer and is as a consequence thereof

MC  
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and at the instruction of the Employer required to sleep out outside of South Africa, an allowance of R851.84.

12.3 Pay an Employee, who is away from his Employer's establishment, for more than 7 hours and 20 minutes on special hire/charter duties or on the instruction of the employer but is not required/instructed by the Employer to sleep out outside the border of South Africa, a meal allowance of R12.91 for each completed hour of such special hire/charter or absence.

12.4 The above allowance will not be paid where in terms of the Employer's procedures, the Employer or a third party provides accommodation or food or pays for the food directly and where food and accommodation are available at no cost to the Employee.

12.5 Where this clause applies, then clause 9 does not apply.

**13. DUAL DRIVER ALLOWANCE**

Employers engaged in scheduled intercity services, where two Coach Driver are required on the vehicle as a result of the distance to be travelled, shall pay an allowance of R453.68 per month to each Coach Driver who had engaged in such services for the pay period concerned.

**14. CELL PHONE ALLOWANCE**

Where Employees are required by the Employer to use his personal cell phone the full actual expense will be reimbursed.

**15. PART TIME ADULT BASIC EDUCATION AND TRAINING INSTRUCTORS**

All Employees who, on a part time basis, perform the work of Adult Basic Education and Training (ABET) instructors will receive an allowance R12.84 for each hour of ABET instruction.

**16. PROFESSIONAL DRIVING PERMIT/LICENSE**

16.1 Employees who are required by the Employer to have a Professional Driving Permit will receive a 100% refund in respect of the cost of the successful renewal of the Professional Driving Permit and the cost of the card that is replaced at the same time as the Professional Driving Permit renewal. Where a medical examination is required for the renewal of the Professional Driver Permit, such medical examination shall, for those individuals employed after 31 March 2004, be performed by a medical doctor of the Employer's choice

16.2 Individuals employed before 1 April 2004 may use a medical doctor of the Employee's choice for the medical examination referred to above, in which event the Employee will be responsible for the cost thereof.

16.3 Should an Employee contest the medical finding of the company appointed doctor, such Employee will have the right to undergo, at the Employee's cost, a further medical examination by a doctor of the Employee's choice.

16.4 Should the medical opinion of the doctor appointed by the Employee differ from that of the doctor appointed by the company, the Employee shall be entitled to seek a third

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medical examination. If the Employee does not exercise such right within 14 days, the medical finding of the company appointed doctor will stand. For the purpose of conducting the third medical examination, the parties will establish an agreed panel of doctors. In the event that such third medical examination is sought, the medical opinion obtained from a panel doctor for this purpose will be final and binding.

- 16.5 Should the panel doctor's opinion confirm the company appointed doctor's opinion, the cost of the third medical examination will be for the account of the Employee.

Should the panel doctor's opinion confirm the Employee appointed doctor's opinion, the cost of the third medical examination will be for the account of the Employer.

- 16.6 All Employees who are required by their Employer to be in possession of a valid driver's license of the appropriate code and/or professional driving permit (PrDP) are required to obtain from the relevant authorities documented proof of the validity of such licenses and/or PrDP, if requested to do by the Employer and to present such documents to the Employer.

## 17. LEGAL ASSISTANCE

- 17.1 When an Employee, acting in the course and scope of his employment, is involved in a motor vehicle accident in a company vehicle, and is subsequently charged with commission of a criminal offence arising out of the accident, the Employer will provide legal assistance by granting an interest free loan up to a maximum of R 10 000.00.
- 17.2 The Employer will appoint a lawyer in such cases. Such loans will be repaid in instalments by the Employee immediately. If eventually found not guilty, the Employer will refund the amount already deducted from the Employee's pay.
- 17.3 The provision of legal assistance is extended to a security guard with a company-issued firearm who is charged with commission of a criminal offence arising from the use of the firearm whilst on duty.

## 18. ANNUAL LEAVE

- 18.1 Annual leave cycle means the period of 12 months employed with the same Employer, immediately following:
- 18.1.1 an Employee's commencement of employment; or
  - 18.1.2 the completion of that Employee's prior leave cycle.
- 18.2 An Employer must grant an Employee at least 21 consecutive days of annual leave, on full remuneration, in respect of each annual leave cycle. This means:
- 18.2.1 15 working days for Employees working a 5 day week.
  - 18.2.2 18 working days for Employees working a 6 day week.
- 18.3 An Employer may reduce an Employee's entitlement to annual leave by the number of days of occasional leave on full remuneration granted to the Employee at the Employee's request in that leave cycle.

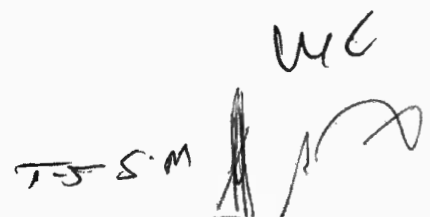
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**19. SICK LEAVE**

- 19.1 Sick leave cycle means the period of 36 months' employment with the same Employer immediately following:
- 19.1.1 an Employee's commencement of employment; or
  - 19.1.2 the completion of the Employee's prior sick leave cycle.
- 19.2 During every sick leave cycle, an Employee is entitled to an amount of paid sick leave equal to the number of days the Employee would normally work during a period of six weeks.
- 19.3 Despite sub-clause 19.2, during the first six months of employment, an Employee is entitled to one day's paid sick leave for every 26 days worked.
- 19.4 During an Employee's first sick leave cycle, an Employer may reduce the Employee's entitlement to sick leave in terms of sub-clause 19.2 by the number of days' sick leave taken in terms of sub-clause 19.3.
- 19.5 An Employer must pay an Employee for a day's sick leave:
- 19.5.1 the basic wage the Employee would ordinarily have received for the ordinary hours of work on that day; and
  - 19.5.2 on the Employee's usual payday.
- 19.6 An agreement may reduce the pay to which an Employee is entitled in respect of any day's absence in terms of this clause if:
- 19.6.1 the number of days of paid sick leave is increased at least commensurately with any reduction in the daily amount of sick pay; and
  - 19.6.2 the Employee's entitlement to pay:
    - 19.6.2.1 for any day's sick leave is at least 75 percent of the basic wage payable to the Employee for the ordinary hours the Employee would have worked on that day; and
    - 19.6.2.2 for sick leave over the sick leave cycle is at least equivalent to the Employee's entitlement in terms of sub-clause 19.2.

**20. INFORMING EMPLOYER OF ABSENCE AND PROOF OF INCAPACITY**

- 20.1 Where an Employee is unable to attend work as a result of ill health, the Employee shall be obliged to inform the Employer of this fact within 24 hours of taking ill.
- 20.2 The Employee shall submit a sick certificate, signed by a medical practitioner who is registered with a professional council established by an Act of Parliament to his Employer, stating the nature of the illness and the duration of Employee's absence.

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- 20.3 This sick certificate shall be submitted within 48 hours of the Employee going absent due to illness.

## 21. LEAVE FOR TERMINALLY ILL EMPLOYEES

A terminally ill Employee who requires treatment designed to counter the effects of the defined condition will be provided with terminally ill leave subject to the following conditions:

- 21.1 The leave will be made available solely for the purpose of hospitalisation or treatment that will require more than 2 days of absence as prescribed by a company appointed and/or approved certified specialist physician.
- 21.2 The Employee will be allowed a maximum of 18 working days leave in any one year at normal basic rates of pay.
- 21.3 The Employee must, prior to any leave being granted in terms of this clause, first have exhausted all his/her sick leave.
- 21.4 An Employee will be required to provide the Employer with prior notice of every treatment session as well as written proof, from the institution providing the prescribed treatment, of having undergone such treatment.
- 21.5 Where companies provide sick leave in excess of the combined benefits that would accrue from clause 18 of this agreement and this clause, Employees working for such companies will not be entitled to the terminally ill benefit as provided for herein.
- 21.6 Leave provided in terms of this clause is not cumulative.

## 22. MATERNITY LEAVE

Female Employees will be entitled to 16 weeks paid maternity leave at a rate of 37% of the Employee's basic wage, commencing 1 month prior to the expected date of confinement. Such Employee is also, at the time of her confinement and at her option, entitled to a further period of 10 weeks unpaid leave.

## 23. FAMILY RESPONSIBILITY LEAVE

Employees will be entitled to a maximum of 8 days paid family responsibility leave per annum, for which documentary proof may be required by an Employer. Family responsibility leave may be applied for in respect of the following:

- 23.1 A maximum of 5 days compassionate leave may be granted in respect of the death of a spouse, life partner, parent, parent in law, grandparents, grandchildren, direct or adopted child or direct sibling.
- 23.2 A maximum of 3 days leave may be granted to an Employee whose child is born or sick; or to a spouse for the care of a mother who is ill relating to the confinement within a period of a year.

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**24. STUDY LEAVE**

Employees shall be entitled to paid study leave as follows:

- 24.1 2 days prior to and 1 day on the day of the examination per approved course, subject to a maximum of 15 days per annum for approved courses.
- 24.2 Approved course (as referred to in Annexure "D") for purposes of this clause, means a course approved in line with the existing company policy or a course included in the SARPAC list of "Accredited Courses"
- 24.3 Study leave benefits are only applicable to examinations in courses undertaken at registered institutions of higher learning within South Africa.
- 24.4 Eligibility for the above benefit shall be subject to: -
  - 24.4.1 Applications for Study Leave in terms of clause 24, setting out the details of the course(s) of study and the educational institution must be received by the Employer not later than January in the year which the course(s) of study are to be undertaken.
  - 24.4.2 Applications will be considered by the Employer in accordance with the Employer's operational requirements (the ability of the employer to efficiently and effectively operate its business)
  - 24.4.3 Employees whose applications are approved must, at least one month prior to embarking on any study leave in terms of clause 24, provide the employer with documentary proof of the employee's eligibility to write the exam.
- 24.5 Should a dispute arise out of the application of clause 24, the matter must be dealt with in terms of the companies' grievance procedure.

**25. RETIREMENT FUND**

- 25.1 Membership of Retirement Fund is compulsory in respect of all Employees.
- 25.2 The Employer's contribution to such fund shall not be less than 10% of the Employee's basic wage.
- 25.3 The Employee's contribution to such fund shall not be less than 7.5% of the Employee's basic wage.

**26. BONUS**

- 26.1 Employees who are in the service of their Employer on the first day of December in any calendar year, shall be paid a bonus equivalent to one month's basic wages, provided that such bonus will be calculated pro rata to an Employee's service where the Employee is engaged for a period of less than 12 months immediately preceding the first day of December.

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26.2 Employees who leave the service of the Employer prior to the 1st of December in any one year, will be paid a pro rate portion of the bonus referred to above provided that the termination of their service is as a result of any one of the following:

26.2.1 the Employee being declared medically unfit to continue employment; or

26.2.2 the Employee attaining normal retirement age; or

26.2.3 the employment relationship being terminated for operational reasons or

26.2.4 the death of the Employee.

26.3 Any Employer seeking exemption from the provisions of this clause as a consequence of financial reasons shall be obliged to follow the exemption procedure detailed in Annexure C.

**27. CONTRACT PENALTIES**

Where an Employee is found to be directly responsible for a penalty being imposed on the Employer because of the non-compliance with the terms and conditions of a subsidised contract, the Employee will be required to reimburse the Employer to the extent of the penalty incurred, up to a maximum of R200.00 per incident. Such reimbursement shall be deducted from the basic wage of the Employee.

**28. RETRENCHMENT/SEVERANCE PACKAGE**

28.1 Where an Employee is eligible for severance pay following dismissal for operational requirements, this shall be calculated on a basis of two weeks' severance pay for each completed year of service. (this issue is not to be raised again as a demand by organized labour unless future legislative changes necessitate alignment)

28.2 Provided that the provisions of this Agreement shall not supersede the provisions of any other common law agreement which may be binding upon Employers and/or Employees in relation to the payment of a severance pay following upon dismissal for operational requirements.

**29. FARE INCREASES**

Employees will not obstruct, act against or undermine fare increases in any manner. Only Employees who, as part of their normal duties, are required to promote fare increases will be required by the Employer to do so. Employees will not be disciplined for refusing to promote fare increases where this is not part of their normal duties.

**30. TRADE UNION NATIONAL RETIREMENT FUNDS**

It is agreed that labour's demand that Employees be allowed to move to national union retirement funds, be referred in its entirety to company level. Plant level meetings with labour representatives and other relevant parties and stakeholders will be held for this purpose.

**31. STATUS QUO**

All substantive terms and conditions of employment and benefits that were applicable at an Employer as at the effective date of this agreement and are not regulated by the agreement,

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shall remain in force and effect. Further any existing substantive terms and condition of employment and benefits that were applicable as at the effective date of this agreement at a level higher/better than regulated in the agreement, such higher/better terms and conditions of employment and benefits shall continue to apply.

Therefore, no Employer shall reduce such substantive conditions of employment and benefits to the level of what is contained in the Main Agreement.

**32. PROHIBITION OF EMPLOYMENT**

An Employer shall not:

- 32.1 employ any person under the age of 15 years.
- 32.2 require or permit any female Employee to work during the period commencing 1 month prior to the expected date of her confinement and ending 2 months after the date of her confinement, unless a medical practitioner who is registered with a professional council established by an Act of Parliament certifies that the Employee is fit to resume work earlier.

**33. NOTICE OF TERMINATION OF CONTRACT**

Other than where individual contracts of employment provide for a longer notice period, the Employer or the Employee, other than a casual Employee, who desires to terminate the contract of employment, shall give:

- 33.1 during the first four weeks of employment, not less than one workday's notice of termination of contract;
- 33.2 after the first four weeks of employment, not less than one week's notice of termination of contract.

**34. CERTIFICATE OF SERVICE**

On termination of employment an Employee is entitled to a certificate of service stating:

- 34.1 the Employee's full name;
- 34.2 the name and address of the Employer;
- 34.3 a description of the Bargaining Council by which the Employer's business is covered;
- 34.4 the date of the commencement and the date of termination of employment;
- 34.5 the title of the job or a brief description of the work for which the Employee was employed at the date of termination;
- 34.6 the Employee's remuneration at date of termination; and
- 34.7 if the Employee so requests, the reason for termination of employment.

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**35. KEEPING OF RECORDS**

- 35.1 Every Employer must keep a record containing at least the following information:
- 35.1.1 the Employee's name and occupation;
  - 35.1.2 the time worked by each Employee;
  - 35.1.3 the remuneration paid to each Employee;
  - 35.1.4 the date of birth of any Employee under 18 years of age; and
  - 35.1.5 any other prescribed information.
- 35.2 A record in terms of sub-clause 35.1 must be kept by the Employer for a period of three years from the date of the last entry in the record.
- 35.3 No person may make a false entry in a record maintained in terms of sub clause 35.1 above.
- 35.4 An Employer who keeps a record in terms of this clause is not required to keep any other record of time worked and remuneration paid as required by any other employment law.

**36. PAYMENT OF REMUNERATION**

- 36.1 Any amount due to an Employee shall, in accordance with company policy, be paid weekly, fortnightly or monthly in cash, or by direct deposit into an account designated by the Employee.
- 36.2 Any remuneration paid in cash must be given to each Employee:
- 36.2.1 at the workplace or at a place agreed to by the Employee;
  - 36.2.2 on the designated pay day; and
  - 36.2.3 in a sealed envelope.
- 36.3 An Employer must give an Employee the following information in writing on each day that an Employee is paid:
- 36.3.1 the Employer's name;
  - 36.3.2 the Employee's name and occupation;
  - 36.3.3 the period for which the payment is made;
  - 36.3.4 the Employee's gross remuneration;
  - 36.3.5 the amount and description of any deduction made from the remuneration;
  - 36.3.6 details of overtime and other earnings; and
  - 36.3.7 the actual nett pay.

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- 36.4 Save as provided for in terms of this Agreement, no Employer shall levy any fines against the Employee nor may he make any deductions from the Employee's remuneration other than:
- 36.4.1 with the written consent of the Employee;
  - 36.4.2 whenever an Employee is absent from work, other than at the direction of his Employer, a deduction proportionate to the period of his absence and calculated on the basis of the basic wage of the Employee in respect of his ordinary hours of work at the time of such absence, subject to any set-off which may be applicable in terms of clause 6.8 above;
  - 36.4.3 a deduction of any amount which an Employer by law or order of any competent court or by collective agreement is required or permitted to make;
  - 36.4.4 whenever the ordinary hours of work are reduced because of short-time as defined, a deduction not exceeding the amount of the Employee's hourly basic wage in respect of each hour of such reduction. Provided that:
    - a) such deduction shall not exceed one third of the Employee's weekly/monthly wage, as the case may be, irrespective of the number of hours by which the ordinary hours of work are thus reduced;
    - b) no deduction shall be made in the case of short-time arising out of slackness of trade or inability to operate normal services unless the Employer has given his Employee notice on the previous workday of his intention to reduce the ordinary hours of work;
    - c) no deduction shall be made in the case of short-time owing to a breakdown of plant, machinery, a bus or buses or a breakdown or threatened breakdown of buildings, in respect of the first hour not worked, unless the Employer has given his Employee notice on the previous day that no work will be available;
  - 36.4.5 with written consent of an Employee, a deduction of any amount which an Employer has paid or has undertaken to pay to:
    - 36.4.5.1 a registered financial institution, local authority or the State in respect of a payment on a loan granted to such Employee to acquire a dwelling;
    - 36.4.5.2 any organisation or entity in respect of the rent of a dwelling occupied by such Employee;
  - 36.4.6 with the written consent of an Employee, a deduction towards the repayment of any amount loaned or advanced to the Employee by the Employer. Provided that any such deduction shall not exceed one third of the total remuneration due to the Employee on the pay-day concerned and provided further that no such deduction shall be made in respect of any period during which the Employee's basic wage is reduced in terms of paragraph 36.4.4.

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36.4.7 with the written consent of an Employee, a deduction towards the repayment of any amount loaned or advanced to the Employee by a third party whom the Employer has approved for the purposes of advancing loans.

**37. DESIGNATED AGENTS**

- 37.1 One or more persons shall be appointed by the Council as agent(s) to assist in enforcing the terms of this Agreement.
- 37.2 The Council may, in terms of Section 33 of the Act, request the Minister of Employment and Labour to appoint any person as a designated agent of the Council.
- 37.3 A designated agent shall have the powers conferred on a commissioner by Section 142 of the Act, except the powers conferred by Section 142(1) (c) and (d).

**38. APPLICATIONS FOR EXEMPTION AND APPEALS AGAINST DECISIONS OF THE EXEMPTION PANEL**

The procedures to be adopted in applying for exemption, and appealing against a decision of the exemption panel, are set out in Annexure C to this Agreement.

**39. DISPUTE PROCEDURE**

Dispute procedures are detailed in Annexure B to this Agreement.

**40. LEVIES**

- 40.1 Employees for whom minimum basic wages are prescribed an amount of R6.33 per week or R27.43 per month of an Employee's normal basic wage shall be deducted by an Employer from the basic wage of every Employee.
- 40.2 Other Employees in the bargaining unit for which minimum basic wages are not prescribed, but who qualify for the across the board increases as per clause 3.2, an amount of R6.33 per week or R27.43 per month of an Employee's normal basic wage shall be deducted from the basic wage of every Employee, in his or its employ who works one or more days a week.
- 40.3 To the amounts deducted in terms of clause 40.1 and 40.2, the Employer shall add a like amount and pay the total by no later than the 7<sup>th</sup> of each month over to the Council together with the schedules at Ground Floor, Stonefountain House, 95 Klipfontein Road, Rondebosch, 7700, or into the Council's bank account: SARPAC, First National Bank, Account no. 62289781752, Branch Code 202409.

**41. ADMINISTRATION OF AGREEMENT**

The Council shall be the body responsible for the administration of this Agreement, and may issue expressions of opinion and rulings not inconsistent with the provisions thereof for the guidance of Employers and Employees.

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**42. APPLICATION OF AGREEMENT**

No Employer which is bound by the terms of any Collective Agreement concluded by SARPAC shall be compelled by industrial action, litigation or otherwise to negotiate on matters contained in such Collective Agreement at any other level during the currency of such Agreement.

**43. REGISTRATION**

All Employers operating in the Road Passenger Transport Trade who employs Eligible Employees in terms of this Agreement are compelled to register with the South African Road Passenger Bargaining Council.

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**ANNEXURE A****JOB TITLES, GRADES, MINIMUM HOURLY RATES**

Job Title	Purpose Statement	Occupations Included	Range of Grades	Minimum Rate Per Hour with the coming into operation of the Agreement until 31 March 2024
Artisan	Qualified artisan who holds the relevant trade papers. Artisan could include Diesel Mechanic, Auto Electrician, Body Builder, Painter, Welder and Spray Painter. Typical work would include the service, repair, maintenance, upgrade of vehicles/components, inspections. Conducts road tests, recovers breakdowns, and identifies / diagnoses faults/defects. Artisans may supervise and assist in training unqualified staff.	Artisan, Artisan Auto Electrician, Artisan Body Builder, Auto Electrician, Body Builder, Mechanic, Diesel Mechanic, Painter, Spray Painter, Trimmer, Welder.	P13-P10	R 92.08
Bus Driver	Drives a bus to transport passengers on scheduled services over established routes. Controls lighting, heating and ventilation for the passengers. Observes prescribed speeds, traffic, travelling conditions and signals to ensure the safe arrival of passengers. Ensures passengers arrive at destinations on time. Holds the appropriate licence and a PrDP. This category is restricted to commercial contracts which are not subsidized by government.	Bus Driver	P15-P14	R 53.99
Cabin Attendant	Provides assistance to passengers on a Luxury Coach. Tasks include serving of refreshments and ensuring passengers experience a comfortable journey.	Cabin Attendant	P14	R 81.25
Canteen Attendant	Maintains the cleanliness of the canteen and assists in the preparation and serving of food and beverages. Keeps the canteen clean and tidy.	Canteen Assistant Meals, Canteen Assistant Tea, Canteen Attendant	P18-P17	R 45.86
Cashier	Receives cash from drivers and/or ticket sellers and banks all cash received.	Cashier, Cashier - Ex DC.	P14-P12	R 62.26

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Cleaner	Cleans and maintains office / yard / workshop / buses / vehicle parts / bellows, utilising the appropriate cleaning agents and cleaning tools.	Bellow Cleaner, Bus Cleaner, Bus Washer, Office Cleaner, Steam Cleaner, Steam Jenny Cleaner, Workshop Cleaner, Yard Cleaner.	P19-P18	R 45.86
Clerk	Performs administrative / clerical / stores / technical duties. Tasks may include filing, recording of data, copying, typing, handling petty cash, ordering of stationery/groceries, reporting, receiving and issuing of stock/parts or stock-taking. Additional duties may include attending to client queries/complaints, supervising and/or coordinating the workload of subordinates and/or operating on a senior administrative level.	Clerk, Assistant Contract Clerk, Receiving and Recon Clerk, Tyre Clerk, Taco Clerk, Operations Clerk, Planning Clerk, Terminal Clerk, Private Hire Clerk, Reservations Clerk, Scheduling Clerk, Technical Clerk, Waybill Clerk, Contract Clerk, Revenue Office Assistant, Special Hire Clerk, Stores Clerk, Engineering Clerk, Senior Clerk, Senior Store Clerk, Systems Clerk, Data Capturer.	P15 - P11	R 56.88
Cook	Prepares and serves meals to staff members. Compiles a weekly menu and assists in canteen administration. Supervises Canteen Attendants.	Chef	P15	R 64.98
Despatcher	Books and despatches drivers on allocated routes to ensure buses depart on schedule and executes administrative-related functions. Duties may include signing on/off shifts for Bus Drivers, reporting of any incidents and analysing the AM and PM operation.	Depot Despatcher, Despatcher, Sub Depot Despatcher.	P13 - P12	R 70.39

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Driver / Conductor	Drives a bus or luxury coach to transport passengers on the scheduled services over established routes. May issue tickets and collect fares. Controls lighting, heating and ventilation for the passengers. Observes prescribed speeds, traffic, travelling conditions and signals to ensure safe arrival of passengers. Ensures that passengers arrive at destinations on time. Holds the appropriate licence and a PrDP. Includes all BRT operations.	Driver / Conductor, Duty Bus Driver, Luxury Coach Driver, Coach Driver, OMO.	P14-P12	R 70.39
Driver Instructor	Provides training to drivers and conducts evaluations on drivers.	Driver Instructor, Driver Training Instructor.	P12 - P11	R 81.25
ETM Technician	Services, repairs and maintains Electronic Ticket Machines.	ETM Repairer, ETM Technician, Wayfarer Mechanic, Setright Mechanic, Senior Setright Mechanic.	P14 - P10	R 59.59
Forklift Driver	Operates a forklift to move equipment within the premises.	Forklift Driver	P18	R 59.59
Fuel Attendant	Refuels buses /company vehicles.	Fuel Attendant, Diesel/Fuel Attendant.	P17-P16	R 45.86
Gardener	Maintains gardens, lawns, shrubs and trees. Loads and unloads goods and materials. May provide assistance in the washing of company cars and cleaning of windows.	Gardener, Garden Labourer, General Worker.	P18	R 45.86
Handyman	Performs general building maintenance and repair work for plumbing, electrical, building and paving activities.	Handyman, Handyman Building Maintenance, Handyman Electrical	P16-P11	R 62.26
Help Desk Administrator	Handles passenger complaints, issues refund-vouchers to passengers, issues trip vouchers, assists passengers with dead tags, records customer complaints, visits head office and provides feedback	Help Desk Administrator	P14	R 78.80

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Hospitality Representative	Meets and greets clients at airports and ensures that the correct vehicles are boarded.	Hospitality Representative	P13	R 56.68
Inspector	Executes and carries out inspection duties to investigate irregularities and ensure compliance to company policy - performs physical vehicle checks, evaluates driver compliance, monitors scheduled trips and audits the issuing of tickets and the collection of revenue.	Inspector	P13 - P11	R 70.72
Maintenance Assistant	Assists a qualified Artisan and has sufficient relevant experience to perform the work required.	Semi-skilled Body Builder, Semi-skilled Electrician, Semi-skilled Mechanic, Semi-skilled Shift Mechanic; Junior Body Builder, Junior Electrician, Junior Glazier, Junior Mechanic, Junior Body Builder, Junior Spray Painter, Operative B.	P14-P13	R 64.98
Maintenance Technician	Unqualified Artisan who is able to perform all technical duties not performed by an Artisan (auto electrician/body builder/diesel mechanic), but does not have the qualification (i.e. trade certificate).	B Artisan ( Auto Electrician, Body Builder, Diesel Mechanic), Workshop Operative, Honorary Artisan, Auto Elec Operative, Body Shop Operative, Operative A.	P13-P12	R 70.62
Messenger	Delivers and collects mail / documents and runs errands as required by the operation. May be required to drive a motorcycle or vehicle and hold the applicable license.	Messenger	P18-P15	R 45.86

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Mobile Driver	Drives a light motor vehicle to transport personnel to and from the required location. Holds a code 08 (EB) license.	Mobile Driver	P18-P15	R 46.00
Porter	Loads and off loads luggage at major centres in an intercity environment.	Porter	P19	R 45.86
Receptionist	Performs front desk duties, operates the switchboard to attend to incoming calls, receives visitors to the organisation and responds to general enquiries. Performs clerical duties when required e.g. photocopying, handling mail, handling faxes.	Receptionist, Receptionist/Switchboard Operator, Switchboard Operator.	P14	R 59.59
Regulator	Records arrival and departure times of buses at terminal points to ensure buses keep to routes and schedules. Liaises with passengers on the service provided.	Regulator, Point Controller.	P14-P12	R 51.46
Route Controller	Ensures that specific routes are covered for passengers to arrive on time at destinations.	Route Controller	P12 - P11	R 129.91
Security Guard	Patrols and guards company assets and personnel and provides secure access control to the property.	Security Guard, Gatekeeper.	P17 - P16	R 48.77
Senior Cashier	Supervises Cashiers in the receipt and banking of cash received. Tasks include reconciling cash to ticket sales, liaising with customers, controlling safes, ensuring the smooth running of equipment at depots and conducting periodic depot spot checks.	Senior Cashier, Chief Cashier, Senior Cashier T/Seller	P13-P12	R 70.62
Senior Inspector	Supervisors a team of inspectors, works according to a pre-determined schedule and performs adhoc investigations. Liaises with passengers and driver conductors. Carries out a census.	Senior Inspector	P12-P11	R 81.25
Senior Regulator	Supervises operational duties of Regulators, maintains an effective passenger information system and monitors passengers at platforms.	Senior Regulator, Senior Point Controller.	P12-P13	R 70.62

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Shunter Driver	Moves buses on company premises and between sections for maintenance activities. Road test buses as and when required by Artisans and workshop supervisors. Parks buses in stipulated areas. Drives buses through bus wash machines. Drives vehicles onto and off pits. Requires the applicable license.	Shunter Driver, Shunter Driver-Maintenance.	P16-P15	R 48.77
Stores Driver	Performs driving duties for stores e.g. collection of parts and other store items. Requires the applicable license.	Stores Driver	P15	R 45.86
Storeman	Establishes and maintains minimum and maximum stock levels, controls and checks the delivery of stock, issuing of parts and spares, keeps stock cards up to date, receives and books out spares, performs stock take, conducts spot checks on stocks, etc.	Storeman, Storeman Buyer, Storeman / Counterhand.	P15 - P12	R 59.59
Stores Assistant	Assists the Storeman with the issuing and receiving of parts in the store, physically moves stock (packing, unpacking) and drives a forklift to load and unload spares from delivery vehicles. Requires the applicable licence.	Stores Assistant	P16-P14	R 57.12
Tea Person	Make tea and coffee and wash dishes	Tea Person	P18	R 45.86
Technical Driver	Performs driving duties for the Technical Department inclusive of shunting vehicles from the wash bay to check pits and to the workshop, fuelling of vehicles, taking vehicles for COF and towing busses in for repairs. Requires the applicable licence.	Technical Driver	P15	R 45.86
Terrain Controller	Supervises the dispensing of diesel, oil and water. Supervises, shunting, parking and despatching of buses. Supervises the cleaning and washing of the exterior and interior of buses. Supervises the cleaning of the yard, offices, buildings, equipment and premises.	Terrain Controller, Yard Supervisor.	P13 - P12	R 91.12

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Ticket Admin Clerk	Performs cashier and ticket selling duties, inclusive of selling trips and tags to passengers and the maintenance of stock. Handles cash, cashes up drivers' modules, drivers' tickets and standby waybills, pays in at a Cashier, cashes up daily sales. Is responsible for the banking of money, assisting customers with complaints, checking that ETM's are working and reporting defaults, requesting stock, stationery and float, and rotating between depots.	Ticket Admin Clerk, Ticket Office Clerk, Admin Clerks (Tickets).	P14-P13	R 62.26
Ticket Seller	Sells tickets to passengers from a mobile vehicle or at a point identified by the company. May require the applicable license.	Ticket Seller, Pre Seller, Season Ticket Seller.	P14-P12	R 62.26
Transport Officer	Signs Bus Drivers/ Driver Conductors On & Off. Reports any incidents that have a negative effect on the smooth running of the operation in the occurrence book. Analyses the AM and PM Operation.	Transport Officer	P11	R 70.62
Typist	Types documents and performs clerical duties for a department, e.g. Operations.	Typist, Typist Clerk.	P15-P13	R 62.26
Tyre Attendant	Removes and replaces tyres on vehicles. Checks tyres for defects, damage and pressures. Removes and inspects rims for damage and replaces rims.	Tyre Attendant, Tyre Operator.	P17-P14	R 45.86
Tyre Controller	Supervises tyre attendants and ensures optimal work output.	Tyre Supervisor	P13	R 91.12
Workshop Assistant	Assists a qualified artisan in the trade (Body Builder, Auto Electrician, Vehicle Checker, Greaser, Diesel Mechanic and Spray Painter) through supplying the correct tools, cleaning of components, and assisting with the service, repair, maintenance and upgrade of vehicles/components. Performs general housekeeping in keeping the work area safe and clean. Not an apprentice. Reports into an Artisan.	Trade Worker P15 & P16. Trade Assistant: Auto Electrician, Trade Assistant Diesel Mechanic, Handyman Assistant, Mechanical Shop Assistant, Assistant Electrician, Assistant Glazier, Workshop	P19-P15	R 45.86

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		Assistant, Workshop Operator Assistant, Bullder Assistant, Assistant Mechanic, Assistant Spray Painter, Auto Electrical Assistant, Grade C and D Operatives, Electrical Shop Assistant, Body Shop Assistant, Artisan Assistant, Greaser, General Worker, Labourer, Tyre Shop Assistant, Upholstery Assistant, Vehicle Checker.		
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**ANNEXURE "B"****DISPUTE RESOLUTION****1. DISPUTE**

A dispute is any disagreement relating to matters of interest or right between: -

- 1.1 two or more Parties to this Constitution or
- 1.2 an individual Employer(s) and any Eligible Employee(s) or
- 1.3 SARPBAC by way of its Agents or any other person so appointed by SARPBAC and an Employer and/or Employee and/or Employers' Organisation(s) and/or Trade Union(s) for failure to comply with the provisions of this Constitution and/or one or more of the SARPBAC's Agreements or:

in connection with the interpretation and/or application of SARPBAC's Constitution and/or Collective Agreements, organizational rights, disputes about unfair dismissals or unfair labour practices and all other disputes required, in law, to be resolved by SARPBAC.

**2. DISPUTE RESOLUTION AGENCY**

SARPBAC may appoint a dispute resolution agency or agencies to assist with the management of the dispute resolution function of SARPBAC and reference in this appendix to SARPBAC shall, where such agency or agencies have been appointed, be read as reference to such appointed agency or agencies.

**3. DISPUTE RESOLUTION PANELS**

- 3.1 SARPBAC shall establish and maintain regional panels of Commissioners, who are accredited conciliators and/or arbitrators, to carry out the conciliation and/or arbitration functions of SARPBAC.
- 3.2 The panels shall have a sufficient number of properly qualified Commissioners to handle disputes without undue delay and in an effective and efficient manner.
- 3.3 The appointed dispute agency or agencies shall provide names of possible Commissioners from which SARPBAC will select the various regional panels.
- 3.4 SARPBAC may, at any stage and after a thorough investigation as to the reasons submitted for the removal of a Commissioner by any Party, decide to remove an individual from a panel.

**4. REFERRAL OF DISPUTES**

- 4.1. Parties to SARPBAC, as also Parties who fall within the registered scope SARPBAC, may refer a dispute to SARPBAC should the dispute not be resolved at plant level and a Party to the dispute wish to take the matter further.

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- 4.2. Disputes shall only be referred to SARPBAC after Parties to the dispute have complied with and exhausted all plant level dispute resolution procedures and failed to resolve the dispute.
- 4.3. A Party may refer a dispute to SARPBAC if:-
- 4.3.1 there is no plant level Collective Agreement or if the plant level Collective Agreement does not provide dispute procedures
  - 4.3.2 the procedure provided for in the plant level Agreement is inoperative
  - 4.3.3 a Party to the dispute has frustrated the resolution of the dispute in terms of the plant level procedures
- 4.4. A Party wishing to refer a dispute to SARPBAC for conciliation, Conciliation/Arbitration and/or arbitration must do so in writing, by completing SARPBAC's referral form setting out the details of the dispute and lodging the referral form, duly signed, together with all other required documentation with SARPBAC within the allowed time frame.
- 4.5. The referring Party must, when lodging a dispute with SARPBAC, attach documented proof that a copy of the referral form has been served on all other Parties to the dispute.
- 4.6. SARPBAC shall, on receipt of a referral and having satisfied itself as to the compliance of the referral with agreed procedures and time frames, appoint a Commissioner from the panel to conciliate, conciliate/arbitrate or arbitrate the dispute, as the case may be, and arrange the venue, date and time for the matter to be heard.
- 4.7. Disputes, including dismissal disputes, must be lodged with SARPBAC within thirty (30) days of the date on which the Act giving rise to the dispute occurred or, if at a later date, within thirty (30) days of all the plant level, internal dispute resolution procedures have been complied with and exhausted.
- 4.8. Unfair labour practice disputes must be lodged with SARPBAC within ninety (90) days of the date that the alleged unfair labour practice occurred.
- 4.9. SARPBAC shall refuse to accept a late referral unless, and until, an application for Condonation has been lodged with SARPBAC in terms of Clause 6 of this appendix.

## 5. TIME PERIODS

For the purpose of calculating any period of time in terms of these dispute resolution procedures:-

- 5.1 a day means any day of the week including Saturdays, Sundays and Public Holidays but excludes the period from the 16<sup>th</sup> December of any year to the 7<sup>th</sup> January of the following year, both days inclusive.

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5.2 the first day is excluded and the last day is included, subject to Clause 5.1 above.

## 6. CONDONATION FOR LATE REFERRAL

- 6.1 Late referral applies to any document, including a referral or an application document, lodged with SARPAC outside of the time period prescribed in the Act or this appendix.
- 6.2 A Party lodging a late referral and/or document must apply for Condonation at the same time as lodging such late referral and/or document.
- 6.3 An application for Condonation must set out the grounds for seeking Condonation and must include details of the following:-
  - 6.3.1 the degree of lateness
  - 6.3.2 the reasons for the lateness and degree of fault
  - 6.3.3 the referring Party's prospects of succeeding with the dispute and obtaining the relief sought against the other Party or Parties
  - 6.3.4 any prejudice to the other Parties and
  - 6.3.5 all other relevant factors.
- 6.4 SARPAC shall not accept any late referral without a Condonation application being attached to such late referral together with documented proof that all other Parties to the dispute have been notified about the late referral and application for Condonation.
- 6.5 Once a Condonation application has been submitted the responding Party or Parties must, should they wish to oppose such application, lodge written objections thereto within fifteen (15) days of receipt of the notice of such Condonation application.
- 6.6 A Commissioner will be appointed and will consider the late application and any objections lodged against the said application within fifteen (15) days after the date allowed, in terms of Clause 6.5 above, for submission of objections to such late referral and Condonation application.

## 7. SERVING OF DOCUMENTS ON PARTIES

The Party referring a dispute to SARPAC must serve copies of such referral on each and every other Party to the dispute by:-

- 7.1 handing a copy of the referral documents to the person(s) that is Party to the dispute or
- 7.2 handing a copy of the referral document to the person(s) authorised in writing to accept service on behalf of each of the Parties to the dispute or
- 7.3 faxing a copy of the referral document to all other Parties to the dispute or

- 7.4. sending a copy of the referral document by registered post to each of the other Parties to the dispute or
- 7.5. sending a copy of the referral document by courier to each of the other Parties to the dispute or
- 7.6. sending a copy of the referral document by e-mail to each of the other Parties to the dispute.

#### 8. **LODGING DOCUMENTS WITH SARPBAC**

- 8.1 The Party declaring the dispute must lodge the required dispute referral document and all supporting documentation with SARPBAC by:-
  - handing the documents to an Official of SARPBAC or
  - faxing the documents to SARPBAC or
  - sending the documents by registered post to SARPBAC or
  - sending the documents by Courier to SARPBAC or
  - sending a copy of the documents by e-mail to SARPBAC.
- 8.2 Documents will only be considered lodged with SARPBAC on the date on which SARPBAC actually receives such referral documents.
- 8.3 It is the sole responsibility of the referring Party to ensure the timely delivery of the documents to SARPBAC and to verify receipt of the documents by SARPBAC.

#### 9. **REPRESENTATION AT DISPUTE PROCEEDINGS**

- 9.1. A Party to a dispute must appear in person at the dispute proceedings before SARPBAC but may, in addition, be represented by:-
  - 9.1.1. a Legal Practitioner or labour law consultant subject to agreement between the Parties or
  - 9.1.2. a member, Official or office bearer of a registered Trade Union, that the Party was a member of at the time the dispute arose or
  - 9.1.3. an Official or office bearer of a registered Employer's association that the Party was a member of at the time the dispute arose or
  - 9.1.4. a director, employee, trustee or partner of the Employer Party or
  - 9.1.5. if proceedings are brought, or opposed, by more than one Party by another party to the dispute.

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- 9.2. Despite clause 9.1.1 above, if the dispute is about the fairness of a dismissal and a Party has alleged that the reason for the dismissal relates to the Employee's conduct or incapacity, the Parties are not entitled to be represented by a Legal Practitioner in the proceedings unless:-

9.2.1. the Commissioner and the other Parties consent to such an arrangement;

9.2.2. the Commissioner concludes that it is unreasonable to expect the Party to deal with the dispute without legal representation, after considering the nature of the questions of law raised by the dispute, complexity of the dispute, public interest and/or the comparative ability of the opposing Parties or their representatives to deal with the dispute.

#### 10. JOINING OF PARTIES TO PROCEEDINGS

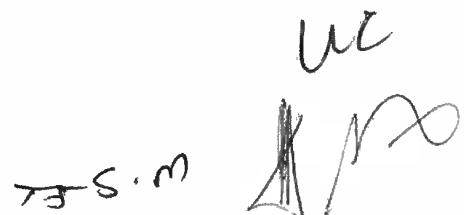
- 10.1. SARPAC or a Commissioner may join any number of persons as Parties in proceedings, if the right to relief depends on substantially the same question of law or fact.
- 10.2. A Commissioner may make an order joining any person as a Party in the proceedings if the Party to be joined has a substantial interest in the subject matter of the proceedings.
- 10.3. A Commissioner may make an order in terms of Clause 10(2) above
- 10.3.1 on the Commissioner's own accord or
- 10.3.2 on application by a Party or
- 10.3.3 if a person entitled to join the proceedings applies at any time during the proceedings to intervene as a Party.
- 10.4. An application to join any person as a Party to proceedings must be accompanied by copies of all documents previously delivered unless the person concerned or that person's representative is already in possession of the documents.
- 10.5. Subject to any order made in terms of Clause 10.2 above, a joiner in terms of this clause does not affect any steps already taken in the proceedings.

#### 11. CORRECTING THE CITATION OF A PARTY

If a Party to any dispute proceedings has been incorrectly or defectively cited, SARPAC may, on application by the Parties and on notice to the Parties concerned, correct the error or defect.

#### 12. CONSOLIDATION OF DISPUTES

- 12.1. SARPAC or Commissioner, of their own accord or on application, may consolidate more than one dispute so that the disputes may be dealt with at the same dispute proceedings.
- 12.2. Disputes will be consolidated if they are of a similar nature and/or originating from the same incident.



**13. DISCLOSURE OF DOCUMENTS**

Any Party may request a Commissioner at a dispute hearing to make an order requiring any other Party to the dispute to disclose all relevant documents.

**14. FAILURE TO ATTEND PROCEEDINGS**

14.1. The Parties to a dispute must attend the conciliation, Conciliation/Arbitration or arbitration in person, irrespective of whether or not they are represented by third parties.

14.2. If a Party to a dispute fails to attend the dispute proceedings before SARPBAC, and that party.

14.2.1. has referred the dispute to SARPBAC, a Commissioner may dismiss the matter by issuing a written ruling or

14.2.2. has not referred the matter to SARPBAC, the Commissioner may:-

14.2.2.1. continue with the proceedings in the absence of that Party or

14.2.2.2. adjourn the proceedings to a later date not more than sixty (60) days from such adjourned proceedings

14.3. A Commissioner must be satisfied that all Parties have been properly notified of the date, time and venue of the proceedings, before making any decision in terms of Clause 14(2).

14.4. If a Party or Parties fail to appear at the time scheduled for commencement of the arbitration hearing the Commissioner will postpone the proceedings for thirty (30) minutes. If a Party or Parties, after expiry of thirty (30) minutes, still fail to appear, the Commissioner will make a decision in terms of Clause 14(2).

14.5. If a matter is dismissed, SARPBAC must send a copy of the ruling to the parties.

14.6. The Commissioner may award costs in accordance with the provisions of Section 138(10) of the LRA, and shall be obliged to award costs against the Party whose non-attendance results in the matter being postponed, in the absence of such party providing compelling reasons for non-attendance.

**15. UNREPRESENTED APPLICANTS WITHOUT CONTACT DETAILS**

15.1 An unrepresented applicant who intends to refer a dispute to SARPBAC and who does not have a postal address or fax number or email must hand deliver the referral form to SARPBAC.

15.2 If a referral form as contemplated in clause 15.1 above is received SARPBAC must provide the applicant with a case number and written instructions to contact SARPBAC by telephone or in person, within seven days of the date of referral, in order for SARPBAC to notify the applicant of the details of the hearing.

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- 15.3 The administrator who notifies the applicant of the hearing in terms of clause 15(2) above must record on the case file and on the case management system that the applicant has been notified of the details of the hearing.
- 15.4 The record made in terms of clause 15.3 above will constitute proof that the applicant was notified of the hearing.

**16. RECORDINGS OF DISPUTE PROCEEDINGS**

- 16.1 The Commissioner must keep a record of:-
- 16.1.1 evidence given in an arbitration hearing
  - 16.1.2 sworn testimony given in any proceedings before the Commissioner; and
  - 16.1.3 any arbitration award or ruling made by the Commissioner.
- 16.2 The record may be kept by legible hand-written notes or by means of an electronic recording
- 16.3 A Party may request a copy of the transcript of a record or a portion of a record kept in terms of Clause 16(1) above, on payment of the costs of the transcription
- 16.4 After the person who makes the transcript of the record has certified that it is correct, the record must be returned to SARPAC
- 16.5 The transcript of a record certified as correct in terms of Clause 16(3) above is presumed to be correct, unless the Labour Court decides otherwise.

**17. ISSUING OF A SUBPOENA**

- 17.1 Any Party, who requires SARPAC or a Commissioner to subpoena a person in terms of section 142(1) of the Act, must file a completed subpoena form, requesting a subpoena together with a written motivation setting out why the evidence of the person to be subpoenaed is necessary.
- 17.2 An application in terms of Clause 17(1) above must be lodged with SARPAC at least ten (10) days before the arbitration hearing, or as directed by the Commissioner hearing the arbitration
- 17.3 SARPAC or a Commissioner may refuse to issue a subpoena if:-
- 17.3.1. the Party does not establish why the evidence of the person is necessary or
  - 17.3.2. the Party subpoenaed does not have a reasonable period in which to comply with the subpoena
  - 17.3.3. SARPAC or a Commissioner is not satisfied that the Party has made arrangements to pay the reasonable travel costs of the person subpoenaed.

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17.4. A subpoena must be served on the witness that is subpoenaed:-

17.4.1 by the person who has requested the subpoena or by the Sheriff at least seven (7) days before the scheduled date of the arbitration and

17.4.2 if so directed by SARPAC, accompanied by payment of the prescribed witness fees for one day in accordance with the tariff of allowances published by notice in the Gazette in terms of section 142(7) of the Act and the witnesses' reasonable travel costs

17.4.3. Clauses 17.3.3 and 17.4.2 above do not apply if SARPAC in terms of section 142(7)(c) of the Act has waived the requirement for the Party to pay witness fees.

## 18. CONCILIATION OF DISPUTES OF INTEREST

This section applies to Disputes of Interest referred to SARPAC. SARPAC's jurisdiction in Disputes of Interest is limited to conciliation. In regard to conciliation of such disputes the following shall apply:

### 18.1 Notice by SARPAC of a conciliation meeting

18.1.1 After receiving a referral in terms of Clause 4, SARPAC must give the Parties at least twenty-one (21) days' notice in writing of a conciliation hearing, unless the Parties agree to a shorter period of notice.

18.1.2 SARPAC will give notice by fax, registered post or email, depending on the information provided by the Parties.

### 18.2 Failure to attend conciliation by a Party

18.2.1 The Parties to a dispute must attend the conciliation.

18.2.2. If a Party to a dispute fails to attend conciliation, the Commissioner may deal with it in terms of Clause 14.

18.3 If conciliation fails to resolve a Dispute of Interest that has been referred to SARPAC in terms of Clause 4 of this appendix and a certificate has been issued by the Commissioner stating that the dispute has not been resolved then:-

18.3.1. after of a cooling-off period of thirty (30) days from the date of such certificate, or any extension of this period agreed to between the parties to the dispute.

18.3.2. every Employee, involved in the dispute who has the right to strike in terms of Section 64 of the Act, may embark on such strike action subject to at least forty-eight (48) hours' written notice of the commencement of such strike action being given to the Employer that is party to the dispute or, where more than one

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Employer is party to the same dispute, to SARPBAC and to the Employers' Organisation to which such Employers are members.

18.3.3. every Employer, involved in the dispute who has the right to lock-out in terms of Section 64 of the Act, may commence with such lock-out action subject to at least forty-eight (48) hours' written notice of the commencement of such lock-out action being given to the Trade Union (s) that is party to the dispute or, if there is no such Trade Union, to the Employees concerned unless the issue in dispute relates to a Collective Agreement to be concluded in SARPBAC in which case notice must also be given to SARPBAC.

18.3.4 if the issue in dispute concerns a refusal to bargain, as contemplated in Section 64(2) of the Act, an advisory award must have been made in terms of Section 135(3)(c) of the Act before the notice as provided for in Clauses 18.3.2 and/or 18.3.3 above may be given.

## 19. CONCILIATION/ARBITRATION OF DISPUTES OF RIGHT

All unresolved Disputes of Right, including disputes about the fairness of a dismissal or a dispute about an unfair labour practice, may be referred to SARPBAC. In regard to such referrals, the following shall apply:

19.1 All unresolved Disputes of Right that are referred to SARPBAC in terms of Clause 4 of this appendix will be scheduled for Conciliation/Arbitration subject to Clause 19.2 below

19.2 Where a Party objects to the Conciliation/Arbitration process, the matter will proceed directly to arbitration on the day that it is scheduled for the Conciliation/Arbitration proceedings

19.3 SARPBAC must give the Parties at least twenty-one (21) days' notice in writing that a matter has been scheduled for Conciliation/Arbitration, unless the Parties agree to a shorter period of notice.


19.4 The provisions of the Act and the provisions set out in this appendix that are applicable to conciliation and arbitration respectively apply, with the changes required by the context, to Conciliation/Arbitration Proceedings.

19.5 If the arbitration does not commence on the dates specified in terms of the notice in Clause 19(3) above, SARPBAC must, subject to clause 14 above, reschedule the matter.

## 20. PRE-ARBITRATION CONFERENCE

20.1 The Parties to an arbitration shall hold a pre-arbitration conference dealing with the relevant matters prior to the Conciliation/Arbitration or arbitration proceedings taking place.

20.2 The Parties should endeavour to hold a pre-arbitration conference at least seven (7) days before the scheduled date for the commencement of the conciliation/arbitration or arbitration proceedings.

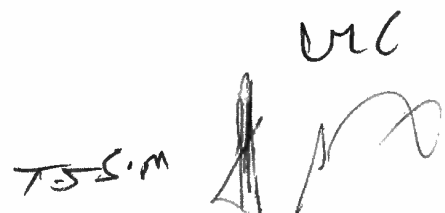
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**21. POSTPONEMENT OF PROCEEDINGS**

- 21.1 Any Party may apply for a postponement of conciliation, Conciliation/Arbitration or arbitration proceedings by serving an application for postponement on the other Parties to the dispute and lodging a copy with SARPAC at least seven (7) days before the scheduled date of such proceedings.
- 21.2 SARPAC must postpone proceedings without the Parties appearing if
- 21.2.1 all the Parties to the dispute agree in writing to the postponement and the written agreement for the postponement is received by SARPAC at least seven (7) day's prior to the scheduled date of the such proceedings; or
- 21.2.2 there are compelling reasons to postpone.
- 21.3 Upon postponement of any proceedings, the Commissioner must reschedule such proceedings to a later date not more than sixty (60) days from such postponement.
- 21.4 Any Party who seeks or causes a postponement in circumstances other than those provided for in clauses 21.1 or 21.2 above shall bear the costs of the postponement regardless of the cause.

**22. ARBITRATION OF DISPUTES**


- 22.1 SARPAC must give the Parties at least twenty-one (21) days notice in writing of an arbitration hearing, unless the Parties agree to a shorter period of notice.
- 22.2 The Commissioner shall conduct the arbitration proceedings as stipulated in Section 138 of the Act.
- 22.3 In arbitrating disputes referred to SARPAC, a Commissioner will have the powers provided for in Section 142 of the Act read with the charges required by the context.
- 22.4 An Commissioner conducting an arbitration may make an appropriate award, including, but not limited to, an award:-
- 22.4.1 ordering any person to pay any amount owing in terms of a Collective Agreement.
- 22.4.2 confirming, varying or setting aside a compliance order issued by SARPAC.
- 22.4.3 any award as contemplated in section 138(9) of the Act.
- 22.5 The Commissioner may make an order for the payment of costs against a Party or Parties if requested to do so and if the Commissioner deems the actions of the Party or Parties, against whom such costs award has been requested, to have unduly delayed or frustrated the resolution of the dispute or that such Party or Parties have acted in a frivolous or vexatious manner regarding the dispute.

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- 22.6 An arbitration award made by a Commissioner is final and binding and may be enforced as if it were an order of the Labour Court, unless it is an advisory arbitration award.
- 22.7 Arbitration awards are subject to Sections 143(2) and 143(4) (as amended), of the Act.
- 22.8 Arbitration awards may be varied or rescinded as contemplated in Section 144 of the Act.
- 22.9 Any Party to a dispute who alleges a defect in any arbitration proceedings may, in terms of Section 145 of the Act, apply to the Labour Court for an order setting aside the arbitration award.
- 22.10 The Commissioner must, within fourteen (14) days of the conclusion of the arbitration proceedings, issue a signed arbitration award with brief reasons for the award.
- 22.11 The Commissioner must provide a copy of the award to SARPBAC and each Party to the dispute.

### 23. COSTS

- 23.1 The *Council* must, subject to paragraph 23.2, pay the fees and costs of the *conciliators* and *arbitrators* in the proceedings. Each party to the *dispute* must pay its own costs with regard to travelling, meals, legal representation (if applicable), witness fees (if applicable) and other related expenses.
- 23.2 Costs may be awarded on application of a party, or of the panellist's own accord after hearing the parties. Costs may be awarded on the following grounds:
- (a) If the panellist is satisfied that the referral was made or defended vexatiously or without reasonable cause; or
  - (b) Any time during the proceedings, where a party has caused unreasonable delays; or
  - (c) If the panellist is satisfied that a party, or a person who represented that party in the proceedings acted in a manner seriously compromising the proceedings; or
  - (d) If a proceeding is adjourned or dismissed because a party to the dispute failed to attend or to be represented at the proceedings; or
  - (e) Enforcement cost as directed through Arbitration process.
  - (f) Any other grounds specified in the SARPBAC Rules for the Conduct of Proceedings
- 23.3 Costs awarded may include—
- (a) the costs of the hearing, including the panellist's' and interpreters fee;
  - (b) legal and professional costs of the parties;
  - (c) other expenses which a party has incurred in the conduct of the *dispute*; and
  - (d) expenses of witnesses.

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- 23.4 If a party to a *dispute* withdraws a referral less than 5 workings days before the scheduled date of the conciliation or arbitration, that party must bear the cost of the *conciliator* or *arbitrator*, unless the withdrawal is the result of a settlement agreement.

## 24 PEACE OBLIGATION

The parties to this Constitution, and those bound in law to this Constitution, undertake not to strike, lockout or engage in any other form of industrial action that is in conflict with the dispute resolution procedures set out in this annexure and will, should such action take place, do everything within their power to normalize the situation and ensure continuation of services throughout the processing of the dispute.

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**ANNEXURE "C"****EXEMPTION PROCEDURE**

1. Employers to whom the terms of a Collective Agreement are applicable may apply to SARPBAC for exemption from any term(s) of the Collective Agreement, provided that exemption applications shall comply with the following requirements:
  - 1.1. The application for exemption must be forwarded, in writing, to the General Secretary within thirty (30) days of:
    - (a) the conclusion of the Collective Agreement in respect of those Employers bound by the Collective Agreement in accordance with the provisions of Section 23(1)(c) of the LRA; or
    - (b) the date specified in accordance with the provisions of Section 32(2) of the LRA in respect of all other Employers ;as the case may be.
  - 1.2. The application must specify the clause(s) from which exemption is being sought.
  - 1.3. The application must clearly indicate the nature and extent of the relief being sought.
  - 1.4. The application must be fully motivated.
  - 1.5. The application must be accompanied by relevant supporting documentation and financial information.
  - 1.6. Applications that affect Employees' conditions of service shall not be considered unless the Employer submits proof that it has notified the affected Employees and/or their representative Trade Union(s) of the fact that an application for exemption is being made and informing such Employees and/or their representative Trade Union(s) that they are entitled to make written submissions, within fourteen (14) days of receipt of the notification, to the exemption panel through the General Secretary.
  - 1.7. The application shall, if the nature of the relief sought dictates, be accompanied by a plan reflecting the strategies to be adopted to rectify the situation giving rise to the application and indicating a time frame for the plan.
  - 1.8. Indicate the period for which exemption is required.
2. Implementation of the clause(s) from which exemption is being sought will be suspended by the specific Employer pending the outcome of the exemption application.
3. On receipt of an application for exemption, the General Secretary must provide written acknowledgement of the receipt of the exemption application to the applicant Employer and inform all the Parties to SARPBAC of such application as well as the nature of the relief being sought.

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4. The Parties to the exemption procedure shall be the applicant Employer and the representative Trade Union(s) representing Eligible Employees within the applicant Employer's organisation to whom the Collective Agreement is applicable, or in the absence of a representative Trade Union, such eligible Employees.
5. Any application for exemption will be heard by an independent panel or a panellist appointed for this purpose by SARPAC
6. The above panel, (which may consist of up to three persons,) or appointed panellist shall be known as the exemption authority.
7. The exemption authority appointed to consider exemptions shall be independent and have experience deemed by SARPAC to be relevant, which may include, but not be limited to, experience of financial matters, the Road Passenger Transport Industry, labour relations and/or labour law.
8. The application shall be considered by the exemption authority as soon as practically possible but not later than 30 days after receipt of an application for an exemption.
9. The exemption authority shall consider the exemption application together with any submissions received from interested Parties, including third parties.
10. The exemption authority may, if it deems it expedient, request the Parties to the specific exemption application to attend the meeting at which the application is to be considered.
11. The exemption authority shall have the right to call any other party, such as an interested third party that it feels might be able to assist it in arriving at a decision.
12. The exemption authority must consider the exemption application, grant or reject the application and inform all interested Parties of its decision within a time period of no more than thirty (30) days from the date of receipt of the application by the General Secretary.
13. In considering an application, the exemption authority shall take into consideration all relevant factors which may include, but shall not be limited to, the following criteria:
  - 13.1 The applicant's past record (if applicable) of compliance with the provisions of Council's Collective Agreements and/or exemption certificates.
  - 13.2 Any special circumstances that exist or any precedent that might be set.
  - 13.3 The interests of the industry in relation to unfair competition, centralized collective bargaining as well as the economic stability of the industry.
  - 13.4 The interests of Employees as regards exploitation, job preservation, sound conditions of employment, possible financial benefits, health and safety as well as the infringement of basic rights.
  - 13.5 The interests of the Employer as regards its financial stability, the impact on productivity, its future relationship with Employees and recognized Trade Union(s), operational requirements and the viability of the Employer's business.

MC  
TSSM [Signature]

14. If the application is granted, the exemption authority shall, within the time period stipulated in Clause 12 above, provide each of the Parties defined in Clause 4 above and the General Secretary, with written advice of its decision, the nature and extent of relief granted and any special conditions that might be applicable to such relief.
15. If the application is refused, the exemption authority shall, within the time period stipulated in Clause 12 above, submit a written report to each of the Parties as defined in Clause 4 above and the General Secretary, setting out its reasons for not granting the application in whole or part.
16. The General Secretary shall within seven (7) days of receipt of the advice referred to in Clause 14 above, or the report mentioned in Clause 15 above, inform all Parties to SARPAC of the outcome of the specific exemption application.
17. SARPAC shall, within fifteen (15) days of receiving the advice referred to in Clause 14 above, issue an exemption certificate, signed by the Chairperson, Vice-Chairperson and General Secretary, containing the following particulars:
  - (a) The full name of the Employer
  - (b) The trade name of the Employer
  - (c) The provisions of the Collective Agreement from which exemption has been granted
  - (d) The period for which the exemption shall operate
  - (e) The condition(s) of the exemption granted
  - (f) The date of issue of the exemption certificate
18. Conditions, to which reference is made in Clause 17(e) above, may include a condition requiring the Employer to provide written reports at stated intervals to the General Secretary on the progress being made with the plan, referred to in Clause 1.7 above.
19. SARPAC shall:
  - 19.1 Retain a copy of all exemption certificates issued and number each certificate consecutively.
  - 19.2 Forward a copy of the certificate to the Parties as defined in Clause 4 above.
  - 19.3 Forward a copy of the certificate to each of the Parties to SARPAC.
20. An Employer to whom an exemption certificate has been issued shall at all times have the certificate available for inspection at his establishment.
21. All arrangements to be made by the exemption authority that have cost implications for which SARPAC may be held responsible shall only be made with the prior written approval of SARPAC.
22. Pending the outcome of an exemption application, and any appeal in terms of Clause 23 below, the Employer shall be exempt from implementing the clause(s) which are the subject of the exemption application or appeal until such time as a decision has been made by the exemption authority or the exemption appeal authority, as the case may be.

WC  
TS S.M. [Signature]

**23. APPEALS AGAINST DECISIONS OF THE EXEMPTION AUTHORITY**

- 23.1 An appeal shall be in writing and must be lodged with the General Secretary of the Council within a period of not more than fifteen (15) days after receipt by the applicant employer of the decision of the exemption authority against which the appeal is being lodged.
- 23.2 SARPAC shall establish an independent body as envisaged in terms of Section 32(3)(e) of the Act, to hear and decide, as soon as possible, any appeal brought against a decision to refuse an application for exemption from the provisions of a Collective Agreement or the withdrawal of such an exemption by SARPAC.
- 23.3 The above independent body, appointed by the Council, shall be known as the exemption appeal authority.
- 23.4 The provisions of Clauses 6 to 21 above, shall apply mutatis mutandis to the composition of the appeal authority, the conduct of the appeal and the issuing of any exemption certificate consequent upon the appeal.
- 23.5 The decision of the exemption appeal authority shall be final.
- 23.6 The General Secretary shall provide a copy of the exemption appeal authority's decision to each of the Parties to SARPAC.

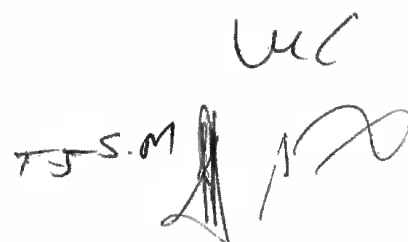
T.S.S.M. MC  
[Signature]

**ANNEXURE "D"****APPROVED STUDY COURSES****1. Graduate, Certificate or Diploma Courses in:**

- a. Human Resources Management**
- b. Labour Relations Management**
- c. Financial Management**
- d. IT Management**
- e. Risk Management**
- f. Occupational Health and Safety Management**
- g. Procurement Management**
- h. Technical Management**
- i. Clerical / Administration**
- j. Public Relations Management**

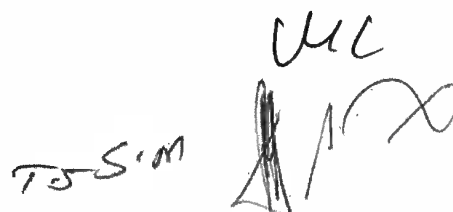
**2. Apprentice or Learnership Courses**

- a. Mechanical**
- b. Auto Electrical**
- c. Body Building**

Handwritten signatures and initials in black ink, including 'M.C.', 'T.S.M.', and a large stylized signature.

**ANNEXURE "E"****PRIMARY HEALTH CARE**

1. Parties agree that the issue of Primary Health Care for the sector shall be referred back to the Task Team under the direction of the General Secretary of the Council.
2. The Task Team will be comprised of 5 members from the Employer Party and 5 members from the Trade Union Party.
3. The Task Team will continue to deliberate the provision for Primary Health Care for the Sector.
4. The Task Team will report the outcome of its deliberations to the Central Committee.

Handwritten signatures and initials in black ink. On the left, the initials 'T.S.M.' are written. To the right, there are two distinct signatures: one that appears to be 'U.C.' and another that is a more complex, stylized signature.


We the undersigned, as the official representatives of our respective organisations, do hereby, on behalf of the organisations, its members and all Employees, agree to the terms of this agreement and bind our organisations, members and all Employees thereto.

SIGNED BY

ON BEHALF OF


SIGNED AT


DATE

 South African Bus Employers Association - JHB 19/04/2023

 Commuter Bus Employers Organisation - JHB 19/04/2023

 South African Transport & Allied Workers - Union - JHB 19/04/2023

 National Union of Metalworkers of South Africa - JHB 19/04/2023

 Transport and Allied Workers Union of South Africa - JHB 19/04/2023

**FINANCIAL SECTOR CONDUCT AUTHORITY**

NO. 3459

26 May 2023

**FINANCIAL MARKETS ACT, 2012****PROPOSED AMENDMENTS TO JSE CLEAR (PTY) LTD RULES – INCLUSION  
OF SECURITIES COLLATERAL**

The Financial Sector Conduct Authority (FSCA) hereby gives notice under section 71 (3)(b)(ii) of the Financial Markets Act, 2012 (Act No. 19 of 2012) that the proposed amendments to the rules of JSE Clear (Pty) Ltd have been published on the official website of the FSCA ([www.fsca.co.za](http://www.fsca.co.za)) for public comment. All interested persons who have any objections to the proposed amendments are hereby called upon to lodge their objections with FSCA, at the following email address: [Queries.Marketinfrastructures@fsca.co.za](mailto:Queries.Marketinfrastructures@fsca.co.za) within a period of fourteen (14) days from the date of publication of this notice.

**Ms. Astrid Ludin****Deputy Commissioner****Financial Sector Conduct Authority**

## DEPARTMENT OF HEALTH


NO. 3460

26 May 2023

## HEALTH PROFESSIONS ACT, 1974 (ACT No.56 OF 1974)

## REGULATIONS RELATING TO THE REGISTRATION OF TECHNICIANS IN CLINICAL TECHNOLOGY

The Minister of Health has, under section 61 of the Health Professions Act, 1974 (Act No. 56 of 1974) and on the recommendation of the Health Professions Council of South Africa, promulgate the regulations in the schedule.

  
\_\_\_\_\_  
DR M.J PHAAHLA, MP  
MINISTER OF HEALTH  
DATE: 07/05/2023

## SCHEDULE

## Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act shall have that meaning, unless the context otherwise indicates: -

“the Act” means the Health Professions Act, 1974 (Act No. 56 of 1974); and  
“professional board” means the Professional Board for Radiography and Clinical Technology established in terms of section 15 of the Act.

#### **Requirement for registration**

2. The registrar may register, as an Electro-Encephalographic Technician, Electro-Cardiography Technician, or Spirometry Technician, any person who-
  - (a) holds an appropriate qualification in Electro-Encephalographic Technique, Electro-Cardiograph Technique, or Spirometry Technique granted, after examination, by any institution or examining authority approved by the professional board from time to time: Provided that no qualification shall be accepted for the purpose of these Regulations unless the training thereof has extended over a minimum period of twelve months in an institution approved by the professional board; and
  - (b) has passed an examination in Electro-Encephalographic Technique, Electro-cardiograph Technique, or Spirometry Technique conducted by the professional board in terms of section 15B (1) (b) of the Act.

#### **Short Title**

3. These Regulations are called Regulations Relating to the Registration of Technicians in Clinical Technology, 2023.

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 3461

26 May 2023

**HIGHER EDUCATION ACT (ACT 101 OF 1997, AS AMENDED)****REPORT OF THE INDEPENDENT ASSESSOR INTO THE AFFAIRS OF THE UNIVERSITY OF SOUTH AFRICA (UNISA), PROFESSOR N. THEMBA MOSIA TO THE MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION, DR BE NZIMANDE**

I, **Dr BE Nzimande, MP**, Minister of Higher Education, Science and Innovation in accordance with Section 47 (2) of the Higher Education Act (Act 101 of 1997, as amended), publish the Report of the Independent Assessor, Professor N. Themba Mosia appointed under Sections 44 (1) of the same Act, on the investigation conducted into the affairs of the University of South Africa, as set out in the Schedule.

**DR BE NZIMANDE, MP****MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION****DATE:** 12/05/2023



# **Report of the Independent Assessor into the Affairs of the University of South Africa (UNISA)**

**March 2023**

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**Prof N Themba Mosia**

# **Report of the Independent Assessor into the Affairs of the University of South Africa (UNISA)**

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## List of Abbreviations and Acronym

AERMCoC	Audit and Enterprise Risk Management Committee of Council
AG	Auditor General
APA	Auditing Profession Act No 26 of 2005
APSA	Academic and Professional Staff Association
ARCSWID	Advocacy and Research Centre for Students with Disabilities
ASACoC	Academic and Student Affairs Committee of Council
ASSA	Accounting Sciences Student Association
BCCoC	Brand and Communication Committee of Council
BEE	Black Economic Empowerment
BF	Black Forum
BOBs	Branch Office Bearers
CAE	Chief Audit Executive
CAES	College of Agriculture & Environmental Sciences
CAS	College of Accounting Science
CCMA	Commission for Conciliation, Mediation and Arbitration
CE	College of Education
CEDUSA	College of Education Student Association (
CEMS	College of Economic & Management Sciences
CFO	Chief Financial Officer
CGS	College of Graduate Studies
CHE	Council on Higher Education
CHS	College of Human Sciences
CIO	Chief Information Officer / VP: ICT
CLAW	College of Law
CoD	Chair of Department
CPR	Composite Performance Rating
CSET	College of Science, Engineering & Technology
CV	Curriculum Vitae
DB	Defined Benefit
DC	Defined Contribution
DD	Deputy Director
DHET	Department of Higher Education and Training
DOA	Delegation of Authority
DoS	Dean of Students

DSD	Department of Student Development
DVC	Deputy Vice-Chancellor
ED	Executive Director
ER	Employee Relations
ERP	Enterprise Resource Planning
EXCO	Executive Committee
FEF	Finance Executives Forum
FIECoC	Finance, Investment and University Estates Committee of Council
FTC	Fixed Term Contract
FTEN	First Time Entering Student Numbers
GSBL	Graduate School of Business Leadership
HE Act	Higher Education Act 101 of 1997 (as amended)
HEMIS	Higher Education Monitoring and Information System
HR	Human Resources
HRCoC	Human Resources Committee of Council
IAS	International Accounting Standard
ICT	Information & Communication Technology
ICTCoC	Information & Communication Technology Committee of Council
ID	Institutional Development
IEG	Infrastructure and Efficiency Grant
IF	Institutional Forum
IPMS	Integrated Performance Management System
IRBA	The Independent Regulatory Board for Auditors
LMS	Learning Management Systems
LSO	Legal Service Office
ManCom	Management Committee
Manrem	Management Remuneration Committee
MFA	Multi-Factor Authentication
Minister	Minister of Higher Education, Science and Innovation
MOU	Memorandum of Understanding
MTEF	Medium term Expenditure Framework
MTT	Ministerial Task Team
NEC	National Executive Committee
NEHAWU	National Health, Education and Allied Workers Union
NGCoC	Nominations and Governance Committee of Council
NSFAS	National Student Financial Aid Scheme

NSRC	National Student Representative Council
NUTESA	National Union of Tertiary Employees of South Africa
ODEL	Open Distance e-Learning
OIC	Operational Investment Committee
PAIA	Promotion of Access to Information Act
PMO	Project Management Office
POPIA	Protection of Personal Information Act
PPPFA	Preferential Procurement Policy Framework Act 5 of 2000
PreCCAA	Prevention and Combatting of Corrupt Activities Act, 12 of 2004
PURCO	Purchasing Consortium Southern Africa
PVC	Pro Vice-Chancellor
REMCOC	Remuneration Committee of Council
RPA	Recognition and Procedural Agreement
RSRC	Regional Student Representative Council
SAHRC	South African Human Rights Commission
SAICA	South African Institute of Chartered Accountants
SAPS	South African Police Service
SAPTU	South African Parastatal and Tertiary Institutions Union
SCM	Supply Chain Management
SCSC	Student Communication Service Centre
SECoC	Social Ethics Committee of Council
SETSA	Science Engineering Technology Student Association
SIS	Student Information System
SRC	Student Representative Council
SSC	Student Services Council
ToRs	Terms of Reference
TWC	Tender Working Committee
UBF	UNISA Bargaining Forum
UE	UNISA Enterprises (Pty) Ltd
ULSA	UNISA Law Students Association
UNISA	University of South Africa
VC	Principal and Vice-Chancellor
VUDEC	Vista University Distance Education Campus
VP	Vice-Principal

## Acknowledgements

I wish to acknowledge and formally thank the UNISA community for the cooperation rendered in this important and challenging task.

The Chairperson of Council, Mr JM Maboja for his prompt assistance in all matters raised with him. Members of the Council and their support of this process from the beginning to the end, very few did not appear to take this assessment seriously. The Principal and Vice Chancellor (VC) Prof P LenkaBula for personally ensuring that our needs were addressed as efficiently as possible. The Extended Management team for ensuring access to information and staff in their varied portfolios.

I would also like to acknowledge the candid manner in which students shared their experiences with the Assessor Team of Experts. Unisans in general cooperated fully with the assessment. I was granted unrestricted access to UNISA, persons, locations and documentation necessary to carry out the investigation. Many people were interviewed, and they offered their time and took me into their confidence. I thank them for that. Although, there were striking cases of contempt to the assessment by two employees of UNISA whose conduct was unprofessional almost displaying arrogance and belligerence towards the Assessor Team; as well as what struck me as an 'untouchable status' within the University and a larger-than-the-university type of attitude. This is regrettable, but I am hopeful that the bigger interests of UNISA will prevail.

The liaison at the University in the Office of the VC, Dr O Mabusela tirelessly attended to all the requests of the assessment, and generally doing everything to make me and the team comfortable.

I would not have been able to accomplish this complex task without a team of specialists whom I appointed in terms of the provisions of the Act. I acknowledge the expertise of Prof Q Vorster (Finance), Ms Z Walele (Legal and HR), Dr C Myburgh (Student Systems and Organisational Behaviour) and R Van Huysteen (ICT). I wish to acknowledge Dr P Vukea and the support of the team from the Department of Higher Education and Training (DHET) for the superior and professional manner in which they attended to all information management needs, logistics and liaison with all the interviews and the University.

Finally, I wish to thank the Minister of Higher Education, Science and Innovation, Dr BE Nzimande for appointing me and for making the resources of the Department available for me to undertake this mammoth task. It has been a huge privilege and an honour and a great responsibility to take on this task.

**Prof N Themba Mosia**

**13 March 2023**

## Executive Summary

This document reports on the findings of the Independent Assessment of the University of South Africa as requested by the Minister of Higher Education, Science and Innovation by Notice in the Government Gazette (no. 46904, Notice No. 2480 of 13 September 2022). The Terms of Reference included, *inter alia*, an assessment of the functioning and efficacy of the governance and management structures; the operations of the Office of the Registrar; the state of policies and procedures of the university pertaining to financial management, supply chain management and procedures; and allegations of financial irregularities; the state of the human resources policies and practices of the university, particularly in relation to enhancing organisational efficiency and employment relations; a detailed analysis and reasons for the significant number of staff suspensions, disciplinary cases and dismissals at the university since 2018; allegations of misconduct and mismanagement against the Vice-Chancellor; and any other matter, in the opinion of the Assessor, that may impact on the functioning of the university from an analysis of problems relating to governance and management.

For purposes of this assessment, I gathered data and information from a range of institutional policies, reports, minutes of meetings, submissions from the University community, social media posts and media reports, and numerous interviews of a wide ranging spectrum of UNISA stakeholders. Further to this, I read all submissions made to the Minister on UNISA, since 2015. The evidence presented in this report is selected from sources identified in the report and university records. As indicated elsewhere in the report, some stakeholders were afraid of victimisation and intimidation hence their identity is protected, except for Management in certain higher levels, and Council.

This assessment revealed a cauldron of instability characterised by a culture of fear, intimidation and bullying, instances of maladministration, financial irregularities, human resources failures, a very fragile and troubled ICT environment, poor student services, academic malpractices, leakages of confidential records, and questionable Management and Council decisions, amongst others.

I do not intend to present a detailed Executive Summary because I believe that it is crucial for the report to be read in its entirety because all the important matters identified in the terms of reference are interrelated and inextricably intertwined.

The introduction presents a brief history of the University as well as the institutional profile at the time of its assessment. UNISA has a proud history of impacting individual lives of the people of this continent positively, and South Africa's intellectual journey and economic development in particular. The year 2023 marks its 150<sup>th</sup> year of existence. The university's anniversary year is blemished by a range of controversies and a failure to live up to its mission and strategic goals. A number of these controversies elicited the Human Rights Commission report, the Ministerial Task Team Report, and

now this Independent Assessor report, all of which do not present a positive outlook for the University.

UNISA has a range of policies that are aimed at governing its operations. Policies are formulated to guide, direct and protect staff, students and the university in general. I found that many policies are outdated and have not been reviewed as required by the university. In addition, many policies are violated by both Management and Council. Non-compliance to policies and condonation of questionable decisions are pervasive. As a result of non-adherence to policies and other factors, I found that it is fashionable at UNISA to seek legal opinions that come at a very high cost to UNISA. The legal office is not only short staffed, but is heavily reliant on external service providers over matters that can ordinarily be dispensed off by a reasonably well capacitated legal office. Although I heard many times that UNISA is complex, it is a reasonably fair expectation for the university to have well designed policies that are complied with by all.

My assessment is that the University Council failed in its responsibility to ensure stability, strategic direction, financial compliance and a positive public image of the University. Council has not exercised the duty of care by taking the public in its confidence to be faithful and honest in the execution of the mandate bestowed on them by section 27 of the Higher Education Act, to govern the university, complying with the Reporting Regulations for Public Universities and ensuring an efficient utilisation of university resources and the integrity of the academic environment.

The problems at UNISA have been left for too long to metastasise to a point where all sections of the University are affected in one way or the other. Although the autonomy of universities and their academic freedom are paramount, they are required to be accountable for the resources allocated to them, including to ensure that students are taught well and have a rewarding experience of the University. I have noted numerous meetings held by the Minister with UNISA, and my view is that they did not amount to any intervention that could have prevented the Ministerial Task Team to be appointed. Furthermore, I do not have evidence that the previous VC was assertive enough to protect the institution, including seeking a serious intervention from the Minister.

The report details the inefficiencies in the Registrar's portfolio insofar as delivering impeccable services to students, the management of academic affairs and related functions. UNISA has left the structure of the Office of the Registrar to be bloated and ineffective without due consideration of its agility, flexibility and right sizing. Policy failure abound in the portfolio as the report details some of instances that render the office dysfunctional. Support for credible assessments permeate across Colleges and ICT as well. During this assessment, the office of the Dean of Students, which reports to the Registrar, had been dysfunctional partly because of immature handling of the conflict between the Registrar and the VC.

I performed a detailed analysis of the management of finances. I found financial irregularities particularly in SCM, including policy deviations, disregard for due process and other questionable decisions by Management and Council. I also assessed the work of the Operational Investment Committee and supply chain processes in this area. Among other aspects I assessed, is the efficacy of the UNISA Enterprises (Pty) Ltd, and analysed UNISA's financial statements for a five-year period. An assessment of the third stream income posed serious challenges for UNISA. I further assessed the Audit function encompassing both internal and external audit reports. External Auditors resigned before finishing their full term as a result of what they consider a high risk profile of UNISA. The University explained to me their side of the story and differences they had with External Auditors. I did not go into much detail because that warrants a separate investigation, particularly in respect of the return on investment by the state given the poor service delivery to students at UNISA.

Human resources and organised labour at UNISA is a source of concern for many Unisans. My analysis of policies is that there is general non-compliance and nonchalant practices that do not respect the University. Staff in the HR department are also alleged to have a differential treatment of employees and in some instances favour the trade unions. The organisational structure is not fit for purpose, and this has been left for too long to address so that the university can function optimally. I received many complaints from Colleges and other administrative departments about the ineffectiveness of the HR department. Some suspensions take very long to conclude.

There is at UNISA a pervasive culture of fear, intimidation and bullying. Staff and students shared instances of what they describe as a toxic environment across the institution. Some staff and students were emotionally affected by this prevailing culture. In my attempt to elicit responses from the Employee Wellness, I was informed that there is no problem in that respect from which I observed that there was a deeper problem that the university is facing in boosting the morale of its employees and promoting trust between the employer and staff.

An analysis of the support given to the academic environment is a source of great concern. Academic departments are under-staffed, some experience burnout, it is reported that many assignments are either unmarked or lost. Some students write examinations without knowing their assignment marks. Lecturers are not available for their students as emails and telephones go unanswered - telephones are unanswered partly because people work from home. For those who answer telephones, often in Colleges in which students are not registered, they can only refer students back to where they reach a *cul de sac* after many attempts. The student call centre is also described as inaccessible and unhelpful.

The operating model of UNISA underpinned by ICT is a source of frustration for staff and students. There are many instances reported of system failures during examinations times, issues with the submission of assignments and problems accessing the Learning Management System. UNISA

transitioned into an online mode without being prepared and without preparing students adequately. The university is adamant to follow its nascent ODeL strategy to the fullest, irrespective of the outcries from students who are not all able to access learning material online, because they don't have the devices or data that UNISA now require from them. A hybrid model to transition into fully online appear not to enjoy any support despite the outcry of the students. It is my understanding that the ICT dysfunctionalities affect the whole university. Current systems are not integrated, they are outdated and in some instances not supported anymore. UNISA currently faces serious ICT risks.

The general student experience at UNISA is dismal. I found very little evidence of student centricity as far as it relates to UNISA's key stakeholder, its students. Students turn to social media to voice their concerns, as they are not getting through to the call centre and their enquiries are not attended within reasonable times. Academics who attempt to assist students get caught-up with administrative processes when they should be focussing on teaching and learning. New systems are implemented without proper consultation with staff and students and without the necessary training either, and when students experience challenges with the new systems they are unable to get assistance and support. There were many complaints about students that experienced system challenges during the examinations, for example with the invigilator app, or not being able to log into the system.

Students were saying that their biggest concern was that when these problems occurred, UNISA does not have the support structures in place for them to contact, i.e. call centre not responding, emails not replied to, etc. Students are rightfully frustrated in terms of service delivery at UNISA, about late results, waiting months for their completion letters, waiting months for their disciplinary cases to be heard, complaining about their information being available to external parties, and about UNISA's poor responsiveness, among others. Students are in many instances helpless and desperate.

I found it disheartening that instead of Council holding management responsible for the poor quality of services to students, Council states that *students have a tendency to complain* (UNISA 2021 Annual Report, under Council Statement on Sustainability, page 91).

I have incorporated findings and recommendations throughout the various sections of this report, and conclude the report with a set of recommendations to the Minister and recommendations for UNISA itself. I noticed during the conclusion of the assessment, a frantic move on the side of the University to address issues that were left unattended for the longest time, such as the filling of positions. From my perspective, it seems to be a strategy to circumvent some of the findings of the assessment. The problem here is that the haste may result in short-sighted and/or superficial solutions, which do not lift the University out of the quagmire it finds itself in and without lasting impact.

## 1. Introduction

### 1.1 History and Profile of the University

- a. UNISA boasts of being one of the world's largest open distance learning institutions and one of the oldest institutions in the country. Founded in 1873 as the University of the Cape of Good Hope, the institution's name was changed to the University of South Africa in 1916 and in 1918 it moved from Cape Town to Pretoria. Legislation in 1916 established UNISA as an autonomous University and a federal institution that would play an academic trusteeship role for several colleges that eventually became autonomous universities. In 1946, the University changed its focus and became a distance education university, which has defined the University's identity, character and objectives as they are known today. This identity of UNISA has been its strongest and positive attraction that it is open, flexible and affordable thus serving the needs of the most disadvantaged communities. The University also boasts of being an institution that has given access to tertiary education to all people, irrespective of race or colour, particularly given South Africa's history of apartheid. Its rich history includes a diverse mix of notable and famous alumni.
- b. On 1 January 2004, a new UNISA came into being as a comprehensive institution, resulting from a merger with Technikon Southern Africa (Technikon SA) and the incorporation of the Vista University Distance Education Campus, (VUDEC). The University in its current configuration has three campuses, the Muckleneuk Campus (Main Campus), the Florida Science Campus and the Sunnyside Campus.
- c. UNISA has six (6) regional centres covering the nine (9) provinces of South Africa as follows:

Midlands (6)	North-Eastern (5)	Gauteng (5)	KwaZulu-Natal (5)	Eastern Cape (3)	Western Cape (2)
Rustenburg (Hub)	Polokwane (Hub)	Sunnyside (Hub)	Durban (Hub)	East London (Hub)	Parow (Hub)
Potchefstroom	Makhado	Ekurhuleni	Pietermaritzburg	Mthatha	George
Bloemfontein	Giyani	Florida	New Castle	Port Elizabeth	
Kroonstad	Nelspruit	Vaal	Richards Bay		
Kimberly	Middelburg	Johannesburg	Wild Coast		
Mahikeng					

- d. The University is organised around eight (8) Colleges consisting of Schools and institutes and centres or units, each headed by an Executive Dean. launched virtually in September 2020.

#### College of Agriculture and Environmental Sciences (CAES)

1. **School of Agricultural and Life Sciences**
  - 1.1. Department of Agriculture and Animal Health
  - 1.2. Department of Life and Consumer Sciences
2. **School of Ecological and Human Sustainability**
  - 2.1. Department of Environmental Sciences
  - 2.2. Department of Geography
3. Applied Behavioural Ecology & Ecosystem Research Unit

#### College of Accounting Sciences (CAS)

1. **School of Accountancy**
  - 1.1. Department of Auditing
  - 1.2. Department of Financial Accounting
  - 1.3. Department of Management Accounting
  - 1.4. Department of Taxation
2. **School of Applied Accountancy**
  - 2.1. Department of Financial Governance
  - 2.2. Department of Financial Intelligence
3. **Centre for Accounting Studies**

#### College of Economic and Management Sciences (CEMS)

1. **School of Economic and Financial Sciences**
  - 1.1. Department of Decision Sciences
  - 1.2. Department of Economics
  - 1.3. Department of Finance, Risk Management and Banking
2. **School of Management Sciences**
  - 2.1. Department of Business Management
  - 2.2. Department of Human Resource Management
  - 2.3. Department of Industrial and Organisational Psychology
  - 2.4. Department of Marketing and Retail
3. **School of Public and Operations Management**
  - 3.1. Department of Applied Management
  - 3.2. Department of Public Administration and Management
  - 3.3. Department of Operations Management
4. **Centres**
  - 4.1. Centre for Business Management
  - 4.2. Centre for Industrial and Organisational Psychology
  - 4.3. Centre for Transport Economics, Logistics and Tourism
  - 4.4. Centre for Public Administration and Management
5. Institute for Corporate Citizenship

#### College of Graduate Studies (CGS)

1. **School of Interdisciplinary Research and Graduate Studies**
2. **School of Trans-Disciplinary Research and Graduate Studies**
3. **Ethiopia Regional Learning Centre**

#### Others

1. **Graduate School of Business Leadership (GSBL)**
2. **Thabo Mbeki African School of Public and International Affairs (TM- School)**

#### College of Human Sciences (CHS)

1. **School of Arts**
  - 1.1. Department of African Languages
  - 1.2. Department of Afrikaans and Theory of Literature
  - 1.3. Department of Art and Music
  - 1.4. Department of Communication Science
  - 1.5. Department of English Studies
  - 1.6. Department of Information Science
  - 1.7. Department of Linguistics and Modern Languages
2. **School of Humanities**
  - 2.1. Department of Anthropology and Archaeology
  - 2.2. Department of Biblical and Ancient Studies
  - 2.3. Department of Christian Spirituality, Church History and Missiology
  - 2.4. Department of History
  - 2.5. Department of Philosophy, Practical and Systematic Theology
  - 2.6. Department of Religious Studies and Arabic
3. **School of Social Sciences**
  - 3.1. Department of Development Studies
  - 3.2. Department of Health Studies
  - 3.3. Department of Political Sciences
  - 3.4. Department of Psychology
  - 3.5. Department of Social Work
  - 3.6. Department of Sociology
4. **Centres**
  - 4.1. Centre for Applied Information and Communication
  - 4.2. Centre for Applied Psychology
  - 4.3. Centre for Pan African Languages and Cultural Development
  - 4.4. Khanokhulu Centre
  - 4.5. The John Povey Centre for the Study of English in Southern Africa
5. **Institutes**
  - 5.1. Institute for Gender Studies
  - 5.2. Research Institute for Theology and Religion
  - 5.3. Institute for Social and Health Sciences
6. **Units**
  - 6.1. Anthropology and Archaeology Museum
  - 6.2. African Languages Literary Information Museum
  - 6.3. Unisa Art Gallery
  - 6.4. Chief Albert Luthuli Research Chair

#### College of Science, Engineering and Technology (CSET)

1. **School of Science**
  - 1.1. Department of Chemistry
  - 1.2. Department of Mathematical Sciences
  - 1.3. Department of Physics
  - 1.4. Department of Statistics
2. **School of Engineering**
  - 2.1. Department of Civil Engineering
  - 2.2. Department of Chemical Engineering
  - 2.3. Department of Electrical Engineering
  - 2.4. Department of Mining Engineering
  - 2.5. Department of Mechanical Engineering
  - 2.6. Department of Industrial Engineering
3. **School of Computing**
  - 3.1. Department of Computer Sciences
  - 3.2. Department of Information Systems

**College of Education (CE)****1. School of Educational Studies**

- 1.1. Department Adult Community and Continuing Education
- 1.2. Department of Educational Foundations
- 1.3. Department of Psychology of Education
- 1.4. Department of Inclusive Education
- 1.5. Department of Educational Leadership and Management

**2. School of Teacher Education**

- 2.1. Department of Mathematics Education
- 2.2. Department of Science and Technology Education
- 2.3. Department of Language Education, Arts and Culture
- 2.4. Department of Curriculum and Instructional Studies
- 2.5. Department of Early Childhood Education

**3. Centres**

- 3.1. Centre for Continuing Education and Training
- 3.2. Teaching Practice Office

**4. Institutes**

- 4.1. Institute for Open and Distance Learning

**College of Law (CLAW)****1. School of Law**

- 1.1. Department of Criminal and Procedural Law
- 1.2. Department of Jurisprudence
- 1.3. Department of Mercantile Law
- 1.4. Department of Private Law
- 1.5. Department of Public, Constitutional and International Law

**2. School of Criminal Justice**

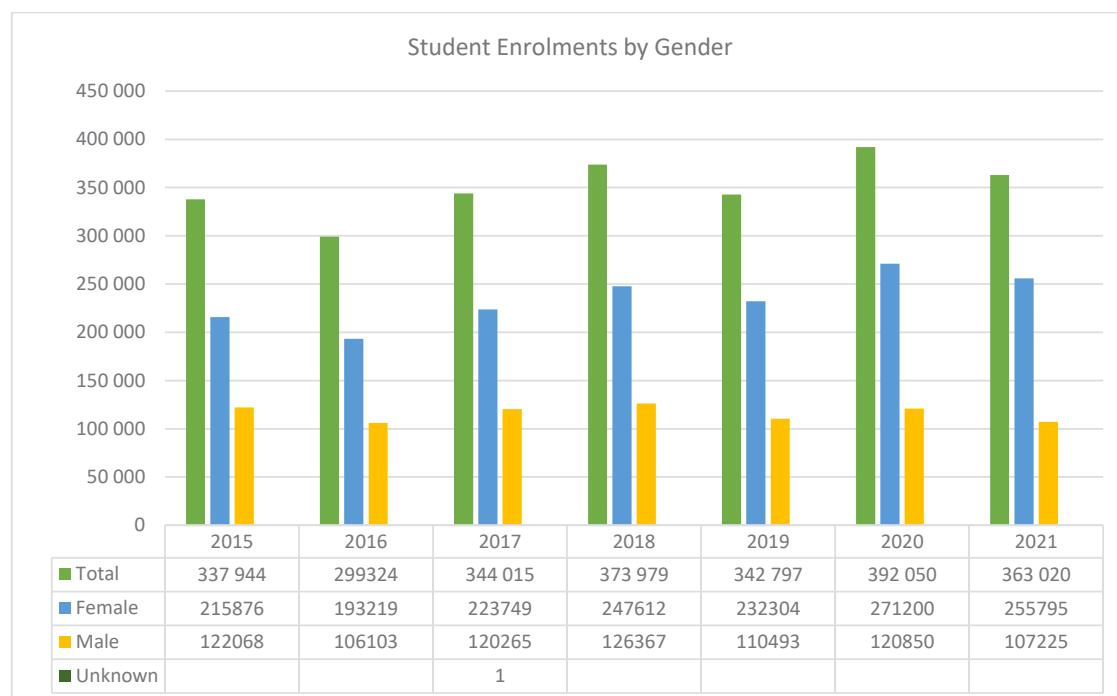
- 2.1. Department of Criminology and Security Science
- 2.2. Department of Corrections Management
- 2.3. Department of Police Practice

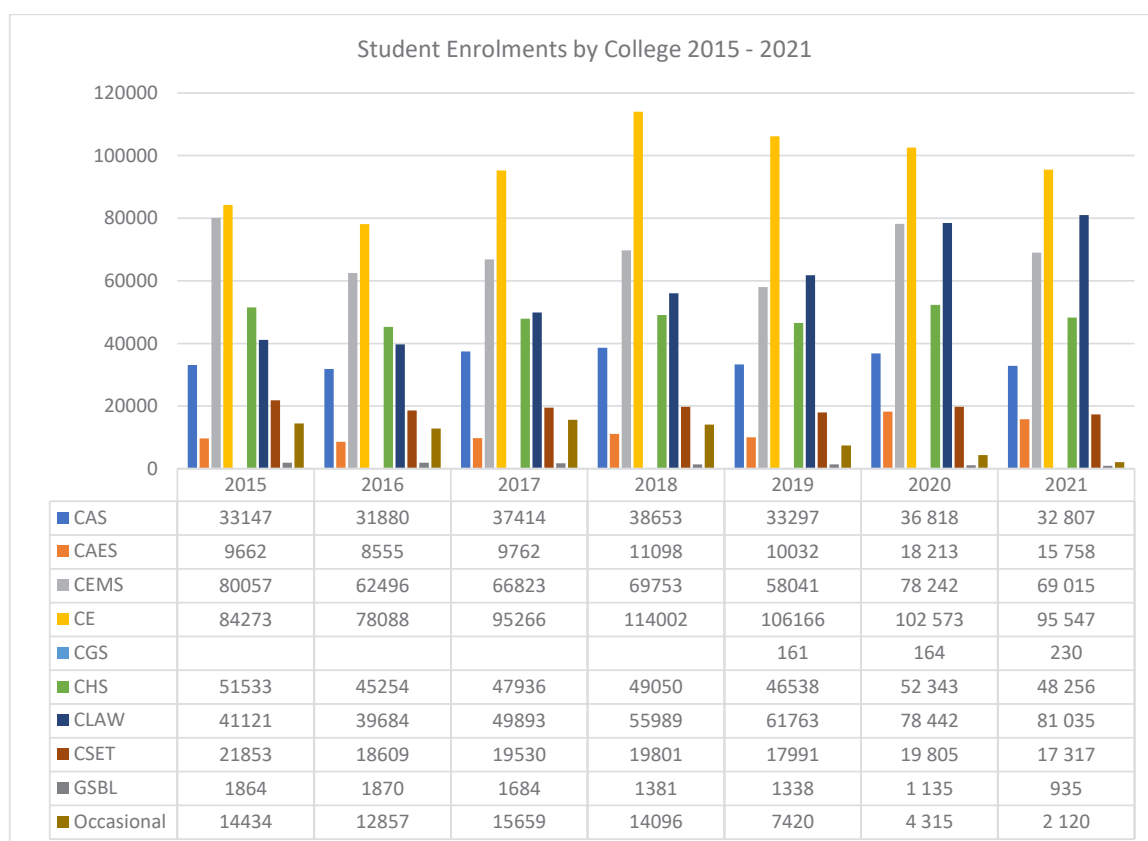
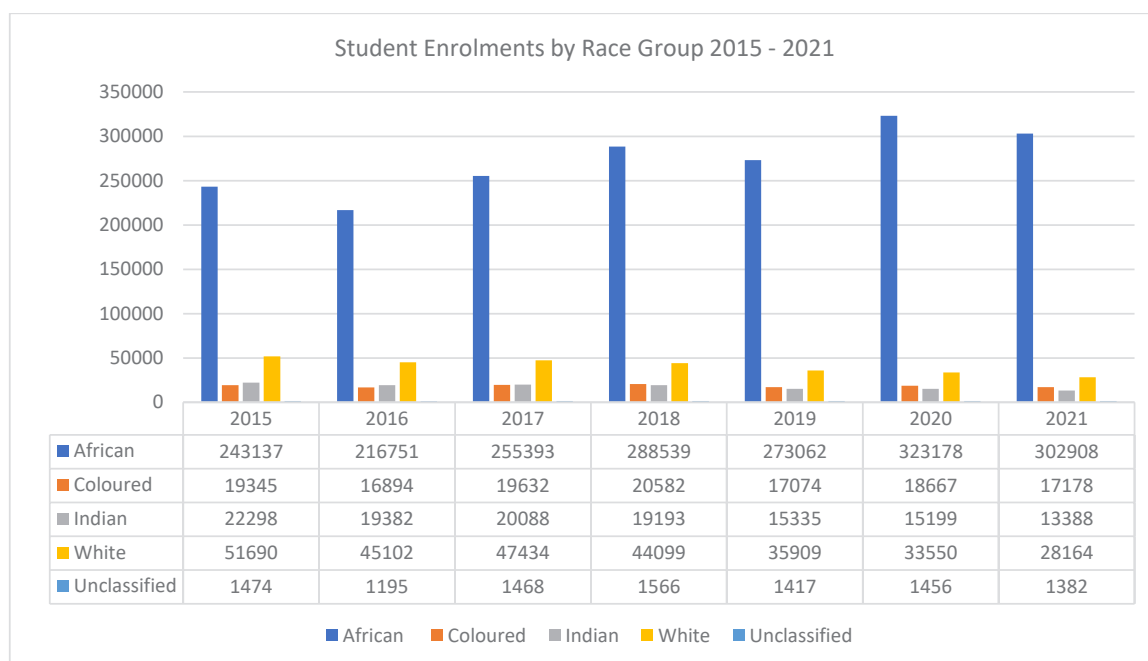
**3. Centres**

- 3.1. Centre for Basic Legal Education
- 3.2. Centre for Business Law
- 3.3. Centre for Criminological Sciences
- 3.4. Centre for Public Law Studies
- 3.5. Centre for Indigenous Law

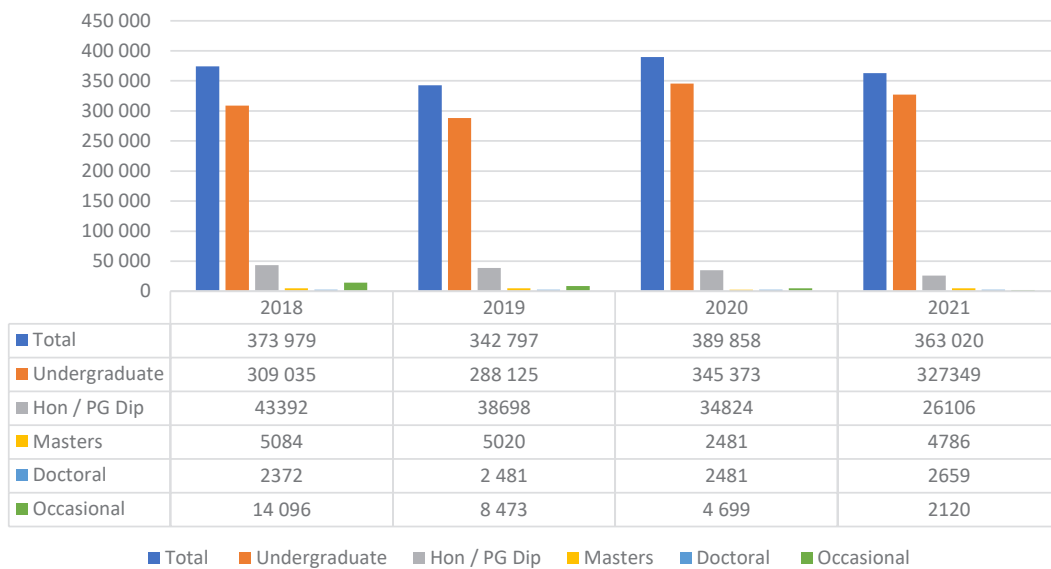
**4. Institute for Dispute Resolution in Africa (IDRA)****5. Unisa Law Clinic**

- e. The University enrolls nearly a third of the South African public university sector students. According to data extracted from the final audited Higher Education Management Information System (HEMIS) submissions to the Department of Higher Education and Training (DHET), UNISA had 363 020 students enrolled in 2021, majority being females (70%) and Africans (83%). The College of Education was the largest of the eight colleges, with 26% (94 547) of the total student enrolments followed by the College of Law with 22% (81 035). In terms of the regions, Gauteng was the largest accounting for 39% of the enrolments (140 609) followed by KwaZulu-Natal at 23% (83 653).

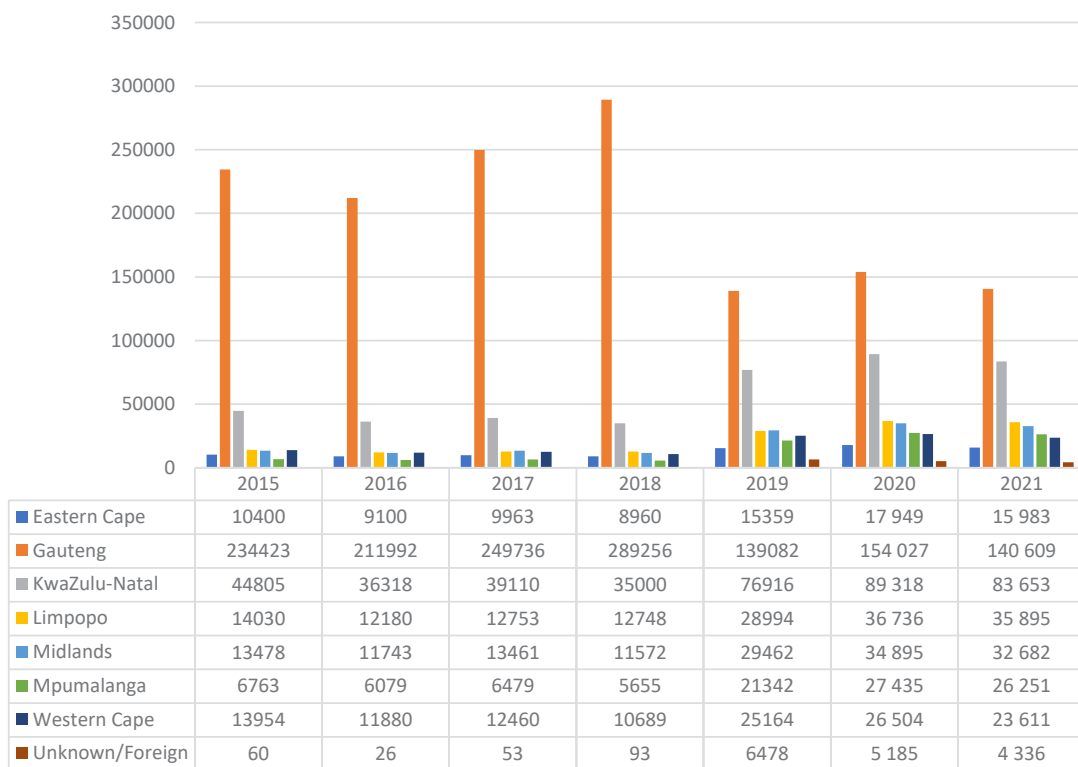




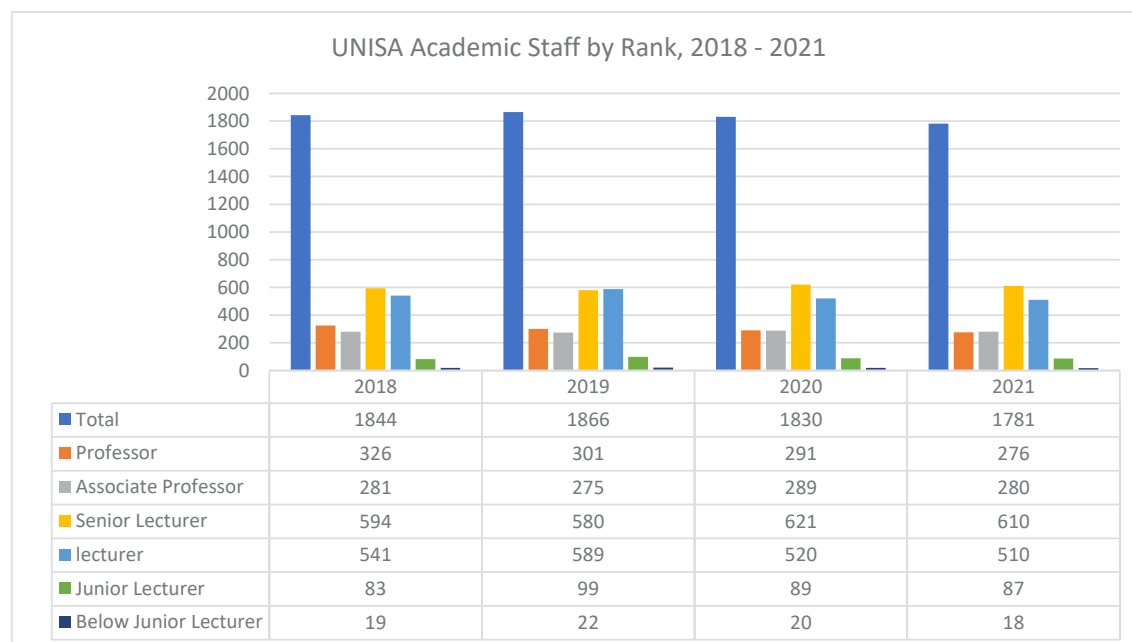
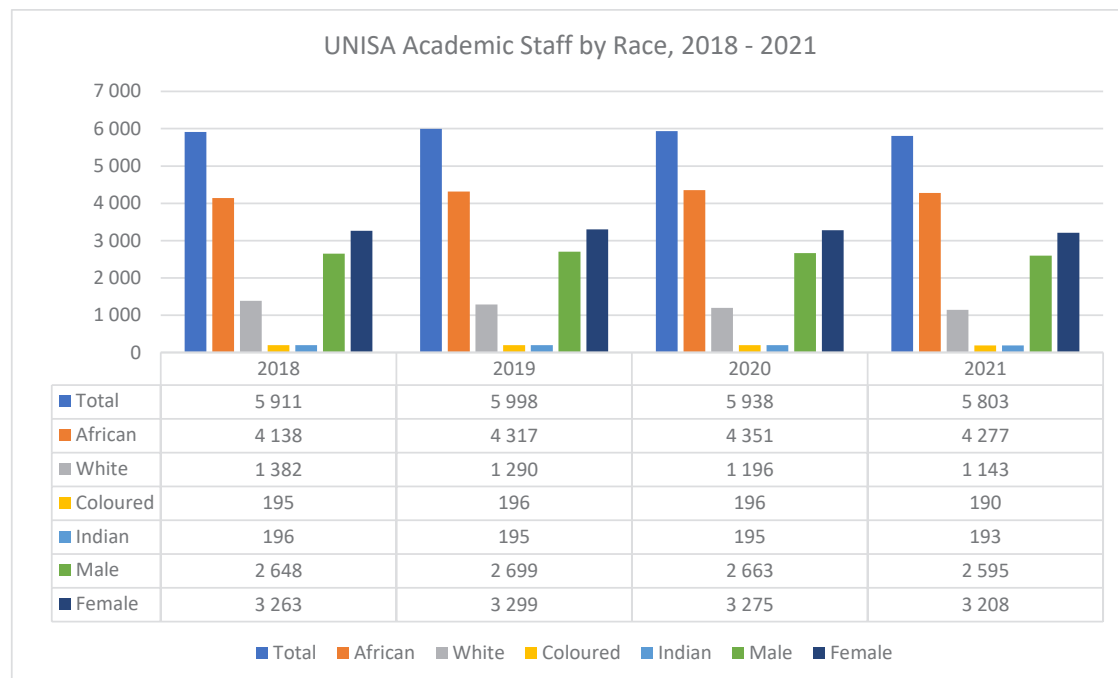
Student Enrolment by Qualification, 2018 - 2022



Enrolments by Regions



- f. According to the same HEMIS data, UNISA had 5 803 permanent staff members in 2021 consisting of 3 208 females (55%) and 2 595 males (45%). The academic staff constitute 31% of the staff complement.



- g. In its UNISA 2030 Strategy (2016-2030) – Forging Ahead, the University articulates its Vision, Mission and Core Values as follows:
- i. UNISA's **vision** is to be “*the African University shaping futures in the service of humanity*”.
  - ii. The **mission** of UNISA is articulated as follows: “*We are a comprehensive, student-centred Open Distance e-Learning (ODEL) Institution, producing life-long quality university education for all and knowledge dissemination that is continentally responsive and globally relevant.*”
  - iii. The University is said to “*unambiguously and unequivocally subscribe to the following values: Ethical and collective responsibility, Integrity, Innovation and excellence, responsive student-centredness, Dignity in diversity, Accountability*”.

## 1.2 Problem Statement

- a. The University's problems came to the fore around 2015, with reports of challenges in governance, management and the quality of higher education provision at UNISA. The key issues of concern for the Department included the allegations of deterioration of governance, instability of the executive management; continued complaints regarding student administration issues; the underspending of earmarked grants; poor throughput and success rates, and very high dropout numbers; specific concerns regarding the quality of teacher education provision; levels of support provided to students at the institution within the context of distance learning; and concerns around the enrolment planning processes.
- b. A new council was constituted around 2015, following the expiry of maximum allowable terms of office of the previous council members. This coincided with the appointment of the then Principal and Vice-Chancellor (VC) office for the second term (2016 – 2020). Frequent changes were observed in the person of the Registrar causing instability in the office. Prof Louis Molamu was the longest serving Registrar of the University in the recent times (2001 – 2012). He was succeeded by Prof Mogege Mosimege who was Registrar for a period of two years (Sep 2012 – Dec 2014), and he left citing allegations of unfair labour practice. Prof Michael Temane, who was Deputy Registrar then acted until the appointment of Prof Gordon Zide who also held the position for a period of two years (Sep 2015 – Dec 2016). Prof Temane again acted in the position until the appointment of Dr Faroon Goolam who was in the position from Sep 2018 to April 2019. Thereafter Prof A Phillips and Adv Joel Baloyi (the current Deputy Registrar: Governance) acted on a rotational basis from April to Dec 2019. The current Registrar Prof, Steward Mothata was appointed in 2020.

- c. Around 2019, the Minister became inundated with complaints from various members of the University community, alleging serious problems at the University. Amongst these was a complaint from a group calling themselves 'Concerned Academics and Professional Staff in the College of Law' (the Group), making allegations of serious violations of the rule of law, maladministration, abuse of power, capture and corruption at UNISA. At the heart of the complaint was the decision of the Executive Committee of Council (Exco) to place the College of Law under administration as a result of a protracted conflict amongst colleagues in the College, which had reportedly placed the normal functioning of the College in jeopardy. The Group questioned the legality, validity and enforceability of such a resolution. The Group further made several allegations in their complaint, the first being irregular appointments of prominent members of the UNISA Black Forum in the College of Law; second being the intimidation tactics by the members of the Black Forum to get contracts renewed without following due process. The members of the Black Forum within the College of Law were seen to have amassed far-reaching powers that negatively impacted on the ability of the College to function optimally and had usurped decision making at the University.
- d. Owing to such instances of intimidation and harassment, the then VC requested the South African Human Rights Commission (SAHRC) in December 2017, to conduct an investigation into allegations and counter-allegations of racism, harassment, bullying and victimisation at UNISA and advise the University on appropriate interventions to address these challenges. The decision to approach the SAHRC stemmed from a considered view that the nature and depth of the issues to be investigated required the involvement of an external, independent person or body. The SAHRC held an inquiry, from 20 February to 18 May 2018, to gather information and evidence of the challenges faced by UNISA.
- e. The SAHRC's inquiry provided a platform for UNISA employees to make submissions with the aim of finding amicable, sustainable and meaningful solutions to UNISA's challenges. During the inquiry, the SAHRC received oral and written submissions, which demonstrated that there were systemic, institutional challenges at UNISA that could not be solved through a single form of intervention. On 12 November 2018, the SAHRC released the outcomes of the investigation into allegations of racial tension, unfair discrimination and harassment at UNISA. To ensure proper implementation of the recommendations, the Commission and UNISA entered into a Memorandum of Agreement which sought to outline key activities and timelines in order to implement the recommendations which were aimed at mending relations, strengthening internal dispute resolution mechanisms and building social cohesion amongst its employees.<sup>1</sup>

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<sup>1</sup> <https://www.sahrc.org.za/index.php/sahrc-media/news-2/item/1697-joint-media-statement-unisa-and-sahrc-to-sign-memorandum-of-agreement>

- f. Allegations of Council's improper and irregular interference in the operations also emerged around 2016. It was also alleged that some of the external members are unemployed therefore attempting to extort money out of the institution through council meetings. The Annual Reports also revealed excessive number of meetings. Indeed, the question of what is the right number of meetings is not a clear-cut matter, however a large number of meetings may signal problems at an institution.
- g. In July 2019, the University released transformation criteria approved by the Council for promotion of academic employees which became a centre of controversy. All institutions are expected to come up with initiatives to advance black and women academics, as part of the transformation agenda, but this must be done in a manner that maintains quality and high standards. This decision was criticised by many within the higher education sector, viewing it as irresponsible. The University was seen to have taken the easier route of dropping the standards thus enabling weak academics to be promoted in the name of transformation. The criteria were widely considered to weaken the expectations of different levels of academic staff and to open up promotion opportunities to people who have not obtained the required levels or types of experience necessary for success in those positions. It was deemed as presenting a risk on the academic enterprise of the University.
- h. UNISA is South Africa's largest comprehensive university, with a particular focus on distance education. Concerns around what was deemed "mission drift" by UNISA also emerged. It was noted with concern by the Ministry that UNISA's student population has been changing from what it traditionally used to be, the older, experienced and working students. Over a period of time, UNISA has gradually become a centre of attraction for great number of younger students mostly unemployed students who would attend contact universities if the spaces were available. There is also pressure from the growing cohort of younger students for the University to provide different levels of support that would be provided to students in contact universities. There has also been demands that the UNISA National Student Financial Aid Scheme (NSFAS) qualifying students should be afforded full cost of study support and be provided with the same allowances that are being provided to students in contact universities. The funding model for UNISA is based on the fact that it is an Open and Distance Learning (ODL) Institution. Changes to this model would have enormous financial implications and would require significant policy changes and substantive changes to the funding models in the current public higher education system.
- i. This led to the Minister appointing a Task Team (MTT) in June 2020 to conduct an independent review of UNISA, focusing on the strategic mandate and purpose of the University within the South African context. The MTT was to examine all contextual and institutional factors that impact upon the current challenges facing the University, advise on the mandate of the

institution and its scope of work as a distance education provider, and make recommendations on measures required to ensure that UNISA is strategically positioned as an institution with a clear mandate and mission, supported by the necessary structures and capacity for a sustainable future<sup>2</sup>. The MTT submitted its report to the Minister dated 30 August 2021, however the report was leaked and circulated on various social media platforms before the Minister could process it formally.

- j. The MTT, following its analysis made the following conclusions:
- i. The mandate remains appropriate and relevant, as it is essential that the country has a flagship Open Distance e-Learning (ODEL) institution which can focus on excellence in eLearning, lifelong learning provision, and acting as a national resource for ODeL and the higher education (HE) system in SA.
  - ii. UNISA is perceived by some to be lacking a strategic focus and drifting beyond its 'distance education' mandate by, for example, admitting full-time, and often fresh from school students. There has indeed been a dramatic change in the profile of the student body at UNISA, and this impacts on its strategies for supporting those students but such a development has not translated to "mission drift" for UNISA in its role as a comprehensive university.
  - iii. UNISA has failed to make adequate provision for dramatic change in the profile of the student body. Enrolment targets were unrealistic and, in some cases, even irresponsible, considering the lack of the institution's capacity. It therefore admits more students than it can support, thus prioritizing access over success.
  - iv. Although UNISA's multiple strategies are, overall, valid, they do not match up to the demands of the current environment nor, indeed are they as ambitious as they could be. UNISA should be a national centre of excellence in ODeL. It could and should be a major presence in the Open Education Resources movement, nationally and internationally. It is neither.
  - v. There are complex matrix of global, national and internal dynamics that impact on the mission, strategy, and operations of UNISA as well its possible future. While the consequences of these global and national drivers affect all higher education institutions, they do so disproportionately in respect of UNISA. Given the impact of these drivers, the MTT is of the view that every aspect of higher education in South Africa needs to be revisited and higher education policies be re-examined. As such, a National Commission on Higher Education is recommended to address them.

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<sup>2</sup> The Terms of Reference of the Ministerial Task Team into the University of South Africa

- vi. UNISA plays a significant role in Teacher Education, as this accounts for over 20% of all UNISA enrolments. Its College of Education is the largest Teacher Education institution in Africa, providing training to over 50% of all qualified teachers in South Africa. Despite this, there is no discernible strategic priority given to Teacher Education, and the MTT recommends that the Minister should urge UNISA to position itself as a National Centre of Excellence for Teacher Education.
- k. From the governance point of view, the MTT Report concludes that the Council is the root cause of the problems at the University and recommended its dissolution, based on a number of observations:
  - i. The Council has dismally failed UNISA, as it has not equipped itself, or the Management Committee (ManCom, which consists of the members of the Executive Management), with the range of skills and competencies necessary to provide the appropriate strategic guidance and direction to a modern ODeL institution in the 21<sup>st</sup> Century. The current strategy approved by Council does not encompass all aspects of a modern ODeL institution and fails to build on the strengths and address the weaknesses of the institution such as the dysfunctional and outdated information and communications technology (ICT) infrastructure.
  - ii. The Council has not demonstrated the knowledge, skill, and experience to guide and direct the production of a comprehensive strategic plan for a modern ODeL institution in the 21<sup>st</sup> century.
  - iii. The Council has failed to ensure that the serious and strategic risks identified in the Risk Register (2013 – 2015) have been given the attention they deserve.
  - iv. UNISA's ICT infrastructure is outdated and has increasingly become less fit for purpose over the years. ICT management has deliberately frustrated the implementation of its strategic priorities. This is clearly a fundamental dereliction of duty on the part of Council for failing to deliver on its basic fiduciary responsibilities with respect to the infrastructures necessary for education delivery, a function vital to the sound functioning of a university; thus failing to safeguard the health of the academic enterprise. This situation has persisted over several years and is unlikely to change without some drastic intervention. Furthermore, the failure to ensure a robust, modern, and secure ICT infrastructure has damaged UNISA's academic standing and administrative competence as a reputable HE institution.
  - v. The Council has failed to ensure the basic assurance services and functions necessary to secure effectiveness of governance, risk management and control processes. This places the institution at significant risk. There is scant understanding of the vital importance of Compliance throughout the institution and the far-reaching consequences of its neglect.

The need for further urgent investigation by a body with forensic expertise is strongly recommended.

- vi. There has been a deliberate and systematic plan, over a sustained period, to establish a corrupt network which has resulted in institutional capture. Council has deliberately undermined and incapacitated ManCom with a view to achieve institutional capture and personal enrichment. In addition, there is a culture of impunity deeply embedded in the institution.
  - vii. Based on the evidence presented to the MTT, UNISA suffers chronic management failures in many of the key support systems. The performances of departments such as Supply Chain Management, Human Resource Management, Compliance functions and Finance are seriously compromised and fail the university, putting the entire institution in jeopardy. A simultaneous failure of multiple management systems points to deficiencies at leadership level, as well as a gross neglect of consequence management.
- I. The Council responded to the MTT Report in a 178 paged response which was accompanied by 57 attachments submitted to the Minister in April 2022. Below are the salient points of the response:
- i. The Report does not specify the periods and specific dates when the conduct it criticises occurred; the particulars of implicated members of Council and Management; and the particulars of the conduct that it criticises which formed the basis of the adverse Conclusions.
  - ii. The Council supported a number of conclusions and/or observations, namely UNISA being disproportionately affected by global and national drivers that are common to all higher education institution; the impact of the competition in the provision of part-time and/or distance education on UNISA's mandate, strategic positioning, and reputation; the call for the national commission on higher education; the efficacy and sustainability of the University's current business model and strategic positioning; and that the dramatic change in the profile of the student body does not translate to "mission drift" for UNISA in its role as a comprehensive university. The Council agreed with the MTT that the Florida Campus should not be a new stand-alone Science and Technology institution.
  - iii. The Council countered several conclusions and/or observations relating to the enrolment management, the strategy, and the alleged failures of the Council in its responsibilities. The MTT stated that "Enrolment targets were unrealistic and, in some cases, even irresponsible, considering the lack of the institution's capacity". Although the Council admitted that the targets were not managed to the requisite levels, as there were greater needs than space

available, specifically in 2018 and 2020; but argued that UNISA needs to be funded appropriately per FTE or be allowed to carry much less than it currently does.

- iv. Regarding the weaknesses of the strategy highlighted by the MTT, the Council argued that the MTT relied on an outdated strategic plan which resulted in the MTT overlooking critical developments that would have given it a different picture of the situation and very likely resulted in a different conclusion. Following Council approval in 2019, a review of the strategy was carried out in 2020, involving an independent review by Deloitte. This process led to the revision of the UNISA 2030 Strategy and the development of the 2021 – 2025 Strategic Plan, which were duly approved by the Council in 2020. The Council argued that many of the challenges highlighted in the MTT report, including those relating to the implementation of the ICT strategies in the 4IR environment and beyond, were addressed in the revised Strategy. The implementation of the new strategic plan as well as processes to review the delegations of authority framework to ensure that Management is adequately empowered to implement strategic objectives were reported to be underway.
- v. Much was said about by the MTT on the ICT infrastructure of the University. The Council admitted that prior to 2019, the UNISA ICT environment was characterized by aging legacy systems that were no longer fit for purpose or were falling short of addressing the evolving needs of the students and the academic staff. Besides the legacy systems, the ICT infrastructure upon which these systems are hosted was very unstable as most of the infrastructure components had either reached end of life and/or were not supported by the original equipment manufacturers. The Council indicated it had adopted a multi-component ODeL ICT strategy which encompass a number of flagship projects underpinned by the Infrastructure as a Service (IaaS) project, which is meant to replace legacy ICT infrastructure upon which other business applications are hosted. In several instances, the Council blamed the management for failures in this area.
- vi. The Council also rebutted the assertions of the MTT that it has failed to *inter alia* to ensure that the basic assurance services and functions necessary to secure effectiveness of governance, risk management and control processes are in place; to engender an enabling and ethical culture befitting a knowledge institution; and to distinguish between its roles and responsibilities from those of ManCom; to ensure that the serious and strategic risks identified in the Risk Register (2013 – 2015) are given the attention they deserve; and to safeguard the health of the academic enterprise, which is the heart of the institution.
- vii. Regarding its failure to equip itself with the range of skills and competencies necessary to provide the appropriate strategic guidance and direction to UNISA the Council argued that it is only responsible for appointing the ten (10) members with a broad spectrum of

competencies and that the balance of the members of Council are appointed directly by various constituencies prescribed by both the Higher Education Act and the Institutional Statute. The Council therefore argued that it has no control over the appointments made by various other constituencies.

- viii. The Council also argued that the MTT statement of failures of the compliance function are misplaced, although it recognizes that there is need to strengthen the compliance function considering its mandate in the Compliance Policy versus the size and the complexity of the University. On allegations of “capture”, the Council argued that the Report does not directly indicate specific cases of such occurrences and instead presented broad and general findings and is equally vague in several respects.
- m. During the course of the work of the MTT, the University was in the process of appointing a new VC, and the appointment process was also a subject of much controversy arising from allegations of irregularities. At the time, the Minister had actually requested the Council “not to rush” the process of appointing a new VC but to allow the MTT to conclude the review.
- n. The escalating issue of over-enrolments by UNISA also came to a head when the Minister issued a directive to the Council in December 2020. The over-enrolments were seen to be having a significant impact on the sustainability of NSFAS and the higher education sector as a whole. In 2018, UNISA was warned to adhere to its enrolment planning targets of first-time entering students or face a penalty. It failed to comply with the Minister’s calls and was penalised in the 2020/21 financial year for this over-enrolment. Preliminary data presented a 35% over-enrolment in 2020, translating to more than 20 000 students. The first directive instructed UNISA to “reduce its 2021 first time entering students by 20 000 in 2021 to accommodate the over-enrolment in 2020, and the impact this will have on the NSFAS over the next few years until those students complete their qualifications”. Furthermore, the Minister also pointed out that UNISA’s intention to begin the academic year for first-time students early in January was “totally out of sync”, given the backdrop of Covid-19 disruptions and therefore, directed UNISA to reschedule the opening of 2021 classes.
- o. The University complied with the directive resulting in the acceptance of 37 857 students in 2021, instead of its planned first-time student intake of 57 857. In its statement, UNISA noted that the resolution to comply with the directive is to ensure financial sustainability of the University and the sector, and to enable the University to effectively support the students. However, the University was taken to Court and the Court ruled against UNISA’s resolution to comply with the Ministerial directive by reducing the first-time student intake for 2021 by 20 000, declaring it to be unlawful and invalid.

- p. On 1 January 2021, Professor Puleng LenkaBula assumed her duties as the first ever black female VC of the University. The appointment was celebrated by many quarters in society. At her inauguration in September 2021, the then Deputy Chair of Council stated that “*she was entrusted with the position due to her credible history. He added that to achieve the future that the institution envisages, UNISA requires men and women of courage to take the institution forward. {And} Professor LenkaBula is that woman,*”<sup>3</sup>.
- q. Around April 2021, reports emerged in the media on a matter relating to the suspension of the then Head of Legal Services, who was later dismissed in August 2021. He launched his application to the High Court in April 2021 to challenge his suspension, but he reportedly decided to remove the matter from the roll on the eve of the Court hearing date. Following his dismissal, he challenged the decision in the High Court, but his application was dismissed with costs.
- r. He had levelled allegations against the Council and its members in relation to the appointment process of the VC which he deemed “unlawful, fraudulent, flawed and manipulated”. He further alleged an active and persisting recruitment system based on patronage at the level of Council, which has resulted in many irregular appointments of the so-called Black Forum members and union officials in key positions. He took it further to state that “the Black Forum and trade unions have been allowed to dictate terms and decide who must be employed or remain in employment”. He claimed that corruption at UNISA is endemic and involves some members of Council. He alleged that the Council had for a period of time been involved in material irregularities and/or unlawful conduct as a consequence of a deliberate advancement of self-interest, as well as involvement of council members in procurement processes. Specific allegations were made against the former Chair of Council, of gross misconduct in the process of the procurement of a building in Mbombela; and abuse of power in relation to Professor Muxe Nkondo, a Council member who was allegedly unduly removed from the Selection Committee for objecting to the shortlisting of underqualified candidates for the VC position.<sup>4</sup> In turn, he was accused of bullying, harassment, misogyny, victimisation, intimidation, insolence, amongst others.
- s. The Minister requested the Council to respond to these allegations. In its response<sup>5</sup> to the Minister, the Council dismissed the allegations of irregularities in the recruitment process of the VC, and viewed him to be disingenuous as he had earlier provided a legal opinion to Council

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<sup>3</sup> <https://www.unisa.ac.za/sites/corporate/default/News-&-Media/Articles/Humble-LenkaBula-hailed-as-a-talented-and-outstanding-woman-and-courageous-mom>

<sup>4</sup> Letter of August 2021 from Advocate Modidima Manny to Minister Nzimande

<sup>5</sup> Council’s response to the Minister dated 20 September 2021

asserting that “*the process [has] had been conducted in a proper, fair and transparent manner and therefore there [is] was no basis for an irregularity; the Selection Committee [is] was properly constituted to carry out the Selection process; and that the fact that members of the Selection Committee or Council may hold different views [does] did not on its own constitute an irregularity*”. The legal opinion was provided at the request of the former Chair when the Council became aware of “some aspersions that had been cast regarding the process”. The report further argues that the process followed the prescripts of the Institutional Statute; and that the process was supported by both Senate and the Institutional Forum.

- t. On the alleged purge against Professor Nkondo after exposing recruitment irregularities, the Chair confirmed that he was, at some stage, a member of the selection committee for the VC position, in his capacity as the Chairperson of the Academic and Student Affairs Committee of Council (ASACoC), in line with the Council resolution that all Council Committee Chairpersons would be members of the selection committee. The report confirmed that at the selection committee meeting of 24 April 2020, Professor Nkondo and another member of the Committee objected to the method of selection. In August 2020, the Nominations and Governance Committee of Council (NGCoC) (which is chaired by the Chair of Council) in line with its mandate to annually review the membership of Council to achieve a balance of experience and continuity of higher education and university specific knowledge and to recommend the composition of committees to Council, recommended the appointment of the new Chair and Deputy Chair of the ASACoC. It also recommended that the office-bearers remain as ordinary members of the committee.
- u. Council at its meeting in September 2020 resolved to proceed with the process; and to accept the recommendations of the NGCoC as far as the review of its ASACoC membership is concerned. While the Chair denied the allegation of purge, and motive being very difficult to prove, the chronology of the events and the sudden decision to review his chairpersonship may give rise to perceptions that he was indeed purged. He had been a member of the Selection Committee based on his position as the ASACoC Chairperson, hence, that would be the only way to terminate his membership on the Selection Committee. If his term as the Chairperson had expired and if it was indeed about ensuring appropriate skills in the Committee, why retain him as a member? Prof Nkondo has worked in academia and was a Vice Chancellor and Principal at another university according to his curriculum vitae.
- v. In June 2021, a group of academics, mainly female from various public universities wrote a statement in support of Professor LenkaBula hitting back at Adv Manny, deeming his conduct to be bullying and misogynistic and undermining of Professor LenkaBula as the VC of UNISA. They raised a concern over the manner in which her leadership and authority were publicly

questioned and undermined, which “devitalised her from dealing with the inherited institutional challenges”. They viewed the controversy surrounding her appointment as unnecessary and detracting her from the real transformation agenda of the University.

- w. 2022 was a turbulent year for the University, with a protracted protest by National Health, Education and Allied Workers Union (NEHAWU) in response to the increasing of salaries of academics during 2021, something that was viewed as a “divisive management strategy”. The protesting members of NEHAWU reportedly disrupted the graduation ceremony of 25 March 2022. Again, there were reported disruptions of the graduation ceremonies of 19 April 2022, where the protesting members invaded the graduation hall with the intention to disrupt the proceedings of the morning session. According to the University Statement<sup>6</sup>, there were some rather disturbing scenes which caused considerable panic and discomfort to the congregation. Furthermore, the evening session also had to be postponed as the same protesters had blocked the entrance into the Muckleneuck Campus and thus rendered access to the campus difficult for the graduating students and guests. They also rendered the environment very hostile and unsafe for the guests.
- x. Five NEHAWU Shop Stewards were placed under precautionary suspension in April 2022 for organising what was deemed as an illegal and unprotected strike, causing the disruption of the graduation ceremonies, incitement of public violence and malicious damage to property. These employees were later dismissed by the University on 6 May 2022.
- y. NEHAWU continued with its protest calling for the suspension of the VC and the dissolution of the Council amid allegations around the procurement of the official university vehicle for the VC, the procurement processes for the refurbishment of the VC official residence, the unilateral implementation of the salary adjustment by the VC; the alleged failure of the Council to hold the VC accountable; the unfair dismissal of the five Shop Stewards. The protests were violent and on 16 May 2022, there were reports of the protesters setting a guardhouse on fire and barricaded the driveway of the VC’s official residence with burning tyres.
- z. The University in its statement<sup>7</sup> viewed the allegations to be “unfounded and spurious, and not based on facts and reality but innuendo and slander”. However, other allegations emerged regarding the irregular procurement of laptops, allegation of irregular appointments of staff in the office of the VC without following the policies of the University and the VC “instructing” the

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<sup>6</sup> <https://www.unisa.ac.za/sites/myunisa/default/Announcements/Disruption-experienced-during-Unisa-graduations-and-other-operations>

<sup>7</sup> Unisa response to allegations made by NEHAWU, 26 April 2022;

<https://www.unisa.ac.za/sites/myunisa/default/Announcements/Unisa-response-to-allegations-made-by-NEHAWU>

Human Resource (HR) Department to pay an amount equivalent to R3 million to staff within her office, without following due process.

- aa. Amidst the tensions at the University, the mounting allegations, and the regular negative media reports, the Minister met with the Council on 28 June 2022 to discuss the MTT Report and the situation that was playing itself out at the University. Following the meeting, the Minister communicated his decision to appoint an Independent Assessor to the University Council on 28 July 2022. The University published a statement on 14 August 2022 welcoming the decision by the Minister to appoint an Independent Assessor.
- bb. It must be highlighted that from the time of the suspension of Adv Manny until the time of the appointment of the Independent Assessor, the University had been the subject of numerous media reports. Almost on a weekly basis, there was a negative media article on UNISA, and often it would be information that would be regarded as confidential but having been leaked.

### 1.3 Terms of Reference

- a. By Notice in the Government Gazette (No. 46904, Notice No. 2480 of 13 September 2022), the Minister of Higher Education, Science and Innovation, Dr BE Nzimande (the Minister) announced my appointment as the Independent Assessor to conduct an investigation into the affairs of UNISA. The overall purpose of the investigation is to advise the Minister on the source and nature of problems; and measures required to restore good governance and management.
- b. As per the terms of reference contained in the Notice, the Independent Assessor was to conduct an investigation that will cover the following:
  - i. the functioning and efficacy of the University's governance and management structures.
  - ii. the operations of the Office of the Registrar in relation to the management of academic affairs, registration and certification matters and any other matters that the Independent Assessor believes warrant investigation.
  - iii. the state of policies and procedures of the University pertaining to financial management, supply chain management, and procurement; and allegations of financial irregularities.
  - iv. the state of human resource policies and practices of the University, particularly in relation to enhancing organisational efficiency and employment relations at the University.
  - v. conduct a detailed analysis and report on the circumstances and reasons for the significant number of staff suspensions, disciplinary cases, and dismissals at the University since 2018.
  - vi. the allegations of misconduct and mismanagement against the VC.

- vii. any other matters that, in the opinion of the Assessor, may impact on the effective functioning of the University from the analysis of problems relating to governance and management.
- c. In terms of the Notice, the Independent Assessor was required to report to the Minister within 90 days from the date of the publication of the Notice. The Minister in accordance with the provisions of Section 47 (1A) of the Higher Education Act, 101 of 1997, as amended, extended the appointment for a period not exceeding 90 days from 13 December 2022. The extension of appointment was published in Government Gazette No 47738, Notice No 2869 of 14 December 2022.

## 2. Methodology

- a. The official date of commencement of the work of the assessment was the date of the Notice of the appointment in the Government Gazette, 13 September 2022. Between 14 and 23 September, I set about the preparatory work. This involved a briefing meeting with the officials of the Department to discuss the circumstances leading to the Assessor's appointment, the terms of reference, the legal framework and support. Officials to assist the assessment were assigned, files and relevant documents that had been sent to the Minister over a long period of time were made available to me (**Appendix A**). Engagements with the secretariat were undertaken to establish effective work modalities, based on a clear understanding of expectations and roles, and on trust.
- b. On 19 September 2022, I wrote to the University Council, being the principal governing body, to formally introduce myself; to outline the expectations on the part of the University in order to accomplish the assessment. This was followed by a similar Communique to the entire University Community, which also invited them to make submissions to an email address that was created for this purpose.
- c. During the week of 26- 30 September 2022, introductory meetings were held with all statutory structures to explain how the process would work, especially given the time constraints I had to complete the task. One of the days was met with a message that suggested a "threat" to disrupt the proceedings from a faction of the Black Forum (BF) and the Women's Forum if they were not going to be addressed like other structures. Although this was a premature act on their part, I met with them and shared how the process was going to unfold. As the process evolved, it became clearer that the culture of intimidation and fear was quite prevalent at UNISA, and they probably believed the 'threat' would work. The Schedule of Introductory Meetings is attached at **Appendix B**.

- d. Face-to-face interviews were initiated on 3 October 2022. I was required to complete the work within 90 days of the appointment, by 13 December 2022. By mid-November 2022, it became apparent that an extension would be necessary. Through a letter dated 22 November 2022 to the Minister, an extension was requested. The Minister in accordance with the provisions of Section 47 (1A) of the Act, extended the appointment for a period not exceeding 90 days from 13 December 2022, and this was announced by Notice No 2869 in the Government Gazette No 47738 of 14 December 2022.
- e. Between 3 October 2022 and 08 February 2023, approximately 230 interviews were held (out of 243 scheduled) over 61 days with students, staff, statutory structures, other staff formations, trade unions, external auditors, and other UNISA stakeholders. These interviews included staff members who were no longer in the employ of UNISA but had the knowledge of the institution that assisted the assessment as well as some expelled and suspended employees and students. Some members of Council whose terms expired were also interviewed. (Schedule of the summary of the Interviews is attached at **Appendix C**).
- f. Apart from myself, the assessment work was carried out by a Team of Specialists appointed in accordance with section 48 of the Act and the Secretariat. The Secretariat provided secretarial support in respect of correspondence, document management, information technology support, logistical support, and all the necessary support functions relating to the planning and securing of interviewees.
- g. The work of the Assessor was underpinned by principles of independence, impartiality, objectivity, confidentiality, integrity, professionalism and consistency in relation to analysing each piece of information the Assessor received irrespective of the source.
- h. The scope of the Independent Assessment was quite elaborate with elements of complexity on how to adequately cover the identified areas for investigation and assessment. A point of departure was the reading of all the documents provided by the Department as referenced above.
- i. Approximately 115 submissions ranging from a single document to folders with many documents were received from students, staff and other stakeholders of the University. It is important to mention that a number of internal stakeholders preferred to send submissions from their private email addresses because they were not comfortable with the UNISA email system which was described as unsafe.
- j. The Independent Assessment team was able to access and analyse many institutional documents such as meeting agendas, minutes, reports, investigations, financial records, policies, constitutions for staff and students' substantive structures, etc.

- k. The team also conducted a site visit to Cloghereen, the official residence of the VC for an inspection-in loco.
- l. In line with its nature and mandate, an independent assessment is not forensic, but rather exploratory. It is not required to establish guilt in the way courts do and as such the criminal law standard of proof of “beyond reasonable doubt” does not apply. The method of “reasonable grounds to believe”, and “balance of probabilities”, was adopted in making a finding of fact.
- m. It was not possible to get to the truth of various matters or to come up ultimately with a factual account of developments. It soon became clear that the University community was polarized and just about every account given was partial to some degree – perspectives differed widely depending on context and situation of the interviewee. Assessing the information gathered with regard to its validity and truthfulness, as well as the reliability of sources, was particularly important, highlighting the need for adequate corroboration; and for me to be discerning, perceptive and analytical.

### **3. Access and Co-operation**

- a. The University Council and Management in general cooperated fully with the Independent Assessor. I was granted unrestricted access to the University, persons, locations and documentation necessary to carry out the investigation.
- b. Upon entry to the institution by the independent assessor, it is common cause that a liaison will be required for logistical support. In my letter to the Council of 19 September 2022, I requested amongst other things that the University makes available a dedicated official from the University who will serve as the primary contact person during the investigation and provide the details thereof. The Council responded on 23 September 2022, and the next day, I received an Open Letter authored by Adv Mbhazima Maluleke who identified himself as the UNISA former Senior Legal Advisor: Litigations, copying the Minister and the University Registrar, Professor Mothata, which I found odd. The Open Letter alleged that the assigned individuals were hand-picked by the VC, and it was a deliberate intention to interfere with the assessment, both of the assigned individuals being staff in the Office of the VC.
- c. I decided to request Adv Maluleke, Professor LenkaBula and Professor Mothata to individually appear before me regarding the contents of the Open Letter. Being a former Staff member, it was not clear how Adv Maluleke had access to the correspondence between myself and the University. When asked, he did not disclose who furnished him with a confidential correspondence between the University and the Independent Assessor. The VC expressed shock at this and confirmed that the support for the Assessor was a subject of discussion at a

ManCom meeting of 23 September 2022. The Minutes of such a meeting confirmed that ManCom resolved that both the VC and the Registrar will oversee all operational and management issues; and that Dr O Mabusela, the Acting Legal Officer in the Office of the VC will serve as the main point of communication and interaction between the Independent Assessor team and the University. The Registrar denied any links between him and the author of the Open Letter. This was indicative of the porosity of confidential information at UNISA.

- d. It must be mentioned that many people expressed fear of victimization or reprisal or other risks. Interviews were mainly held on the University premises, but there were instances where some were conducted outside the University. I did make a request to the Council and the Executive Management that no one should be subjected to victimisation for their participation in the assessment proceedings. For that reason, it was important to give interviewees that assurance that information will be treated with the strictest confidence, and that their identity would not be compromised.
- e. Interviews went exceptionally well with all interviewees, except two staff members whose conduct was unprofessional almost displaying their 'untouchable status' within the University, and a larger-than-the-university type of attitude. One of them, a relatively young staff member gave me lessons about Apartheid in this country and at institutions of higher learning. Many students and staff members complained about these two individuals, and it was therefore not surprising when I observed their arrogance and belligerence towards the Assessor team.
- f. Whereas I interviewed all members of the National Student Representative Council (NSRC), the newly 'deployed' President cancelled at short notice and copied the Registrar in the cancellation notice something that was puzzling since the Registrar of UNISA was not part of the Assessment team. Since I was informed that the President was recently 'deployed', in August or September 2022, I did not find it necessary to pursue her absence, despite all arrangements being made with her knowledge together with other student leaders about the commencement on individual interviews with NSRC members at an off-campus venue as requested by students.
- g. There were also other cases of persons who were invited and scheduled to appear before the Assessor, who did not attend without a prior apology. There was also a case involving a Regional SRC (RSRC) whose members did not attend despite reasonable arrangements being made for their travel to Pretoria. Of note were two Council members who also did not arrive for the interview that they had confirmed availability for, and later nonchalantly mentioning that they had mixed up the times in their diaries. This is indicative of members of Council who not only undermined the decision of Council to support the assessment process, but also my request for them to appear before me.

## 4. Observations from the Assessment

### 4.1 Governance

- a. Having read and internalized the terms of reference for the UNISA independent assessment, it was clear from the outset that there were serious institutional governance challenges that started a while back and are still continuing. For purposes of this assessment, governance was broken down in three parts, analysed separately, but with recommendations presented in such a way that a holistic view is formulated.
- b. The governance components are the governing Council, Senate and Academic Governance, and Student Governance. Each of these will be addressed in this section.
- c. The ToRs required that the 'functioning and efficacy of the University's governance and management structures' must be assessed. A point of departure was to analyse the curriculum vitae (CVs) of the Council and senior management members<sup>8</sup>, including some that have left Council to make sense of their suitability to have served in such an important structure of the university. Notable areas of training and expertise for external Council members are in Business (2), Finance (2), Information and Communications Technology (2 recent appointments), Health Management (1), Higher Education (1), Law (1), Marketing (1), Sociology (2) and Public Administration (1).
- d. The number of vacancies is a glaring governance shortcoming. A full complement of Council that has a diversity of experiences and expertise is essential for good governance. There were vacancies in internal members, the Pro Vice-Chancellor (PVC) position that is provided for in the Statute but has been discontinued as well as the two (2) permanent non-academic employees which were held by the union members who were dismissed from the University in May 2022. By the time the assessment started in September 2022, these vacancies still had not been filled. There were 5 vacancies of external members: two Ministerial appointees, President of Convocation, local government representative and the Representative of the UNISA Foundation Trust.
- e. Current Council members see themselves as a 'new Council' separate from the 'previous Council' whose Chairperson's term expired in December 2020. The reality is that some members are relatively new, but there are members who formed part of the Council that was chaired by the previous Chairperson. In any case, Council is only one Council regardless of the distinction drawn by some in Council. Only three external Council members started in 2021. See **Appendix D**.

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<sup>8</sup> This included Vice Principals, other Executive members, Executive/Acting Deans and Executive/acting Directors.

- f. In interviews with some members of Council, it was evident that the functioning and efficacy of Council is not optimal. Similarly, from interviews with students, they see Council as *“an absent parent”* in time of need. Some described *“Council as being on honeymoon”* not knowing what is actually happening to students at the institution. In replying to this assertion by the SRC, the Council Chair said that students at UNISA have been ‘spoiled’ for a long time by the ‘previous Council’<sup>9</sup>.
- g. A number of University community members were asked when the root cause of the governance challenges started. Many responses were received, and one, among many of the most concerning was, *“There was no planned succession [from the Council of Matthews Phosa], and the quality of the Council members who then came in you just cannot compare, it was chalk and cheese. What was worrying me was this issue of people who are hungry, who are consultants, and I suddenly had this experience which never happened before where people would come and say I’m running a consultancy business, I see you have connections, can’t you hook me up. We had hustlers and people with no university experience. A similar palace coup took place in the Convocation – a former student leader who had become an Academic and Professional Staff Association (APSA) member and had been suspended from another political association, took over the Convocation. He went to Council, became larger than life, and started bullying others, and there was the UNISA Foundation which had considerable money which he agitated should be used in the university. There was this preschool attached to UNISA, and before I knew it, he was also the chairperson of that structure – the mutation of hustlers who took over with little or no resistance was one of the defining moments”*.
- h. In the words of a current Council member interviewed, *“... the core business of the university, teaching, research, and innovation, is not receiving the kind of attention that it requires to address fundamental problems. Let me give an example. As is well known, there is a higher student failure rate than in other universities at UNISA. For some time now, I have been saying to my colleagues on Council that we need a comprehensive audit and understanding of the causes of these high failure rates. I am aware that there are within the university efforts in that department to do this, but because the crisis is so deep – it is almost organic and because the crisis has a history going back to even before 1994 – we need a highly professional, independent assessment of the nature and scope and impact of the high failure rate”*. The point made here has serious implications for the efficacy of both Council and Senate.
- i. A number of students echoed the paralysis of the University on numerous fronts such as a disastrous registration period, non-existent student services, a deeply politicized institution, a

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<sup>9</sup> This is simply to draw the distinction between the current and previous Chairperson of Council.

palpable division in management, and a non-caring Council. In respect of the functioning of Council, another said,

*"I think for a very long time the institution has been run, and was known to be run, by certain people, it was factional in nature. It is like the current leading organisation which is very factional – there are certain people who are known to be leading and have power in the institution. I have been at UNISA since 2014, so I can safely say that I know the institution.... Like I'm saying, the university was run by certain groups and individuals, including the unions and certain individuals on Council. It has been something that has been in the minds of many people that the VC used to be the face of the institution but not involved in the running of the institution, which made a lot of people uncomfortable".*

- j. When asked about impressions on the efficacy and functioning of Council, and where to begin to fix the institution, a Council member said, *"To be honest, I think it might be necessary for Council to be dissolved. Look at the resolution on salary adjustments and see how many abstained, who kept quiet and did not say anything. There are those members who have good intentions, but to be honest I think there should be a consideration to reconstitute the Council... I think a reconstitution of Council is needed to appoint the right people with a moral compass that would hold the VC and Registrar to account. We have had various meetings to engage on the VC and Registrar's relationship, and I said why should we be talking about these issues?"*
- k. Several accounts pointed to a Council that was not working in harmony as averred by a member who has a deeper understanding of the higher education sector, and whose observation from the first and second meetings was, *"For me those first meetings had a sense of deep mistrust. It was clear that there was a lot of back chat, but I was disturbed by the level of non-commitment to the academic project and the university"*. Having served for over two years in the University Council, and asked about the effectiveness and fitness of fellow members to hold office, the response was, *"Sometimes I worry about some of the things that happen on Council and that my fellow Councilors do"*.
- l. Testing whether Council was aware about the state of policies, for example, that there is a 'Policy on Policies' which says, *inter alia*, that policies must be reviewed annually, and that there are policies that have not been reviewed since 2005 – 2006 or so, some reviewed in 2018 and 2019, but that policies were largely outdated, and many delayed for an inordinately long time by the Legal Services Office, the response was a complete lack of knowledge about this from a Council member that has been serving since 2016. This may as well be true for other members who were appointed much later into Council. The perception is created that Council does not know that they are responsible to oversee and approve policies.

- m. Despite an account by a sizeable number of Council members who said that it is evident that lack of accountability and consequence management is pervasive at the institution, including in the upper echelons of management, a telling response was, “*It is tough and as far as I am concerned, we have competent Council members who are trying their best*”.
- n. Sections of this report will elaborate further on how Council engaged with finances, students, human resources (executive management), ICT and entities of the institution.

#### **4.1.1 The Institutional Statute**

- a. In terms of s27(1) of the Higher Education Act, the Council of a public higher education institution must govern the public higher education institution, subject to the Act and the institutional statute. The Act and the Statute are therefore two key instruments for the governance and management of higher education institutions in South Africa. The UNISA Statute published in Government Gazette No 28464 of 03 February 2006, has undergone two amendments, the first published in Gazette No. 31170 of 20 June 2008 and the last amendment was published in Gazette No. 36006 of 17 December 2012.
- b. I came to understand that the Statute was subjected to a review around 2015 but the process was abandoned at advanced stages. According to the information from the DHET, the University initiated a process to revise the Statute during the first quarter of 2015, principally to align it to the new structure of the University. The revised Statute was submitted to the DHET in July 2015 for the Minister’s approval. In line with their processes, the DHET subjected the Statute to a further review process in consultation with the University Management, and this was concluded around December 2015. All that was left to do was for the University to put final touches to the document and submit the final version to the Minister for approval.
- c. According to the former VC, the process of amending the Statute was underway and progressing well but the constitution of the new council and the retirement of the then Head of Legal Services led to the disruption of the process. The incumbent who was thereafter appointed as the Registrar failed to take the process forward. The Chair of Council who became a member around 2016 said he understood that the Council was awaiting the Minister’s feedback on the review. This raises concerns about the flow of information from the management to the council to enable quality decision-making.
- d. Owing to the “complex nature of UNISA” I came to know that one of the proposed amendments to the Statute was the establishment of two Registrars, namely the Registrar: Governance and the Registrar: Academic, Enrolments and Administration; something that the Department had opposed. Allegations were made at the time that the University proceeded to conduct its affairs

- in terms of the revised Statute that had not been approved. An Institutional Statute comes into effect or operation on the date mentioned in a Notice publishing it in the Government Gazette after the Minister has approved it.
- e. The Institutional Statute requires urgent attention as it is inconsistent with the developments in the sector. For instance, the composition of the council as stipulated in the Statute, is not in line with the provisions of the Act. I noted that section 27(4)(b) requires that the council of a public higher education institution must include “the vice-principal or vice-principals” but the Statute makes no provision for this. Instead, it provides for the PVC to be a member of the Council. I was informed by various Council members who are familiar with the developments on the Statute, including the former VC that the position of PVC was discontinued when the previous incumbent retired in October 2015. The University did not see the need for the position hence it was not filled since 2016. The Statute still makes provision for this position thereby creating confusion at the university.
  - f. I also noted some provisions which are not in line with good governance practice, for example, the provisions for the disqualification of members applies to external members only. This is an anomaly, as it should apply to all council members. This is a serious disregard of the principle that all members, regardless of how they are elected or appointed to the council, must meet the same expectations to fulfil their fiduciary responsibilities. Another example is the quorum which is set at 50% as compared to the norm of 50% plus one.
  - g. Furthermore, on the issue of the Registrar, in terms of the Act and the Statute, the Registrar is the Secretary to the Council. However, the Council created the position of Deputy Registrar: Governance, and the incumbent is the Secretary of Council. Prior to the creation of this position, the VP: Strategy and Advisory Services acted as Registrar: Governance in addition to the Registrar who dealt with student administration. This confirms the allegations that had been made that the University proceeded to implement the proposed amendments to the Statute without the Minister’s approval.

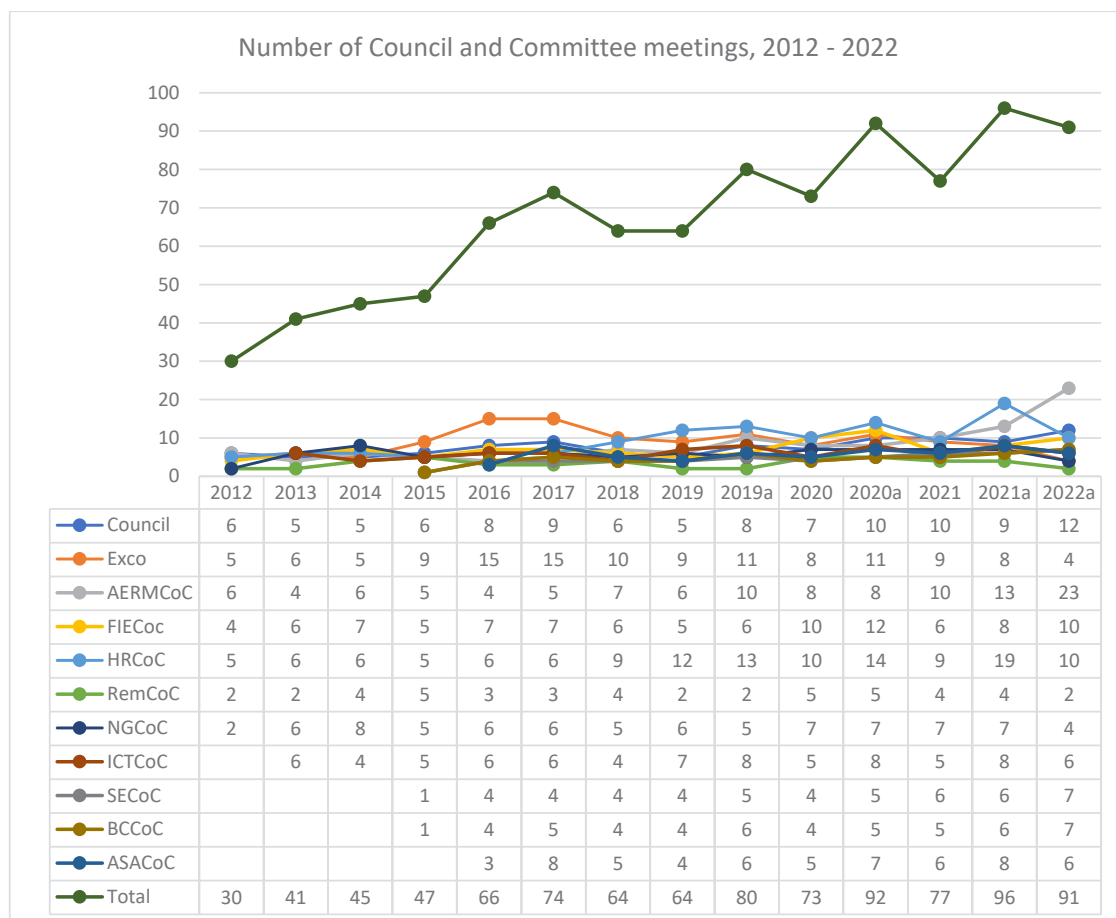
#### **4.1.2 Council and its Committees**

- a. Section 27 of the Higher Education Act establishes a Council of a public university a governance structure that should govern a university subject to the Act and the Institutional Statute. As the apex governance structure, whose members are entrusted with fiduciary responsibilities, the Council of UNISA is expected, at all material times, to conduct the business of the university with care, competence and integrity.

- b. Much of the business of Council is carried through its committees which are specified in the Institutional Statute. The University Council's committee structure at the time of the assessment is shown in **Appendix E**. The UNISA Council has ten standing committees, a number that is concerning given the respective mandates of the committees.
- c. The Statute as amended provides that in addition to the executive committee (EXCO), "Council appoints such other committees as may be required including but not limited to a finance, investment and estate committee (FIECoC), an audit and enterprise risk management committee (AERMCoC), a human resource committee (HRCoC), a remuneration committee (REMCoC), an information communication and technology committee (ICTCoC), the board of the GSBL nominated according to the charter of the School". The Statute stipulates six standing committees; and the Council has established four additional ones, namely the Nomination and Governance Committee (NGCoC), the Brand and Communication Committee (BCCoC), Social and Ethics Committee (SECoC) and the Academic and Student Affairs Committee of Council (ASACoC). The latter 3 were established in 2015 and 2016.
- d. In analysing the functioning and efficacy of Council, the number of committees is among a number of essential elements to consider. The ten (10) committees of Council should have distinct mandates, add value to decision-making and overseeing follow-up to, and implementation of, and be free from the duplication of work. In the Terms of Reference (ToR) for most committees, it was obvious that certain sections were simply cut-and-pasted in the different documents.
- e. In the case of UNISA, there are some committees of Council that either can be collapsed with existing committees, disestablished since they are not only confusing, but duplicate the work, or become management committees. The ASACoC, whose purpose is to advise Council on academic and student affairs matters is one such committee. What is most concerning is that this committee established in 2016 appear to be duplicating the functions that are ordinarily performed by Senate. The Academic matters are the core business of Senate. Student Affairs matters are the primary responsibility of the Student Services Council as the Higher Education Act determines in section 27(3). UNISA should consider disestablishing this committee.
- f. The reputation of a university or any other organisation is a critical component of its success. The purpose of the BCCoC is to advise Council on the review of branding and communication policies, particularly in the context of the transformation imperatives in higher education. The question becomes, should this not be a management committee as much of the work is done by Management. Would it not be more efficient for Council to provide oversight based on the reporting by management?
- g. The HRCoC and the REMCoC could become one committee by simply having a different section in the agenda and/or recusing management members that may be conflicted on certain items.

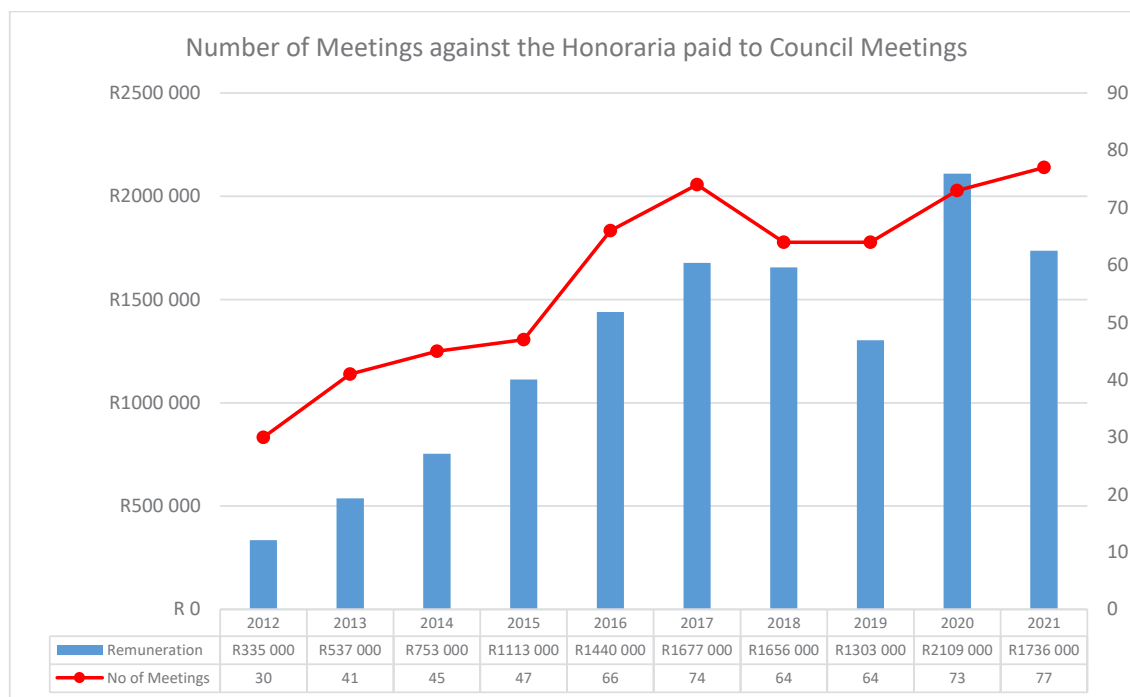
Council needs to think carefully about rationalizing its committees, free up the time for Council members and give management space to do other work than sitting in so many committees. Similarly, the functions of the NGCoC can also be carried out by the Council Exco.

- h. Clause 5 on the ToRs of committees of Council enunciates the 'Authority' of each committee. On observation is that this is one of those classical cut-and-paste examples. Some of the provisions has cost implications, e.g. 'seek outside or other independent professional advice at the expense of (sic) of the university whenever necessary to carry its work'; or largely unworkable and unwieldy, e.g. 'secure the attendance of any employee of the university or party external to the university as considered necessary for the execution of its responsibilities at the meeting of the committee' – the entire Clause 5 should be revised, especially in the light of the challenges that emanated from this with the Bowman's Report sought by the HRCoC (refer to section 4.4.5.4 in this report for details on the Bowman's Report).
- i. The SECoC is reported to be one of the committees where all matters that no other committee wants to do, is 'dumped'. Some of the matters referred to it become unresolved because they do not fall within its mandate. Secondly, matters move between various Committees of Council before being submitted to Council and hence taking inordinately long to resolve. The purpose of the SECoC is to advise Council on the university's ethos and culture; and monitor the University's adherence to and performance in areas of good corporate citizenship, corporate social ethics, health and occupational safety including environmental protection, institutional transformation and nationally agreed transformation goals, and student and employee ethics. Would the Institutional Forum (IF) not be better positioned if the Statute is suitably revised, to incorporate this as part of its mandate on the Code of Conduct and institutional culture functions? Ethics broadly, permeates through research and innovation at universities. A series of unethical practices and behaviours will be reported on further in the sections that follow, and it is difficult to discern how SECoC has been effective in eradicating those.
- j. I conducted an analysis of the number of Council and committee meetings as per the information in the Annual Reports (2012 – 2021). In February 2023, I requested the Office of the Registrar to furnish me with the number of council and committee meetings for the period 2019 -2022. There are huge discrepancies in the number of meetings between the information provided and the information recorded in the Annual Reports 2019 (16), 2020 (19) and 2021 (19). The 2022 audited figures were not available at the time of writing the Report, but the recorded number of meetings as per the information from the Office of the Registrar for 2022 was 85.
- k. At its meeting of 24 June 2022, the Council resolved to approve the establishment of a separate Risk Committee of Council, and that the terms of reference of the current AERMCoC be revised to remove the risk functions. This will lead to a total of 11 committees of Council.



- l. It should be noted that there are costs associated with the meetings of Council and its committees, e.g. honoraria, travel and other incidental costs. For that reason, the higher the number of meetings, the higher the expenditure. The reported expenditure for UNISA is amongst the three highest when compared with other universities. 2015 saw the expenditure exceeds the R1 million mark. There was a noticeable decrease in 2019 followed by an increase in the number of meetings and expenditure for 2020. According to the Office of the Registrar, "The probable reason for this increase is the switch to online meetings in 2020 during Covid-19. The ease of convening meetings online resulted in a proliferation of meetings because meetings could be called at short notice, and many times after normal working hours and on weekends. Logistical arrangements as well as catering requirements were no longer a factor to consider". Again, the 2022 audited figures were not available at the time of writing this Report, but the recorded expenditure as per the information from the Office of the Registrar for 2022 was R2 223 815. This is excessive.
- m. Although some members mentioned that they do not earn as much money as in private boards, the total cost of having eighty or more meetings of Council can go a long way to use the money to support other institutional programmes, e.g. student support. There are isolated instances of

universities where no remuneration is paid to members of Council or committees for the attendance of Council and committee meetings, or Council members donate their honoraria into student bursaries or other forms of donations in exchange of a Section 18A certificate of the Income Tax Act.



- n. On 14 December 2021, the Council following a benchmarking study, approved the revised rate of remuneration of Council members for a four-year period from 2022 until 2025. The implication therefore is that the Council budget for honorariums will be adjusted in line with the revised rate for the payment of honorariums.

	2017 – 2021 Rates (Approved by Council on 14 Sep 2017)	2022 – 2025 Revised Rates (Approved by Council on 14 Dec 2021)
<b>Chair of Council</b>	R3 500	R6 232
<b>Deputy Chair of Council</b>	R2 800	R4 986
<b>Chair of a Council Committee</b>	R2 800	R4 986
<b>Deputy Chair of a Council Committee</b>	-	R4 550
<b>Member of Council / Committee</b>	R2 500	R4 363

- o. Comparing with the rates payable to council members of other universities in terms of the information in the latest Annual Reports, UNISA rates were not the highest; suggesting that the biggest cost driver could be the number of committees and meetings. However, the revised rates will place it amongst the top 3 in terms of the data below.

	Chair of Council	Deputy Chair	Committee Chair	Council or Committee Member
NWU	R6,929	R5,197	R5,197	R3,467
UP	R6,278		R6,278	R4,362
UKZN	R5,300	R4,700	R4,200	R3,700
CUT	R4,000	R3,500	R3,000	R2,500
UNIZULU	R3,500	-	R3,000	R2,500
CPUT	R2,000	-	R1,750	R1,500
NMU	R1,000	R850	R850	R750

- p. A serious point of reflection for UNISA is to ask itself if this is effective; whether this sub-committee arrangement should not be reviewed. A further consideration is the quality of these meetings. One of the problems highlighted is that members do not receive adequate, high-quality information, instead they are provided with information that is either too detailed or high-level to enable independent scrutiny. One of the long serving Council members whose term has recently expired said, “ ... *the information was not always complete, and sometimes they would hide things. I would read everything, we received a mountain of documents – in the old days we received the document pack physically and it was this mountain of paper, volumes and volumes of documents – but most of it was used to hide issues ...*”. It is a case of too much information being provided with little assurance as to its completeness or accuracy.

#### 4.1.3 Senate and Academic Governance

- a. Section 28 of the Higher Education Act establishes a Senate of a university and further states that it is accountable to Council for the academic and research functions and must perform such other functions as may be delegated or assigned to it by Council. As a structure responsible for academic governance, Senate executes its mandate through the Colleges, its committees as well as joint committee of council and senate, and other appropriate structures of the university. Senate sets standards for admissions into academic programmes; it is responsible for teaching, learning, assessments, research and innovation; it is responsible for quality assurance of academic programmes and a host of other functions ordinarily listed in the Statute of the university.
- b. Given the governance challenges that have suffocated UNISA, especially from on or about 2017, I interviewed members of Senate, Executive Deans and Deputy Deans of Colleges, students and members of the Extended Management Committee (EMC) of the University. Of the Executive Deans interviewed, only two were not in an Acting capacities. These were the College of Agriculture & Environmental Sciences (CAES) and the College of Science, Engineering & Technology (CSET). This is indicative of a university that has disturbing academic governance

challenges. The College of Graduate Studies has also not had a permanent appointment at the top even though the University claims to be focusing on its postgraduate studies and research. Such a high number of Acting appointments breeds instability in the functioning and efficacy of academic governance. A senator of high academic standing, when asked about this disappointing state of affairs at UNISA said, "I think academics would like senior positions to be less political, and more about serving the academic project".

- c. I received submissions that there have been serious integrity challenges around assessments, teaching, academic support to students, and concerns about the credibility of the qualifications from UNISA. Details of this disturbing state of affairs that appear to have been known for a long time, will be shared further elsewhere in this report. A positive account from students in CAES and CSET was given, clearly demonstrating that the rapport among students and the teaching staff were a flagship of academic performance at UNISA. The rest of the Colleges did not enjoy that accolade from students.
- d. Apart from the above threats to academic governance are a number of vacancies for academic positions across the Colleges. This situation has obtained for a number of years to a point where even students know that the ratio of academic to support / administrative staff is 30:70 in a university that has a series of academic performance issues that are well-known to the institution. Some Colleges have and are still experiencing a higher number of resignations as a result of what they describe as a toxic environment, burnout, unbearable workloads, a highly politicised university, negative publicity and so on. The Table below illustrates the point on a high number of academic vacancies:

College	Number of Filled positions	Number of vacant positions
CAS	181	45
CAES	169	55
CEMS	361	81
CE	242	98
CHS	564	156
CLAW	217	66
CSET	269	74
GSBL	63	45
<b>Total</b>	<b>2 066</b>	<b>620</b>

- e. A number of academics and students were seriously concerned about the disruption of graduations in early 2022. In the words of another academic, "*I am not a member of the union that led the strike, so I'm speaking from outside. I did not know what the grievances were, but because there was a lack of empathy for parents of graduates that came from our communities*"

*– we know what it takes for people to attend graduations (emotional and crying) – I’m sorry ... I’m a crier, don’t mind me. For some parents, it is their first child graduating. Even as a unionist is aggrieved, one should consider parents, we cannot start acting as though we do not know where our students come from. There was not care for UNISA and what we are trying to do. To steal that joy from most parents and students who battled to complete their degrees was cruel to me.”*

- f. It is inconceivable how the interests of ancillary groupings, in this case NEHAWU could be lifted at the expense of academia, thereby flying in the face of the stated values of the University: ethical and collective responsibility, integrity, innovation and excellence, responsive student-centredness, dignity in diversity, accountability.” Nonetheless, I discuss the issue around the disruption of graduations at a later section.
- g. A Dean leads the educational, research, scholarly and engagement activities of their college. I also received many complaints about Deans of Colleges who did not possess the “appropriate” qualifications. As indicated elsewhere, I requested CVs of all college Deans. The Acting College of Law Dean does not have a Law qualification but a PhD in Criminology, specializing in Security Management. The argument proffered to me when I put this question forward, was that the College of Law consists of the School of Law and the School of Criminal Justice; and the Dean for the college can come from either school. The explanations may be credible, however the perception it creates is not that of a university that takes academic leadership seriously.
- h. Likewise, both the Acting Dean and Deputy Dean of the College of Accounting Sciences (CAS) are not Chartered Accountants. Academic staff interviewed from the College, expressed their concerns about the lack of Chartered Accountants at the helm of the College. A recent review of the Accounting Programmes by SAICA (South African Institute of Chartered Accountants) in 2021 found that the academic leadership of the College is not effective. The College responded to this finding stating that “*the professional nature of Accounting Sciences has afforded a more discretionary application of academic requirements with a non-negotiable requirement for professional qualifications*”. The College further stated that “*it should be noted that **academic qualifications do not necessarily guarantee effective or good management** and within the current management structure, appointing practices have intentionally ensured a thought-through representation of academically prepared and professionally superior candidates to ensure that both the academic and professional requirements cannot be compromised*”. The argument put forth is that in some instances minimum academic requirements may be disregarded in certain situations. As a university, one would expect that UNISA rather emphasises the importance of academic qualifications as opposed to making depreciating statements in terms of the value of qualifications.

#### 4.1.4 Student Governance

##### 4.1.4.1 The Student Governance Model

- a. In terms of the policy framework of student governance, I noted the SRC Constitution and the Electoral Policy, both last approved in November 2017 as well as the Student Charter with a Council approval date of November 2007. I noted that these are outdated.
- b. The student governance structures at UNISA consist of a congress, student parliament and the Student Representative Council (SRC) organised in a two-tier system, namely national and regional. The national congress, national student parliament and SRC *have authority over student matters assigned to them by the University Council or other university authorities as set out in the Higher Education Act 101 of 1997, as amended, the UNISA Institutional Statute and university regulations and policies. The congress is said to be “the highest decision-making body of the SRC”*; the national student parliament is “the highest decision-making body when national congress is not in session”; and the national SRC serves as a “highest structure in matters of student governance when the national student parliament is not in session”. The regional structures are subordinate to the national structures; and have similar decision-making powers in respect of student governance matters at the region.<sup>10</sup> I found that the configuration of student governance at UNISA emulates the national political dynamics; and may not be the most effective model for the University whose primary mandate is education, not politics.
- c. I met with various members of both the National and Regional SRCs. I found during these interviews that some of the portfolios of the SRC office-bearers were either redundant or ceremonial. Sports and Cultural Officer is one of those, as many of those holding the portfolio complained that there is no budget allocation for sports and culture. The Regional Treasurers could not articulate what it is they do except to send travel requests to the Department of Student Development (DSD), some calling themselves “Ceremonial Treasurers”. Likewise, the Education and Training Officers also could not articulate their functions and the impact the portfolio brings to the ordinary students. Furthermore, I also found Postgraduate Officers who were not post-graduate students themselves. In my observations, the general structure of the SRC, is not fit for purpose; and these portfolios do not empower the SRCs to be impactful in their role.
- d. The constitution provides for members of the SRC to be “recalled by the student organisation which he/she represent subsequent to an organisation having provided the university with a declaration that a recall complies with its own internal procedures”. I observed from the interactions with the RSRCs that this provision appears to be abused at the detriment of the

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<sup>10</sup> section 2.2.1 of the SRC Constitution

stability and efficacy of the SRCs. I met several SRC members who indicated that they had just been “deployed” by their student organisations to replace others who would have been removed before their term is completed. Almost in all the cases, there appeared to have been no transparency as to what led to the recall or processes followed to make the appointment. Most of them appeared to not have been inducted as they could not articulate the issues that face students or seem to care except to be receiving a stipend. On the deployment practice, one RSRC said *“It is complex. Starting with the issue of political structures and their deployment, it does to a certain degree cause instability in governance if people are replaced, like in any political office. It does create instability. Now, speaking in terms of an institution of higher learning, it can go both ways. We can agree that at a certain level the relevancy of political structures in the institution may not advance the academic project”*.

- e. On the two levels of the SRCs, I observed that there are fraught relations between the NSRC and the RSRCs. Many accusations were levelled against the NSRC. Several RSRC members said there is a lot of in-fighting within the NSRC and it is not fulfilling its role. Instead, the members are caught up in factional battles within the Management and they are there to satisfy their agendas. Another termed it “the Politics of the Stomach” with the insinuation of taking “brown envelopes”.
- f. One SRC member put it plainly: *“I have not received any money. I always ask why this money does not reach us, because we need it. We are divided. There is management, the people of the VC, and the people of the Registrar. UNISA has 9 centres nationwide, and we as comrades get together to speak about what is happening. Now, what would happen is that you cannot be neutral or honest about what is happening in terms of the mismanagement, corruption and favouritism. You must pick sides. Basically, it is also politically related. Mostly those on the VC’s side are EFF members in the majority, and the Registrar has the support of people from the ANC. We would be told that we received a certain amount of money and that we should favour one side. .... You also get others who are being influenced by one of these two factions, so you don’t get certain things as per the policy. If you don’t relate to the VC, your programmes will be frustrated by all means, to render you useless in the university”*.
- g. Another said *“its [the NSRC] proximity to Management is used to trample RSRCs”*. Besides the Covid-19 pandemic, the Management and the NSRC were accused of killing student activism in the regions. When asked how the relation is with the NSRC, many of them said “there is none”. The NSRC was also described as factionalised with no sense of unity and or trust, and in my interactions with them I picked up that they were divided along the lines of who they supported, either the VC or the Registrar. There was one or two that appeared not to be associated with any faction. Management was also accused of being party to this. One said *“the paranoia of*

*management causes the SRC to be drawn to them”, another said “management causes the SRC to have to take sides”. I also heard of a concept of an “exit plan” where members of the SRC must align with whoever in order to secure a future in the form of employment within the University after their term in office.*

- h. When asked, many recommended that a reconfiguration of the SRC is necessary to deal with the current problems, but many could not say how, given the complexity and the size of the University. However one SRC member said *“The last meeting we had was in June, where we discussed some constitutional amendments, proposing that the NSRC should be abolished because it is a way for management to dodge their responsibility. These people here have laptops, cell phones, offices and computers, but in the regions we do not have those resources. I said we should change the statute to disband the NSRC, and find ways to convene students nationally to address student needs. We want a structure which would address our students’ issues, and not a structure that would have biscuits and coffee with management and forget their mandate.”*
- i. The term of office as a member of the national student parliament, regional student parliament and the SRC is two years from inauguration consequent to the sitting of the national congress. The SRC at the time of the assessment took office in March 2021 and their term set to expire in March 2023. In terms of the SRC Constitution, the first meeting of the national student parliament must be held not more than three months after the date of the national congress to consider and approve the SRC program of action and budget and decide on committees required to assist the NSRC and its RSRCs. Should this period lapse without the speaker convening the first sitting of the national student parliament, members of the national student parliament may in writing request the Dean of Students (DoS) to instruct the speaker of the national student parliament to comply. Further, the Constitution stipulates that ordinary meetings of the national student parliament must take place every eight months.
- j. Many SRCs, both national and regional, bemoaned the fact that the parliament had not sat since the SRC took office. When asked, one official in the DSD said the Covid-19 lockdown restrictions and poor resource allocation were the main reasons why the Parliament had not sat as required by the SRC Constitution. I was told *“Student parliament is funded from the student development budget, and the division did not have enough budget to carry out its own mandate. To arrange a Student Parliament would cost as much as R 500 000, if not more. It should last 5 days, because you have to have the regions meeting, and then the NSRC. They must travel, they must sleep over, so it will cost serious money. They say we must find the money in the student development budget, but that budget has been chopped down.”*

- k. I was also told that there had not been a DoS for a prolonged period of time without any replacement arrangement to attend to students, circumstances of which are dealt with under section 4.3.2 of this Report. I got the impression that it suited management when certain constitutional obligations were not fulfilled, e.g., the student parliament. Moreover, the DoS at UNISA is at the level of a Director (P4), and students felt frustrated that the Dean does not have any decision-making powers. One student said the DoS at UNISA is "just a glorified, well paid SRC member" and a recommendation that came from the students was the creation of a VP for Student Affairs.
- l. Overall, the functioning and efficacy of student governance is not optimal; with no healthy working relationships between the NSRC and the RSRCs. UNISA has a population of just under 400 000 students, and the reality is that the many students at UNISA are not represented by a factionalised student leadership whose main objective is to advance their political agendas without due cognisance or regard for the rest of the student population, facing a myriad of service delivery issues.
- m. The SRC Constitution is outdated; and the student governance model of UNISA has not kept pace with the development of student needs, and the profile of UNISA students. Student governance at UNISA is highly politicised. It pained me to see student leaders envision themselves as politicians sitting in parliament. They referred to themselves as "deployees". I found that student leaders believed that politics is everything, even though I asked them about other disciplines like engineering, economics, science, education and others, they simply have an unshakable belief in politics. I believe that UNISA is failing its students by not training and developing student leaders to have a broader world view of leadership and the essence of why students go to university.
- n. In my discussions with these student leaders, I asked them many questions about how they understood their roles, why they came to UNISA, what was their academic progress, and how they reach out to the rest of the student body. I was deeply saddened to note how ill-prepared many of these students were; but many narrated their personal circumstances that led them to opt for UNISA. The majority of SRC members are registered in the College of Law, and some had been at the institution for periods that far exceed the time needed to attain a junior degree (2014), moving from one "deployment" to another.
- o. I find that the centralised model of UNISA is a serious disservice to students since all students are based in the regions. The infighting at UNISA has neglected the needs of the students. It has been proven that the centre is not holding and it is unlikely that it will hold in the foreseeable future. I find that student leaders are divided at UNISA. The division is more palpable in the National SRC, and the some Regional SRCs also appeared to be polarised on political grounds.

#### 4.1.4.2 *Student Services Council (SSC)*

- a. The White Paper 3 enjoined each institution to establish a Student Services Council (SSC) with a policy advisory role in student services. The council should be democratically constituted but chaired by a senior executive member of the institution.<sup>11</sup>
- b. Section 27(4) of the Act requires that “the council, after consultation with the students' representative council, must provide for and establish a suitable structure to advise on the policy for student support services within the public higher education institution”.
- c. UNISA does not have a Student Services Council (SSC) or a replacement structure to carry the functions in compliance with the Higher Education Act. I have read the letter of the VC where she instructed the Registrar to establish the SSC as part of her many issues raised with him. However, it seems that the SCC had not been established at UNISA, since the time that the current VC was appointed as the DoS. If it was, I am not aware of the reasons for its dissolution. The Registrar said he established the SSC before he left the institution and when he returned there was none. There was no evidence provided to me to support this statement.

#### 4.1.4.3 *Privileges and Benefits of the SRC*

- a. I also looked at the privileges and benefits structure for the UNISA SRC which I found to be excessive. Members of the NSRC receive the following:
  - i) a monthly allowance, the actual amount of which is determined by the DoS having consulted the President of the SRC and subsequently presented to the Management Committee for approval during each term of office. For the current SRC, the amount was **R4 148**.
  - ii) An once off cash amount as determined by the DoS having consulted with the SRC President and approved by the Management Committee for the first SRC term to enable seamless settlement at the leased apartments for the NSRC. The amount for the SRC in office was **R13 500**.
  - iii) accommodation in an apartment in Pretoria.
  - iv) an academic tuition rebate equivalent to half of the modules enrolled for.
  - v) SRC regalia comprising a blazer and shirt.
  - vi) A laptop (which is returnable when the term ends for whatever reason)
  - vii) A Cell phone (which is returnable when the term ends for whatever reason)
- b. In addition, students who by the time of their election to the NSRC are living in regions outside the Gauteng Province are provided with one (1) emergency travel per year between Pretoria and

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<sup>11</sup> Programme for the Transformation on Higher Education: Education White Paper 3, paragraph 3.40

their respective home regions and up to two (2) ordinary travels per year between Pretoria and their respective home regions. Members of the RSRC members only receive a monthly stipend, which at the time of the assessment was **R1 777.78**; an academic tuition rebate equivalent to a half the modules enrolled for; a blazer and a shirt as corporate uniform. Speaker and Deputy Speaker of National and Regional Student Parliament also receive a stipend which was set at **R2 993.45** and **R1777.78**, respectively at the time of the assessment. The office bearer of the Student Parliament at both national and regional level, are also granted an academic tuition rebate equivalent to a half the modules enrolled for, as well as a blazer.

- c. As per the information provided by the DSD, the expenditure relating to the benefits and privileges of the SRC are as follows:

	2018	2019	2020	2021	2022 <sup>a</sup>
<b>Stipends</b>					
<b>National SRC</b>	R416 745	R416 745	R416 745	R448 001	R336 001
<b>Regional SRC</b>	R1 190 700	R1 190 700	R1 190 700	R1 536 002	R1 152 001
<b>Student Parliament</b>	R357 210	R357 210	R357 210	R384 000	R288 000
<b>Accommodation</b>	R438 250	R474 831	R496 614	R215 061	R335 378
<b>Relocation</b>		R121 500		R121 500	
<b>Rebates</b>	R489 428	R286 360	R443 045	R748 012	R404 428
<b>NSRC Laptops</b>	R77 171			R160 191	
<b>RSRC Laptops</b>				R1 613 601	
<b>NSRC Cell phones</b>	R49 968	R70 929	R67 249	R37 020	R83 817
<b>N&amp;R SRC Data</b>			R16 020	R64 080	R53 400
<b>N&amp;R SRC Regalia</b>		R119 540		R128 160	
<b>Total</b>	<b>R3 019 471</b>	<b>R3 037 814</b>	<b>R2 987 583</b>	<b>R5 455 628</b>	<b>R2 653 025</b>
<sup>a</sup> The figures shown are as at 30 September 2022					

- d. The net effect of these National SRC benefits exceeds many hardworking South Africans in lower to middle income brackets. Student governance is not only seen as a gateway to "deployment" into jobs at UNISA, but also as an opportunity to access an above average lifestyle with all the attendant benefits alluded to in the report.

#### 4.1.4.4 The 2022 Arrest of the Members of the SRC

- a. I also came to know of the arrest of the members of the National Executive Committee (NEC) of the SRC comprising the NSRC and the Chairpersons and Secretaries of the RSRCs. It is a group of about 25 students, although I learned that some could not make it to Pretoria from some regions. The narration of the events given by the many students involved from the various regions was consistent. According to the students, they arrived in Pretoria on Sunday having travelled from various regions at the expense of the University. They have a practice to align their NEC meetings

with ManCom meetings, so that they can refer the strategic issues that they identify to ManCom for decision making. According to their programme, they were scheduled to meet with members of the ManCom on Monday, but this did not occur. On Tuesday, they caucused on their way forward, where they decided to visit the VC's official residence, as a way of compelling her to meet with them. Again, this was something they claimed to have done in the past with the former VC. They described it as one of those situations where they had to resort to extraordinary measures in order to get their point across.

- b. Most of them were driving vehicles that were hired by the University. Upon arrival at the gate, they signed the register to enter the premises. Upon gaining entry into the premises, they called the DoS, demanding that the VC convenes a meeting of ManCom. Instead, the Executive Director (ED): Security Services was sent, and allegedly said that the VC was coming in 15 minutes. They waited, and the Dean came along with some other people. Apparently, the police came about three times, and the students made it clear that they had done nothing wrong, rather they were just waiting for the VC. At this time, I understand from the various narrations that the students were milling around, singing, chanting the way they normally do when they gather. One member went to the hotel to get food, and when he returned, he was asked to remove his car as he had blocked the entrance. Students said they were eating their food when the police arrived to arrest them on a trespassing charge. To their amazement, when they arrived at the Police Station, they realized that some people were not arrested, some had gotten away. Specific mention was made about the Secretary General, that she was amongst them but was not arrested, alluding to some form of a set-up.
- c. They were released late at night on a warning; and when they appeared in Court on the Thursday, they were notified that the case had been "provisionally withdrawn". They questioned how they could be charged with trespassing when they had signed the register.
- d. When the question of the circumstances of the arrest was put to the various members of the management who were involved, I was told that the students had forced their way in and were violent towards the staff at the residence and there were videos to prove this. I requested for the videos, and all I saw were few students singing and chanting as they had stated. According to the Head of Security, who is a former member of the SAPS, said she requested the students to leave the premises after she was called to intervene. The students apparently refused to leave, and she made several attempts to request the members of ManCom to come and address the students. But when all this failed, they "eventually took an operational decision to call the police, asking them to come and talk to the students". The VC also said that the Embassy which is next to the residence could have also called the Police due to the commotion.

- e. I wanted to know who had authorised for the police to be called; and the VC was adamant that she never gave instruction that the students should be arrested. The VC indicated that the report she got was that the students had overpowered protection services at the gate, and that the police came to remove them because they had forced themselves into the residence. She said after the arrest she made all efforts to ensure that the students are released without a criminal record. When asked whether she reported the matter to the Council, the VC said she spoke to the Chair on the phone. However, several council members were shocked to hear about the arrest and that they were hearing it for the first time, when I put it to them.
- f. I found it puzzling that student leaders were arrested, but the SRC members who serve on Council did not even raise the issue or voice their concerns as they expressed them to me. Some student leaders said that it felt like it was a set-up that they be arrested, because the one student leader that works closely with Management and who sits on Council, was not arrested.
- g. Many students were clearly very angry, hurt, and felt betrayed, and their anger was directed at the VC. Some expressed feelings of trauma at the events and alleged that no support was provided. Students said they did not vandalise the residence as members of NEHAWU did later, but they were treated with disdain and even criminalised for simply wanting to state student issues. When I brought the issue of the trauma to the VC, she asked *“Are students not moral agents who understand the decisions that they take, especially as student leaders themselves who occupied Cloghereen, not like UP or Wits students who are 18 years old, they are some in their 20s and have been in the university for multiple years. I engaged with students after that incident, asking them what the moral and ethical duty of a student leader is who claim that they don’t have support, but they have all these benefits from the institution and all these resources, yet they claim to be dissatisfied with the VC. They had a formal engagement from the VC to engage to discuss their grievances, how do we cast the blame on the VC for the exposure of students to be jailed and be in conflict with the law. I’m traumatised as well, but I don’t want to create a competition. I am saying that students who would never have occupied a male VC’s residence decided to do so when the VC is a female. Perhaps in my fight for them not to be arrested, I was also dealing with an ethical contradiction between their moral agency and their decisions”*.
- h. My view is that such conflicts do not disappear easily. It is advisable for the VC to repair her relationship with her students, especially those coming from the regions. Negative narratives pass from cohort to cohort. One among many examples came from Bloemfontein where students had prepared to meet the VC but according to them, she snubbed them and did not meet with them. These students felt offended. The VC may have had reasons for not meeting with them,

but it is necessary to clear the air with students and to ensure a functional relationship with them, a fact the VC herself knows since she worked in the student affairs portfolio for a while.

- i. On 6 March 2023 a while since I completed the interview with the VC, a third party submitted at email to me with a short narrative and an attachment titled "Statement Under Oath" signed on 13 July 2022. He indicated that he was submitting it on behalf of the VC. It is unclear from the copy where the affidavit was deposed, but the date stamp from the Vehicle Identification Section in Pretoria is visible. In paragraph 4.3 the VC states, "*On 1 February 2022, the Vice Chancellor's official residence, Cloghereen, was invaded by student leaders and pictures of the house were taken and circulated widely. This was unprecedented security breach in the history of the university. Such an act also renders me, my family, and the said property vulnerable to potential security threats or even theft. The matter was reported to the South African Police Service (SAPS) Sunnyside Police Station with case number: CAS 09/022022*". The document goes further to list other incidents of intimidation and threat to her life.

#### 4.1.4.5 UNISA Law Student Association (ULSA)

- a. UNISA caters for just under 400 000 students, consisting of a diverse population of adults, young adults, some are working and some are not. The SRC Constitution makes provision for student organisations and structures established by UNISA students, being faith based, political, recreational or academic recognized by the SRC through its applicable policy. The staff in the SDS said that the University has a database of *about 70 or 80 of student structures* and organisation. I however learnt that most colleges within UNISA have academic student structures, the College of Education Student Association (CEDUSA), the Accounting Sciences Student Association (ASSA), Science Engineering Technology Student Association (SETSA), College of Law's UNISA Law Students Association (ULSA) etc.
- b. According to the ULSA Constitution, amongst the objectives of ULSA are to:
  - *Lead and ensure that law students of UNISA participate and engage in legal dialogue, and organising work to bridge the gap between theory and practice, thus striving to eliminate the isolation brought about by long distance learning.*
  - *Provide opportunities for UNISA law students to engage and participate in the legal professional work environment before and after graduation.*
  - *Ensure consistent availability of information relevant to the study, practice and knowledge of law, whilst working to improve standards and accessibility thereof.*

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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID AFRIKA

Vol. 695

26

May  
Mei

2023

No. 48660

**PART 2 OF 4**

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845



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- *Develop and maintain an efficient and sustainable working relationship with the University, the College of Law, the SRC and UNISA Law Clinic with the aim to advance the objectives of this organisation.*
- c. Membership is open to any person registered as a student within the College of Law or registered for an LLM or and LLD in the discipline of Law at UNISA; and such membership shall be formal via registration at an ULSA Regional Office, on a prescribed form and having paid the prescribed membership fee of R12.00 (Twelve Rands).
- d. During the interviews, I received many complaints about ULSA, from staff and students, some of whom were members of ULSA. One member of ULSA said *"I am deployed by ULSA. ULSA is no longer genuine to its cause, it is now a device to coerce students to certain sides of management. ULSA was established years back, to assist the regions, whereby student chapters could form groups to learn – so you don't all the time have to rely on UNISA. ULSA came in and became a student chapter, which should not really be contesting student elections. It was genuine to its cause, until it died. In 2019, there were already other student chapters in UNISA, like the BLASC and NADEL-SC. The ones prominent in UNISA were BLA and NADEL. These structures were established in the country, and they were good because they had their own mother body to bring programmes to the institution to benefit students. In 2019, there was a cabal in the College of Law when they saw an opportunity to use this device, resuscitate it, and use it to engage in student politics. In Limpopo we wanted to assist students, and we decided to contest student elections. There is a loophole in SRC documents which must be engaged, because it allows organisations that should serve student causes to serve as political structures"*.
- e. Many SRC members, particularly those from other student political organisations complained profusely about ULSA being able to contest SRC elections. However, one student said *"Of course they can do that, it is their constitutional right, and the structures follow the university's legal processes to qualify. However, I have noticed that the Law Clinic is too closely affiliated with ULSA, when there are events held by the Law Clinic, ULSA also features"*. Allegations were made that ULSA has access to UNISA branded vehicles, and resources for catering and venues to run campaigns.
- f. When asked about the relations between ULSA and the Law Clinic, the Head of the Law Clinic said, *"ULSA was formed many years ago as a college structure – all the colleges have similar structures. You see, there is no other university that I know except for UNISA. When UNISA is ridiculed on Twitter, it ridicules the product produced in this university. That is happening because there was a shortage of legal skills being imparted to graduates. I cannot travel to all the regions to give the students in law the skills that they need. We said that there is this organisation called ULSA which we could use to reach all law students. ULSA could create committees in each*

*region and province so that if there is an important communique from the College of Law, they could disseminate information to the students. We did that because students from other regions said that the Law Clinic only had programmes for students in Pretoria, and they were disadvantaged. We said that students should organise themselves in the regions, to benefit students in Thohoyandou and Polokwane. This was a good solution for us. Our students can go to communities to assist people in communities, and we cover a range of skills".*

- g. One Student who felt that ULSA was a great initiative said *"When ULSA launched this thing, I thought there is hope, I'm going to gain some practical skills that would help me communicate with my community, as in street law. I feel like ULSA was a great strategy because as law students there are the political parties, but there are some students who just want to be a regular student supported by their own college, without becoming involved in politics. I know that the other colleges have similar structures to support their students"*. Yet this was precisely the problem for some, that an academic structure is being politicised, where large numbers of LLB students are encouraged to become ULSA members, and unwittingly becoming part of a political structure. Another said *"It is painful to some students who are not politically affiliated, who just want to pursue their academic study through the College of Law, but they must be involved in those structures"*. Several other students alluded to the link of ULSA to the EFFSC, describing ULSA as *"an extension of the EFF SC"*, having the EFFSC *"as their handler. Even at KZN region, the ULSA students wear EFF SC T-shirts"*.
- h. Regarding the link between ULSA and the Law Clinic, a college staff member said that ULSA is being used as a fund-raising mechanism for the Black Forum South Africa (BFSA). *"To have BFSA funded, they will supposedly arrange a strategic meeting for ULSA or a conference or seminar, but if you come into the room you will see flyers for BFSA"*. An ULSA SRC member also said *"it even does fund-raising through students, to get money. Us as members and students ask how much was made and how much of that money was used to support the cause. You should ask those questions. We know that that money was used to fund a campaign of the EFF Student Command, and even now, when we ask for bank statements, they will not give it"*.
- i. The staff member said *"This is another instance of the political protection that the Dean and the Head of the Law Clinic enjoy. There are serious concerns about their qualifications – they have no other way to survive this unless they are politically protected, thus the need to fund ULSA. There is a sense that if people are not affiliated with ULSA, they will not be employed. All the student assistants who are appointed from ULSA pay contributions to that structure, which goes back to the President."*
- j. During the interviews, many alleged the unfair advantage the ULSA members have over other students in the Law Clinic appointments. A Senior Staff member in the College of Law said *"Just*

*like other colleges, we have student representatives, so we have ULSA in the College of Law. The Law Clinic, which is headed by Advocate Morota, makes financial requests for any activities for ULSA on their behalf, which would then be approved by the Deanery. This happens because almost the entire leadership of ULSA are employed by the Law Clinic. It is further important to note that all the ULSA leadership are also EFF SC members, so if one is not affiliated with ULSA or the EFF, you would not have an opportunity to make progress in the College of Law. If you don't conform to a certain agenda, i.e. that of ULSA, you will not progress. The launch of ULSA was also funded by the Law Clinic". One of the LLB Student who is not an ULSA member corroborated this and said "I know that because of my affiliations I would not be able to get into those opportunities. You will be shocked if you find out certain things in that college which is being done wrong. I know of many student leaders who want to talk about it, but they are afraid of the repercussions".*

- k. *I heard about how in one of ULSA events, the Head of the Law Clinic promised students that "they could have anything and everything that they want – access to question papers, jobs in the Law Clinic" and the student described this member of staff as one of those people who would damage their reputation and the reputation of the University. In the same breath, students who do not align narrated how they would receive threats. One said "we would get threats about how powerful they are, because of their link to the VC and their political connections." Another said "they told us that they had people in every department of the university and could easily tarnish my name or my qualification".*
- l. *A former student leader said when she arrived, she was told that "ULSA is powerful in running the institution, and that if one wants a job, you must align with ULSA." Another student said "As we were being lobbied, at the forefront of all discussions, we were told about post SRC plans and how members of ULSA were able to arrange Jobs for comrades who support and pledge loyalty to them and that if we aligned accordingly, we would be taken care of. The idea of having to go back home after being exposed to the kind of life the UNISA NSRC exposes us to was unfortunately a horrible idea for some of my colleagues and they gave in".*
- m. *Following the arrest of the students, most of them narrated about a meeting that was held after their release. "On that Thursday, we had a meeting after we were released with ManCom. I remember that the VC, Prof. Ndlovu and Mr Maimela were there. We wanted ManCom to take decisions. The problem is that even that meeting could not proceed because some people arrived in that meeting and disrupted the meeting". Another SRC member in narrating the story said "She {the VC} wanted to meet with us after the arrest. We wanted to talk about the issues that affect our students. We agreed to meet after we attended the court case.... We went to the meeting, all the regional SRC members, and she was there with Prof. Ndlovu and all the ManCom members. I think we were still arguing because she wanted to read a long-prepared speech – we wanted to*

*know what was happening with the academic results. While we were arguing about that, there were people entering wearing t-shirts which said ULSA, and they came and said that we can't sit with the VC, and they took her away."*

- n. When asked about the allegations of ULSA using College resources, the President of ULSA said *"The College of Education supports CEDUSA better than any other college. The Accounting Students Association is also better supported than any other structure. You are welcome to make your own assessment. According to my knowledge, there are events and programmes every three months over weekends for the Accounting students, which the College supports. All the colleges benefit more from the student structures, in terms of bridging the gap and engaging communities and constituencies. On the question of whether we have been assisted, there are specific events for which we need assistance – since ULSA was established in its current form, there have been five such events. We have had numerous meetings with the College management about this, who said that we should register with Student Development to get access to a budget. I think that the College of Law does not support ULSA as much as the other colleges. ULSA has never called a single gathering or programme for which the College of Law provided support or catering. All our programmes are communicated digitally, and there has never been any single email where we requested funding or t-shirts or other sponsorship. There is no evidence that suggests that we receive abnormal support from the College of Law. We only work with the College of Law when we are invited to participate in a specific, formal programme."*
- o. On the alleged unfair advantage of the ULSA members on appointments, he said *"there was a grow your own timber programme in the College"* and because of their political and student activism they would be absorbed.
- p. The Dean denied the favouritism of ULSA, and that as Dean he had a meeting with "very angry students" belonging to ULSA who were saying that the College of Law was not supporting their students. As a college, they do not sponsor ULSA, but they are obliged to serve all the students equally, and not to give students associated with ULSA any preference. He further denied to ULSA having access to the College resources. He added that *"We remain true to our principles. From time-to-time formations may have a conflict with another structure, and they will presume that I am supporting ULSA and spread rumours. That is not the case."*
- q. A staff member in the DSD commented that there is different support from colleges, which intimidates political structures because they can see that they may be displaced. It appeared to me that the issue of the advantage of ULSA over others had been escalated to DSD, and a staff member indicated *"I had to ask the College of Law to hold back on their support, because we are in the election time. If there is money being put into the launching of structures, the political structures will see it as the university supporting a specific structure. They said that they would*

*not back off, they want ULSA to be a dominant structure and that there would be benefits for the institution. There would be benefits for students, because they also stand for the best interests of the students, creating opportunities and training directly with the students."*

- r. It still remains a stalemate that the DoS and other stakeholders should look at. It is a fact that the Constitution of the SRC needs revision. A robust engagement of the eligibility criteria and constituencies should be undertaken to ensure that structures indeed support students in line with their mandate and not drive political agendas.

#### **4.1.5 Other Statutory Bodies**

- a. Besides, the Council, Senate and the SRC; the Institutional Statute makes provision for the Institutional Forum (IF) and Convocation.
- b. The IF is established in terms of section 31 of Higher Education Act. Its membership is elected from a broad range of stakeholders, and includes representatives from *inter alia* Senate, Executive Management, Council members, academic and non-academic staff, unions and students. Its role is to deliberate and advise Council on a wide range of issues affecting the institution. While an IF must advise Council broadly ("on issues affecting the institution"), the Act directs its attention to five specific areas: the implementation of legislation and national policy, race and gender equity, the selection of candidates for senior management positions, codes of conduct, mediation and dispute resolution procedures, and "the fostering of an institutional culture which promotes tolerance and respect for fundamental human rights and creates an appropriate environment for teaching, research and learning.
- c. In terms of the Statute, the UNISA IF consists of the following representatives:
- i. two members of senior management, designated by the management committee;
  - ii. the dean of students;
  - iii. the Executive Director (ED): Tuition and Facilitation of Learning;
  - iv. one external member of council, elected by council;
  - v. two members of senate elected by senate;
  - vi. two permanent academic employees elected by such employees;
  - vii. two permanent employees other than academic employees elected by such employees;
  - viii. two students from the students' representative council elected by such council;
  - ix. two members nominated by each sufficiently representative employees' organisation;
  - x. two external members recommended by the management committee and approved by council;

- xi. one of more members co-opted by the institutional forum to assist it with any specific project or projects.
- d. At the time of the assessment, the IF consisted of the following members:
- |       |                   |   |
|-------|-------------------|---|
| i.    | Prof OJ Kole      | Senate representative                       |
| ii.   | Mr R Mathura      | Management representative                   |
| iii.  | Dr EP Mokgobu     | Management representative                   |
| iv.   | Prof M Magano     | ED: Tuition and Facilitation of Learning    |
| v.    | Mr DG Mabasa      | Academic Employee representative            |
| vi.   | Ms V Hlongwane    | Academic Employee representative            |
| vii.  | Mr S Bila         | Employee other than academic representative |
| viii. | Ms L Lewis        | Employee other than academic representative |
| ix.   | Prof ID Mothoagae | Union representative - APSA                 |
| x.    | Mr JJ Jonker      | Union representative - APSA                 |
| xi.   | G Magwaba         | SRC representative                          |
| xii.  | Adv MJ Majodina   | External member appointed by Council        |
| xiii. | Mr PR Thulo       | External member appointed by Council        |
- e. I observed that the IF was not constituted as per the Statute and that several members of the IF were also serving on other structures almost in the same capacity. For example, Prof Kole was also a member of Council elected by Senate, and he is also on the IF in the same capacity. Likewise, Prof Mothoagae and Mr Jonker were members of Council as the two permanent academic employees who are not members of Senate and also IF members as APSA representatives. I find this to be counter-productive, and in fact I ask myself when do these employees get time to perform their employment duties when they are serving in so many structures. It also undermines diversity of views in these structures.
- f. I randomly selected some members of the IF to interview, besides the many others that were serving in many other structures. One interviewee said “*I have been a member of IF and attend meetings now and then. When I look at the agenda, I would say that there are personal vendettas, that this one is fighting that one, and when it is time to vote some abstain and some are not comfortable to vote*”. IF having a role in mediation and dispute resolution, when one was asked about the known tensions between the VC and Registrar, the response was “*I won’t comment on that. I don’t know much, so I cannot say anything. I don’t know them. Even if I parked next to the Registrar, I would not know if it was him*”. One indicated to not even know the fellow members as all meetings throughout have been online and people do not even display their videos.

- g. Looking at the annual reports of the past two years, 2020 was described as a difficult year due to the Covid-19 pandemic and the lockdowns, thus only one meeting was held in July. During 2021, the IF met seven times and its EXCO three times; and advised Council on the enrolment plan for 2021, and the appointments of the Chancellor and VC.
- h. It does not appear to me that the IF is optimally fulfilling its Act-given functions within the institution. There are so many problems and issues facing the University, many of which should be occupying the collective minds of members of the IF for ongoing advice to the Council. A further problem is the two-year term of office, which I view to be very short. It takes time for one to be inducted and familiarized with the work of such a structure. The short term of office is such that as soon as the member starts to understand the work, their term ends; new members come, and the cycle continues.
- i. **Convocation** is another statutory structure whose role is to enable the participation of the alumni in the governance of the university, and also provides a statutory connection to its former students. During my introductory meetings, I had planned to meet with the members of the Convocation EXCO who were not members of the University Management, but the meeting did not take place as there were no members to meet with. According to the information provided to me, the EXCO consisted of:
- Prof P LenkaBula VC / Acting President of the Convocation
  - Prof MS Mothata Registrar
  - Mr. M Nhlangulela Co-opted Members
  - Rev S Hlatshwayo Co-opted Member
  - Mr M Modiba Invited Member of Convocation (also members of the Council)
- j. There was no meeting of the Convocation that was called to elect office bearers or to report on matters of the Convocation, as required by the Act. I get the sense that UNISA is casual about the statutory importance of the Convocation and disregards its obligations in this respect.
- k. I noted a situation which resemble the pattern of events that seem to be playing out in the sector. The Convocation is used as a platform for members of the SRC to remain involved in the affairs of the University post their years as students. The former President of Convocation was a former student leader and President of the SRC; took over the Convocation and became a member of Council. He is said to have been part of the Council that shook things up at the University. He was appointed the Chairperson of the ICTCoC, with no ICT qualification or experience. He has a BA in Psychology from the University of Pretoria; as a postgraduate student at UNISA he completed two Honours degrees, one in Psychology and the other in History and a Master's degree in Psychology specializing in the area of substance and alcohol abuse. Following the release of the MTT Report, he resigned from the Council and became employed at the University under very

mysterious circumstances. At the time of the assessment, I was made aware that the employment contract had expired and there appeared to be problems renewing it, but he was still working and had access to everything as an employee generally would.

## 4.2 The University Management

The University Management including the Office of the VC and the Management Committee considered and evaluated during the independent assessment discussed next.

### 4.2.1 The Office of the Principal and Vice-Chancellor (VC)

The following section presents information related to the Vice-Chancellor(s), firstly I discuss the appointment of the current VC, this is followed by the structure of her office. I conclude this section with context and information on the previous VC.

#### 4.2.1.1 Appointment of the VC

- a. In terms of section 48(3) of the UNISA Statute, the VC is responsible for the day-to-day management, administration and leadership of the University in respect of:
  - (a) *the overall institutional leadership and policy development in respect of -*
    - (i) *resource management;*
    - (ii) *performance management;*
    - (iii) *strategic planning and development; and*
    - (iv) *change and transformation management.*
  - (b) *finance and resource development;*
  - (c) *internal audit and risk management; and*
  - (d) *corporate systems.*
- b. I received representations that the current VC did not qualify for the position since she did not fulfil the 10+ years' experience required by the advertisement. Allegations were further made that the process was manipulated to suit her. In assessing what the facts around this matter were, I embarked on a number of activities.
- c. I scrutinized the advertisement that was issued by UNISA and Academic Partners from which the date does not appear. Requirements from the advertisement were:
  - At least a Doctoral Degree and deep insight into virtually every aspect of higher education;
  - 10+ years' experience in which all these aspects are demonstrated;

- A person who is an accomplished academic and leader with proven strategic vision, wisdom and determination and demonstrable experience in executive academic management who will have a student-centred approach to the academic agenda.
- d. I noted that the advertisement is open-ended and could be subjected to multiple interpretations.
  - e. I had initially requested the detailed CV of the VC, all ManCom members, Executive (Acting) Deans and Executive (Acting) Directors. It was therefore possible for me to analyse the matter.
  - f. In order to be fair to the VC, and further indicating to her that she did not appoint herself into the position; however, I wanted to hear her response to the allegation that she did not meet the minimum requirement of 10+ years' experience in senior management.
  - g. In response, the VC said, "*The allegations that I am under qualified makes a mockery of the national policy systems, including of potential and opportunity, whether affirmative action or talent analysis or the work that I have done since I started within the university, civil society and business. It does not take into consideration that for a very long time I have held executive responsibility in international settings in globally respected organisations that have been active in the liberation of the country or as allies in the liberation of the country. The work that I have done as the ED for the World Alliance of Reformed Churches, one of the critical ecumenical organisations, is sometimes negated*".
  - h. My factual analysis based on the information presented to me is the following:
    - i. The VC earned her PhD in Theology with a specialization in Ethics in 2006 from UNISA.
    - ii. Before that, she held short consultancy positions at the SACC and EU Commission in South Africa (Oct 1998 -May 1999, 8 months), the Institute of Contextual Theology (June 1999 – July 2001, 2 year); KPMG (May – Aug 2001, 4 months), Community Church Leadership Trust (July 2001 -Dec 2001, 6 months).
    - iii. Between Oct 1997 - July 2001 she was a Part-time Lecturer in the Department of Systematic and Theological Ethics at UNISA.
    - iv. She became an Associate Professor in Ethics between 2009 – 2016 and was a Lecture and Senior Lecturer between 2001 – 2008 at UNISA.
    - v. Between Jan 2011 – Dec 2014, she held the position of Strategist and Advisor to the VC and Director for Projects in the Office of the VC at UNISA.
    - vi. She held the position of Dean of Students (DoS) (Post Level 4) at UNISA (Jan 2014 – Feb 2016, 2 years, and 2 months).
    - vii. She was Executive DoS (Post Level 4) at Wits reporting to the VC according to the information provided to me (Mar 2016 – Mar 2018, 2 years).

- viii. She was then Vice Rector / DVC: Institutional Change, Student Affairs, and Community Engagement (Post Level 2) at the University of Free State (May 2018 – Dec 2020, 2 years, and 9 months).
- ix. She was also Executive Strategist Consultant at the Motsepe Foundation (2013 – 2020).
- i. I went further to inquire from some of the members of Council who were in the Selection Committee. One member who had raised concerns about the selection processes, revealed that he was called on a Saturday morning by the previous Chair of Council to inform him that he was no longer a member of the selection panel. He received no formal correspondence on this. Another said, in hindsight that they misread the 10+ years senior management experience requirement as they presumed the DoS position to have been an Executive position. Another said the VC gave a very good interview and he thus voted for her. There were other mixed reactions from other members of Council who were present in the meeting that finally decided to appoint her into the position.
- j. I came across the Academic Partners Report submitted to the Portfolio Committee regarding the VC appointment process at another university around 2020 which was subjected to an enquiry. The Report reads “*Because of the specific request to identify strong female applicants, Prof Puleng LenkaBula was presented with the full knowledge she fell short of the 10-year experience in a senior leadership role. Whilst the Selection Committee liked her application, they were resolute on the fact that all candidates had to meet the ‘10-year criteria.’*”
- k. Having considered all this information including other allegations made in this respect, I strongly believe that the advertisement was poorly constructed. I have yet to see a VC who “*has deep insight in virtually every aspect of higher education*”. This is grossly unfair towards the candidates. The authors of the advertisement have no deep insight in virtually every aspect of higher education themselves if they were to be assessed. That cannot be expected of anyone. This is a very poor reflection of Academic Partners who have been involved in executive appointments in higher education in South Africa for a while.
- l. The next requirement is a 10+ years’ experience in which ‘a deeper insight into every aspect of higher education is demonstrated’. This requirement, which some allege was tempered, with is fuzzy, to say the least. Having looked at the three candidates that were shortlisted, one was a solid academic with only about 18 months stint in the office of the former VC assisting with various projects. This was a candidate that was pushed ‘against her will’ to make herself available. She has an impressive publications record. According to the above two requirements, she would not come even close to a deeper insight into every aspect of higher education and have 10+ years’ experience to demonstrate it, but she was shortlisted. The other candidate had at best 6 years of senior/executive management experience and approximately six years teaching experience but

has no academic CV at all to make up for the unfair requirement alluded to above. The candidate that was appointed does not have the 10+ years' experience, where a deeper insight of every aspect of higher education is demonstrated.

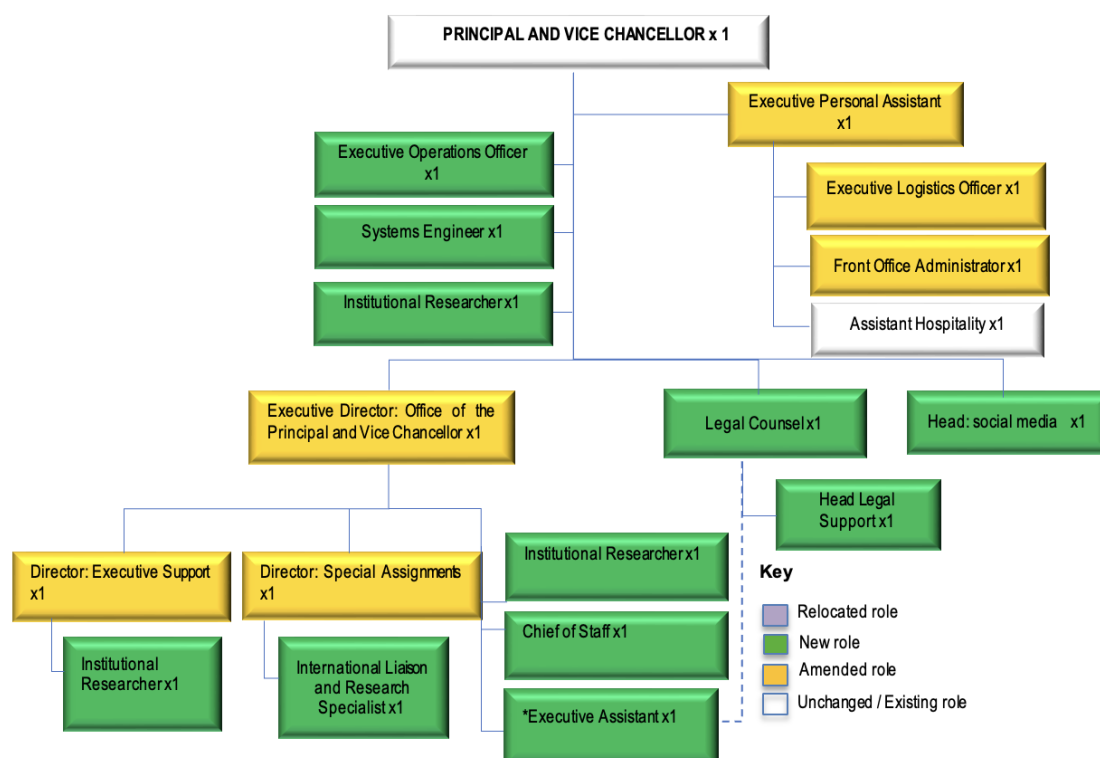
- m. The governance failure of the Council can therefore, not be blamed on the candidates that hopefully presented themselves in good faith responding to a poorly written advertisement.

#### 4.2.1.2 *The Structure of the Office of the VC*

- a. The VC is the chief executive officer and is responsible for the overall management and administration of the University. The VC fulfils these duties being assisted by the Vice-Principals (VPs), seven in the case of UNISA. It is common cause that the Office of the VC will have support staff. The staff complement in the previous VC's office consisted of a Personal Assistant, a Director of Projects, and a driver. The current VC assumed office on 5 January 2021, and when asked how many staff were in the VC's office when she started, she said "*No one*"; and that the current structure she has is on borrowed resources. She indicated in an interview that she has about 8 personnel in her office.
- b. According to the information that I received and from the various documentation provided, I came across the following positions and/or personnel in the Office of the VC:
- i. Prof MJ Masenya ED: Office of the Vice-Chancellor
  - ii. Dr O Mabusela Director: Legal Support (Secondment)
  - iii. Mr David Maimela Director: Executive Support
  - iv. Mr M Ramotshela Director: Communications (Acting)
  - v. Ms TC Moemise Chief of Staff (Secondment)
  - vi. Mr JT Ramasodi Executive Support
  - vii. Mrs RF Maswime Manager
  - viii. Mr KM Lekhuleni Driver
  - ix. Receptionist
  - x. Hospitality Assistant
- c. The organogram of the current VC that was provided to me, had and the following positions:
- i. ED: Office of the VC
  - ii. Director: Executive Support
  - iii. Director: Special Assignments
  - iv. Director: Institutional Contracts
  - v. Personal Assistant
  - vi. Receptionist
  - vii. Hospitality Assistant

## viii. Executive Driver

- d. The ED in the Office of the VC submitted a memo dated 28 February 2022 to the HR Department requesting an expansion in the Office of the VC. The memo proposed 11 new positions, while abolishing two existing positions (Director: Institutional Contracts and Executive Driver). In May 2022, HR made a submission to obtain the ManCom's recommendation enroute to the HRCoC for consideration and decision of the revised structure.



- e. According to the Minutes of the HRCoC of 6 June 2022, the Committee queried why the position of Chief Operating Officer was not considered, how the offices of the vice-chancellors at other universities were structured, the financial implications of the restructuring given that the Council had resolved that some of the vacant positions in the University be frozen or abolished to free funds for salary increases. In response the VC stated that the proposed structure aimed to comply with the Statute while optimising the functions of the Office of the VC. As such the position of Chief Operating Officer had not been considered for compliance purposes as it was not provided for in the Institutional Statute. Benchmarking against other universities would not work as the University catered for over 300 000 students while other local universities catered for 30 000 students.

- f. The HRCoC recommended the revised structure to Council for approval. At its meeting of 14 December 2022, the Council resolved to approve the proposed structure on condition that it was implemented in a phased-in approach based on the available budget. The 2022 HR budget for the VC was R9,484,117; while the cost of the structure in 2022 was R8, 997, 053. The envisaged cost of the new structure is R23, 323, 561 thus requiring an additional R14, 326, 508.
- g. I find the argument proffered here being disingenuous. The size of the student population did not suddenly grow to what it is now. It has always been proportionally larger than all other universities, however the previous VCs had a reasonable staff complement in their offices. In my years of higher education, I have not seen such a bloated structure anywhere. Besides the magnitude of the additional posts that are being created, upon a closer examination of some of these positions and their key performance areas, I struggled to understand. For instance, there is the ED and there is a newly established Executive Operations Officer position whose role is to act as a strategic link between the Office of the VC and the internal and external stakeholders; and provide executive operational support to the VC regarding meetings, reporting and monitoring. This is in addition to a newly proposed Chief of Staff position.
- h. There are also three Institutional Research positions, the first one is to provide support to the VC with conducting basic research, and drafting speeches, presentations, reports and submissions; the second is to provide support to the Director: Executive Support with the same functions; and the third is to provide support to the ED in the Office of the VC with the same functions and liaising with the portfolio of the VP: Strategy Risk and Advisory Services for the facilitation of strategic reports for Council and the VC's summits. I ask myself where will the Director: Executive Support be delivering speeches to require this kind of support. Besides, institutional researchers are specialist librarians / information specialists that may perform tasks as and when requested by the VC, and then continue with their normal duties for a normal 40 hour week.
- i. The new positions being proposed include positions that appeared to be a duplication of structures that already exists in the University, such as, amongst others, a Legal Counsel and a Head: Legal Support although there is a LSO in the University headed by an ED which is supposed to deal with all legal matters. Also proposed are a Systems Engineer and a Head of Social Media, an International Liaison and Research Specialist, and an Executive Assistant.
- j. Looking at the overall organisational structure, I identified directorates and divisions which may be duplicated by some of these proposed positions. Under the VP: Institutional Development, there is a Directorate: Stakeholder Engagement, Projects & Coordination. Under VP: ICT is an ICT Systems and Operations Directorate, thus bringing to question the role of the Systems Engineer whose key performance areas include designing, implementing and maintaining the

information technology; and creating control features to ensure that systems effectively meet the organisation's quality standards. VP: Strategy, Risk and Advisory Services also has an Institutional Research Directorate under the Department of Institutional Intelligence, Division of Governance, Reporting and Support; and the Department of Legal Services/ Chief Legal Advisor. The positions in the University are meant to serve the University rather than an individual. I am of the view of that this appears to be a move to consolidate power within the office of the VC; or an indication of lack of trust of the VC in the VPs. Nonetheless, this is unsustainable.

- k. In a document to Council entitled "Capacitating the Office of the Principal and Vice-Chancellor", dated 24 November 2022, authored by the Acting ED: HR, it is conceded that there is a risk of duplication of functions in the University, for instance in Legal Services, Institutional Advancement, ICT and Institutional Intelligence. It proposes that the roles should therefore be clarified between the VC and the relevant stakeholders to ensure that responsibilities are clearly demarcated.
- l. When the VC was asked about apparent duplication of functions, she responded that governance, MOUs and contractual systems are strengthened by the proposed appointments and that all aspects of the law needed to be strengthened. She does not see these proposed appointments as a replication of existing functions, rather as a strengthening of legal capacity, thereby ensuring compliance. Also, the Director Projects and Director: Executive Support was to support the vision of the university in relation to projects, while a systems engineer is needed as there is no VP doing assessments of teaching and learning and systems analysis in this area is needed with regard to teaching and learning information in order to make constructive decisions made on the basis of factual information and analytics. A Social Media and Communication expert would strengthen university communication with the media. A 'Chief of Staff' is needed to coordinate the work of the VC's office internally, ensuring that calendars and agendas are coordinated.
- m. I do not think this is an efficient usage of the tax-payers money that is invested to the University in order to provide quality teaching and learning, something that I found to be extremely compromised at UNISA. This is an institution that is operating with significant shortages and vacancies of academic staff. Many academic staff complained of burnout, college Deans highlighted the skewed lecture/student ratios. One Dean put it this way "*the skewed lecturer/student ratios which inevitably compromises the quality of attention to students and the level of service*". I also found it to be the failure of governance for council to simply rubber-stamp this proposal without proper scrutiny. My finding on this is that the VC has no capacity herself to surround herself with so many staff members, some of whom give instructions to VPs, from what I heard. Council failed the university and the public with this decision.

#### 4.2.1.3 The Previous VC

- a. It is undeniable that the VC inherited many problems when she assumed the position in January 2021. I heard that “*the rather chaotic ending of the previous Council and the establishment of the new one was the defining moment in the unravelling of UNISA. Dr Mathews Phosa and the previous Council members ... were of high standing – intellectually, in terms of their academic profile, etc. Council members would say ‘here is a copy of the book I just published’, or ‘here is a copy of a journal article that I just wrote’. You knew that the composition of the Council and the strategic direction they were pushing was befitting of the institution. There was no planned succession, and the quality of the Council members who then came in you just cannot compare, it was chalk and cheese. What was worrying me was this issue of people who are hungry, who are consultants, and I suddenly had this experience which never happened before where people would come and say I’m running a consultancy business, I see you have connections, can’t you hook me up. We had hustlers and people with no university experience.*”
- b. I also learnt of a Council meeting of 2017 wherein the former VC was threatened to be fired by Council, which apparently affected him and management’s position on strikes and salaries, etc. According to the testimonies I received, the former VC began to be very fearful of the Chair of Council and the Council; the Council began to be very much involved in operational matters; the University shifted from “the rule of law towards rule by law, where the law was weaponised inconsistently”; the unions became emboldened while the voices of academics got muted; the notion and ethos of an academic enterprise, free speech and robust engagement diminished. One interviewee said “*I noted that he was no longer the person who ascended the seat of VC as somebody that took decisions*”.
- c. Stakeholder relationships began to shift where the “*University power was not resting on the Statute, but on stakeholders like NEHAWU, APSA, EFF SC and others. There was the Statute on one side, and more powerful, the informal arrangements which saw more and more appointments coming through these informal arrangements. It became more obvious as people were taken out, and others came in*”. Stakeholders became weaponised by those in positions of power. For instance, I heard about how “*The Management would propose a salary increase, and stakeholders would meet separately with the Chairperson, saying you guys with your graphs can do what you want, we have a deal with the Chairperson.*”
- d. I interviewed the former VC to get his testimony about the allegations that things went wrong during his tenure. On the question of what went wrong, he gave the following account:

*“When I started, there was an excellent Council in place, and I recall all the previous Councils also being viewed with appreciation for their arm’s length governance, without interfering in the*

*running of the institution. On the question of the Act, they knew what their roles were. It was an exciting time when I moved to the position of Pro Vice Chancellor and later VC, because of this strong sense of governance. In 2015 and with the advent of #feesmustfall, I started to see a problem raising its head in the university. The very first attempt which was pursued to its logical conclusion was to say that there was no interest in having {the former members of Council} operating in Council at the time, that they had to exit. It came as a shock that they had to exit, these people just bulldozed a Council meeting.... There was a question about why Dr Phosa was still in Council, because he had exited. I explained that Dr Phosa's time had ended, but that Council asked that he should continue to support them for another three months to provide a transitional period. The Deputy Chair at the time took over as interim Chair, but the tensions were strong, and continued. We did not know where they emanated from, whether from inside or outside, and there was this insistence that they did not want the Council. ....The refusal by the students that the Deputy Chair should chair that meeting caused even more stress, despite us saying that she was just an interim chair until the end of the year. We could not continue with that meeting and could only resume after negotiations around mid-day. They insisted that we elect a new chairperson from the meeting, and a new Chair and Deputy Chair were elected. From our side, we were not clear about developments as they were unfolding, but it was clear that the meeting would not proceed if we did not concede..... The first thing on the agenda was that we should drive transformation, and I said no, hold your horses, we could tell you about transformation in the university. Regardless of that explanation I provided, they were dismissive. I realised that this was a new thing, beyond what we anticipated, it was just meant to be disruptive. They also presented the insourcing of contract workers, and I said that would need a process. For the first time, there was a tussle between management and Council, you would walk into a meeting, and it would be a battle ground, there were accusations that management was disrespectful of Council, and that narrative did not stop. We had to appoint new members of the Executive Management because others had exited, people who were with me were retiring but others were subjected to reviews and chose not to continue, not wanting to continue being subjected to what transpired in 2015 and 2016. Eventually, I had to continue with a reduced Executive Management. .... Now, suddenly, after that invasion and with the new Council, something happened where I no longer had a voice. I would make a recommendation, and it would be kicked out – I eventually asked in one of the meetings why I, as the person understanding the environment best of all, why there was no support. They said that there could be no situation where the VC could appoint his own people to Executive Management. I ended up with an Executive that I had no say about. This explains the situation where I would find huge weaknesses in individuals, but under the circumstances I could not take a hard line position apart from calling upon them to improve. Those weaknesses might have been known to us from the interview process, but because we did not have a voice in their appointment, I ended up with these weak*

*individuals in my second term particularly, which was very difficult. I ended up thinking that if I exited the university now, I would be selling out the masses. I had institutional memory, I knew how things were, and how they could be. I decided to stick it out."*

- e. The account which corroborates the many versions I heard from several other people of what went wrong is extremely disturbing. It appears to me that certain rogue elements infiltrated Council to pursue their own interests above those of the University. It is vitally important that the council does not interfere or undermine the executive team although the Council must exercise checks and balances to ensure that the institution is well run. The VC is the face of the University, although he/she is accountable to the council. What transpired was a total disregard of the provisions of the Act and good governance principles.
- f. Whereas I have a deeper understanding of institutional governance and the role of the VC in relation to Council, I find that the previous VC failed in his duty in the period between 2016 and 2020, by allowing himself to be weakened by a network of individuals within Council. There were early warning signs and he seemed to have ignored them and hoping things would become better.
- g. Given his extensive knowledge of the higher education system, and in particular his longevity at UNISA, he failed to come to terms with the fact that UNISA was a public university funded by the taxpayers for the public good. I may not have been in his shoes, however I question why he did not seek the Minister's intervention. I am aware of a number of VCs who raised their hands and voices when they found themselves under siege and some Councils were dissolved as a result.
- h. The previous VC together with his management further adopted a nonchalant attitude towards the unacceptable behaviour of NEHAWU, APSA, SRCs, Black Forum, the College of Law, a free handout of professorships, deterioration of student services and pervasive non-compliance to HR, finance, ICT policies, a trend that continued unabated.
- i. So indeed, the current VC did not inherit a properly working institution but one where stakeholders appeared to have unfettered powers. I was told by some that the current VC neutralised the powers of the unions which the former VC failed to do. The idea of co-operative governance espouses the principle of democratisation which should ensure governance that is democratic, representative and participatory and characterised by mutual respect, tolerance and the maintenance of a well-ordered and peaceful community life. Structures and procedures should ensure that those affected by decisions have a say in making them, either directly or through elected representatives. However, this principle appears to have been seriously abused and weaponised and it can create a difficult environment for those entrusted to manage the institution.

- j. Within the principle of cooperative governance, it is management's duty to run the university, and it is the duty of Council to ensure that the university is run properly. Structures and procedures should provide for stakeholder participation in decision making, not for them to govern or manage the University.
- k. That being said, there were several allegations that were made against the current VC, which formed part of the terms of reference of this assessment. They are dealt with later in the Report.

#### **4.2.2 The Management Committee (ManCom)**

- a. Besides the University's office-bearers, governance structures, the Statute defines the role of the University's management structures.
- b. According to the UNISA Statute, the VC performs his or her functions, with the assistance of a management committee (ManCom) which consists of the principal and vice chancellor; the pro vice chancellor; the vice principals; and the registrar. The ManCom is responsible for the day-to-day operational management of the University.
- c. The Statute also provides for an extended management committee (EMC) which consists of the members of ManCom, the executive deans of the colleges; the deputy executive deans of the colleges; the EDs; deputy EDs; and the deputy registrar. The EMC would discuss academic and administrative interest and serves in an advisory role to the ManCom.
- d. At the time of conducting the assessment, the ManCom of the University was as follows:
 

i. Prof Puleng LenkaBula	Principal and Vice-Chancellor (VC)
ii. Ms Mathabo Nakene	VP: Information & Communication Technology
iii. Dr Phasoane Mokgobu	VP: Institutional Development
iv. Mr Matsiababa Motebele	VP: Operations and Facilities
v. Prof Khehla Ndlovu	VP: Strategy Risk and Advisory Services
vi. Prof Zodwa T Motsa Madikane	VP: Teaching Learning Community Engagement and Student Support
vii. Prof Thenjiwe Meyiwa	VP: Research Postgraduate Studies Innovation and Commercialisation
viii. Mr Khathutshelo Ramukumba	VP: Chief Financial Officer
ix. Prof Steward Mothata	Registrar
- e. At the time of the Independent Assessment, none of the ManCom members served in an Acting capacity. However, the next layers in both colleges and the administration had various Acting

appointments, some renewable beyond the period approved in the policies. This does not only promote instability, it also undermines the strategic intent of the university.

- f. Having spoken with all the members of the executive management, it was striking how despondent the team was. ManCom is not a vibrant, agile and responsive team, that is excited about their jobs. I observed an environment where there is no teamwork or cohesion or synergy amongst the members. It is common cause that one would never expect a group of people from diverse backgrounds and ideologies to simply start working fluidly just like that, without any effort.
- g. The UNISA management environment appears to be one where there is little trust, and no collective vision and support. Instead, it is a situation where there is suspicion, poor communication, and the focus is on individual survival and how to protect one's position. They are treading very lightly as they walk on eggshells fearing for their jobs. Efficiency, collaboration and innovation become sacrificed in such an environment. It's a difficult environment that renders people inefficient and unable to function.
- h. This is different from the ideals and goals of higher education as articulated in the White Paper 3 that "*Higher education has an unmatched obligation, which has not been adequately fulfilled, to help lay the foundations of a critical civil society, with a culture of public debate and tolerance which accommodates differences and competing interests. It has much more to do, both within its own institutions and in its influence on the broader community, to strengthen the democratic ethos, the sense of common citizenship and commitment to a common good*". Institutions are expected to "*establish an academic climate characterised by free and open debate, critical questioning of prevailing orthodoxies and experimentation with new ideas*".
- i. The functioning and efficacy of management is not optimal. ManCom has its regular meetings, perform all other functions within their domain, but it is patently clear that all is not well. I also observed that there appears to be no regular one-on-one meetings between the VC and the individual members of ManCom.

#### **4.2.3 The Relationship Between VC and Registrar**

- a. The glaring tension between the VC and the Registrar was something that I heard about from students, staff, managers at various levels and members of council. While one described their relationship as "*very clinical, professional, technical and no hurling of insults*", the VC described the relationship as difficult attributing it to the Registrar's "*passive aggressive approach*". She however indicated that she had to take a firm stance to ensure accountability; and below is what she said when asked about the relationship: "*I needed to bite the bullet and humble myself to request Prof. Mothata to do his work, and if he does not, to put in writing what the negotiables*

*and non-negotiables are. I did not leave it to the formalities of work and professional accountabilities, I have also asked Council to mediate it because it is affecting the university negatively. When I saw that it was not working, I had to use another tactic, the Joint Operations Team to deal with the interdependencies between portfolios. At a management level, that is acceptable, but at the governance level you inundate people with work they should not do. I have gone to Council multiple times to say that we cannot function like this. .... His attitude has created a sense of negativity in the institution, with groupings and contestations that overall creates a negative sense throughout the university. It goes against the spirit of Ubuntu and the idea that universities serve the community."*

- b. When the question was posed to the Registrar, he indicated that the relationship was good when the VC started and they had regular meetings, and respect for each other. The relationship was definitely good at first that she appointed him as the Acting VP: Operations and Facilities when the substantive incumbent left the University. He stated that the problems started when the renovations at the VC's official residence started. *"Then the renovations started. There were four directors in charge of the actual renovation process, and they reported regularly through the ED to me. ... There were demands from her, and I remember at some point asking her not to be involved in this. But the problem was that she bypassed me by going straight to the Directors, which was when the problems started. She sent them WhatsApp's, telling them what to do. I did not know about all these things until the pawpaw hit the fan. The Directors have all these things on record. Shopping was done, I did not know that she requested people to go shopping with her for the house. When you start doing that, you get into trouble, and when RemCoC asked for a report it started going wrong. I had a tape from a meeting with the Directors where they say that she phoned them at night and sent them WhatsApp's, and I told her that she should not be involved, the Directors know what to do. If you don't like the colour of the curtain, live with it. This is not somebody's house; this is the university's house. I told her, and I was ignored."*
- c. I asked the Council Chair about what Council is doing about it. The Chair said *"It is an agenda item on the Council agenda. We took a resolution which says that Council is worried about the unhealthy relationship between the VC and Registrar, and that the Chair and Deputy Chair must mediate the relationship, and if that does not yield results, Council will revisit the situation."* When further asked how did Council, as the highest decision-making body of the University, become reduced to being mediators rather than taking decisions about this, given the conflict that may arise; the Chair had this to say *"My understanding is that if the relationship is broken down irreparably, we would hand it over to the professional mediators. We are not perfect, but that is the resolution. It is a major concern, and we do realise that there are implications that must be considered."*

- d. It became clear to me that the relationship had become irreparable; and it was seriously impacting the work of the University. An example being the manner in which the issue of the DoS has been handled. Having been Registrar for many years, I understand the ethical and legal difficulties that may arise in the day-to-day relationship between the VC and the Registrar owing to the double-hatted Council Secretary/ management role of the latter. This is about the conflict between the legal duties and responsibilities to the Council, and responsibilities as a member of the management team reporting to the VC. Borrowing from the MUT Independent Assessor (2018), "the Registrar is the fulcrum of the Governance and Management delivery of the university". Perhaps having the Deputy Registrar: Governance Support serve as Secretary of Council does to some extent absorb the impact of the fallout in the relationship between the VC and Management from a governance point of view. However, the relations between the VC and the Deputy Registrar: Governance are not as healthy as they can be, as a result of the aftermath of the Bowman's Report. See 4.4.5.4 (g) and (h) below.
- e. The UNISA Registrar's portfolio includes the regional service centres which are meant to provide many key services to students including counselling, library assistance, tutorials, student administration and technology support, as well as student development division. Given the many complaints I received from students, I ask myself to what extent has this fall-out impacted negatively on the Registrar's Portfolio to function effectively in the provision of services to students? I find it that Council failed in its duty by allowing this to continue for more than a year.
- f. I also received complaints about the appointment of Mr Motebele as the VP: Operations and Facilities. He previously held the position of Project Manager in the same portfolio between 2012 – 2019. He then left to take up a position of ED at another university between November 2020 and February 2022, before his appointment as VP at UNISA. He was implicated in some irregularities when he was the Project Manager in an investigation by Internal Audit. By the time the investigation was concluded, he had left the University. Yet, it seems that this critical information was not considered in his appointment; and if it was then the facts were disregarded.

### 4.3 The Office of the Registrar

- a. The following sections focus on the evaluation of the Office of the Registrar and presents the related findings and recommendations. According to the Terms of Reference, I was tasked to investigate the operations of the Office of the Registrar in relation to the management of academic affairs, registration and certification matters and any other matters that the Independent Assessor believes warrant investigation.
- b. The Office of the Registrar at UNISA is described as the “*axis upon which the university runs*” serving as the institution’s student administration hub and custodian of institutional and student governance<sup>12</sup>. In short, this Office is responsible for student administration and institutional governance and includes ensuring that all programmes offered by the university are accredited and registered by the relevant authorities. In addition, the Office is the official secretariat of Senate and Council and takes functional responsibility for all official Committees. One additional responsibility in the Office of the Registrar at UNISA is the Music Directorate. In terms of student administration, the main functions are:
  - Student Admissions and Registrations
  - Student Assessment Administration
  - Graduation and Records Management
  - Regional Centres

#### 4.3.1 Structure and Functions in the Office of the Registrar

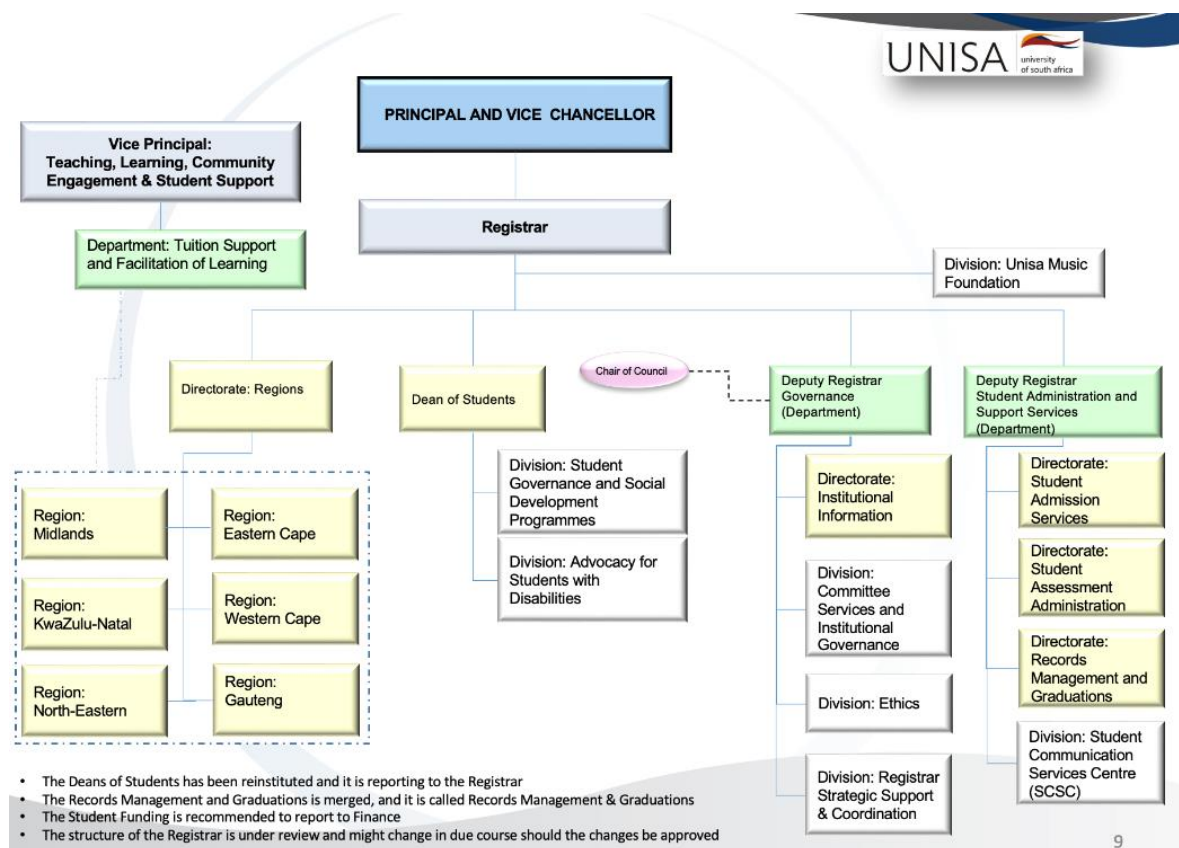
- a. The structure of the Office of the Registrar is explained in the Self-Evaluation Report <sup>13</sup> as consisting of two departments namely Deputy Registrar: Student Admissions and Systems Integration and Deputy Registrar: Governance. The portfolio further consists of 12 Directorates that include the 6 Regions (Eastern Cape, Gauteng, KwaZulu Natal, Midlands, North Eastern, Western Cape); Dean of Students; Institutional Governance Committee Services and Ethics Management; Institutional information; Music; Student Admissions and Registration; Student Assessment Administration. In addition, the following three Divisions are included namely: Graduations; Records Management; and Student Communication and Services Centre.
- b. The organogram below was submitted to me on 29 September 2022, with the proviso that the structure of the Office of the Registrar is under review. During the assessment it became very clear that there is a lot of uncertainty amongst staff about the actual status of the portfolio

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<sup>12</sup> The Office of the Registrar’s Self Evaluation Report, Feb 2022

<sup>13</sup> The Office of the Registrar’s Self Evaluation Report, Feb 2022

structure. I received conflicting information on the structure from different sources within the University.



- c. The Office of the Registrar, or Registrar's Portfolio, consists mainly of the following functions:
- Applications and Registration Services.
  - Assessment Services – managing assessment-related support services including processes of assignments, examinations, invigilation, and student disciplinary code.
  - Academic Support Services – Regional staff offering academic support services including library services, counselling, ICT and facilitation of learning through tutorials and academic literacies.
  - Student Communication Services – including the Student Communication Service Centre (SCSS) responsible for attending to large volumes of student inquiries through different electronic platforms.
  - Students with Disabilities Services – provides support to students in respect of alternative study materials and special examination arrangements and other specialized services.

- vi. Student Development and Governance Services – Office of the Dean of Students responsible for supporting students in their development, governance, and the provision of core and extra-curricular programmes.
  - vii. Music related Services – offers Music examinations and related services, including international music competitions, concert series, and community music engagement activities.
  - viii. Regional Services – provide support in all areas above at the various regional offices.
- d. Institutional analysis of staff appointed in acting positions or as secondments found that the Office of the Registrar had the second highest number of staff (a total of 50), within a division, in acting and/or seconded positions<sup>14</sup>. Upon enquiring about the practice of acting appointments and secondments, it was evident that it was an institutional-wide practice that due to other HR-related delays it became the easiest way to deal with the high number of vacancies. This is discussed further under section 4.5.3.
- e. Furthermore, a total of 42 new positions are proposed in a revised organisational structure for the Office of the Registrar<sup>15</sup>. New positions combined with all the acting appointments and secondments are indicative of instability in terms of organisational structure that inevitably affect service delivery. A peer review of the Office of the Registrar (March 2022)<sup>16</sup> highlighted that the delays in the provisioning of services to students are because of several vacancies in the portfolio. There are vacancies in critical leadership positions, for example, the DoS position has been vacant for most of 2022 (discussed in the next section).
- f. In an interview with one of the staff members in Registrar's portfolio the current situation in terms of staffing was summarised as follows: *"There are just too many acting positions. The stability I think has been compromised and sometimes you feel there is no support. The instability that has come about should not be there and with the lot of Acting staff you also have to work with people who do not have the necessary experience"*.
- g. **I therefore find** that the organisational structure of the Office of the Registrar is unstable with at least 50 staff in Acting appointments or Secondments. The temporary nature of these appointments impacts negatively on leadership, and decision-making in the execution of duties resulting in staff not taking full responsibility for their deliverables. Through the interviews, it became clear that poor consequence management and lack of accountability in various functions

<sup>14</sup> Acting and Secondment Report, Dec 2022

<sup>15</sup> Restructuring Report 13 December, 2022

<sup>16</sup> Registrar's Portfolio Review Report, 2022

of the Office of the Registrar were partly due to staff Acting or Seconded and in some instances vacancies.

- h. I recommend therefore that a) the organisational structure of the Office of the Registrar needs to be finalised and aligned with the strategic goals and plans for the institution as structure follows strategy; b) the practice of appointing staff acting and seconded must be stopped. Only with a clear rationale, motivation and explanation should an acting appointment or secondment be considered; and c) all vacant positions should be advertised and permanently filled with competent staff that meets the minimum requirements for the positions in terms of qualifications and experience.

#### **4.3.2 The Dean of Students (DoS)**

- a. The DoS position was vacant for most of 2022. This position plays a key role in student governance and is the main interface between the institution and the SRC. In my interviews with the national and regional SRC, the students emphasised the importance for them to have a DoS in dealing with SRC matters.
- b. The purpose of the DoS position is to plan and provide strategic direction and oversee the implementation of student affairs and regional services, policies and strategies, and programs which serve and support students. The position DoS is strategically situated to be the central point from where services that are designed to amplify the possibility of students successfully navigating life and studies by creating enabling environment for student success as promised by UNISA's student service charter. Hence the position of the DoS needs to facilitate the University's agility attaining set year on year targets within reasonable means whilst ensuring student's comprehension of UNISA's operational model and thereby manage expectations. Furthermore, the DoS plays a critical role in terms of student governance and managing the SRC; and is said to promote students' psychosocial needs and develops globally networked student leadership<sup>17</sup>.
- c. Students complained profusely that there had not been a DoS for a prolonged period of time. As the assessment got underway, I learnt that the DoS was still employed at the University but had been seconded to the Obama-initiated Young African Leadership Initiative (YALI) based at the GSBL, from 1 March 2022 to 28 February 2023. The incumbent started at UNISA in 2015, as the Deputy Director at the Advocacy and Research Centre for Students with Disabilities (ARCSWID) Unit. Within a year, he started acting as DoS, when the current VC who was the DoS at the time left the University to take up a new position at another University. He indicated that he acted in

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<sup>17</sup> <https://www.unisa.ac.za/sites/corporate/default/About/Governance-&-management/Executive-management/Registrar:-Academic,-Enrolments-and-Administration/Dean-of-Students>

the position for a year and a half, and he then served as the Director of the YALI programme. He was appointed DoS in October 2020, but when problems arose with the YALI programme, he indicated that "Management asked him to continue overseeing that programme to enable the donor community to have some trust in the programme". I also got the impression that the Dean of Students was quite happy to be seconded to the YALI programme at the GSBL.

- d. The Registrar submitted proof of emails and submissions to Council of his concerns about the position being vacant and his attempts to appoint an acting person. In one of the submissions to Council and in his interview with me, he indicated that he attempted to appoint someone else to act into the position as per the provisions of the Delegation of Authority and accused the VC of frustrating his efforts. In February 2022, a recommendation for secondment appointment for the DoS was submitted to the VC for consideration and approval, but the submission was rejected with the following reason *"this recommendation is antithetical to the one-on-one deliberations with me on the 22nd of February 2022, where I proposed that a person holding a PhD, who understands the full cycle of academician and administration to be considered, and hence is not supported"*. The Registrar argued that the recommended candidate had acted in that position before and understood the Deanery space well, and the appointment though temporary, was urgent. He then requested the Office of the VC to recommend a name of a person with the suitable qualifications and skills so he can appoint that person; but that was not forthcoming. In his submission of 15 October 2022 to SECoC, the Registrar also said *"Surprisingly, I am being asked all the time, on what the status is regarding the appointment of the Dean of Students on a matter that I responded to in writing"*.
- e. In the same submission, the Registrar further says:  
  
*"With no response from the VC and SRC elections approaching, I had no choice but to recall the Dr Sipuka to his substantive position as Dean of Students. The recalling process is in line with the council approved Acting/Secondment policy and delegation of authority. I notified ManCom of the recall and motivation thereof, but the VC refused to accept the submission and indicated that I should continue to appoint for two months but she failed to accept my recommendation and failed to furnish me with her preferred candidate. The two months is too little too late for a new person to be appointed."*
- f. Without getting into the arguments of who is right or wrong in this situation, or whether the YALI was more important than the provision of student deanery services, what I could not comprehend is how the position of this importance could be left vacant for so long. Where is the student-centredness in that? It is also not clear why Council appeared to have simply turned a blind eye on this dysfunctionality of such an important office.

- g. As early as March 2022, the external Peer Review Panel tasked with evaluating the Registrar's Portfolio<sup>18</sup>, noted that it is concerning that there is an absence of leadership in all directorates and divisions in the Office of the Registrar, but that they are "in particular concerned about the absence of leadership in strategic positions such as the Dean of Students and Deputy Directors in various departments under the Dean of Students".
- h. In my interviews with the SRC, it was stated that not having the DoS position filled, feels to them as a ploy to delay the election process, and that it is overall an indication of an institutional weakness in its processes. Another problem that was reported as a result of not having DoS in office, is that SRC efforts are not coordinated: *"Because there is no Dean of Students, the SRC members engage everybody, ranging from the CFO to the Registrar, which means that they grant approval for things that are sometimes out of policy which we are meant to implement. That contributes to the chaos that we experience"*.
- i. The Registrar himself, in my interview with him in early February 2023, confirmed that the incumbent returned to his position as DoS from 1 February 2023. Although this position is not vacant anymore, the fact that the position was not filled for 11 months, is unacceptable. The current SRC term comes to an end in March 2023 and there is a risk that the SRC election process is compromised, as explained below:
- "...the voters roll will have nonstudents voting because by February registration will not be concluded. This is a direct contravention of the Constitution and should students pick this up those who will lose elections may take the university to task"*.
- j. The fact that the position of DoS was vacant for 11 months is unacceptable. It creates a perception of carelessness as far as it relates to UNISA students and student governance. I recommend that there must be an institutional regulation or policy that includes a clause stating that the Dean of Student position may not be vacant and that there must always be someone appointed in the position, or during a transition period someone must be acting or seconded. It is in the interest of the students that this position must be filled at all times.

#### **4.3.3 The Regional Model**

- a. This section focuses on the organisational structure of the Office of the Registrar in terms of the geographical regions. As mentioned above, there are six (6) Regional Directorates that manage a total of 25 Regional Service Centres and Hubs across the nine Provinces in South Africa.

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<sup>18</sup> Registrar's Portfolio Review Report, 2022

- b. The enrolment figures presented earlier in the report (section 1.1) indicates a steady year on year increase in enrolments. Some of the regional centres each service more students than what some other universities have in total. Between 2015 and 2021, the number of students increased significantly, and in some regions tripled.
- c. The high number of students registered per region emphasises the need for fully functional Regional Service Centres and Hubs. Regional centres and hubs should provide a standardised service with the same level of efficiency and ability to solve problems on site, throughout the country. However, this is not the case. The Regional centres and hubs don't all offer the same services and in some of the smaller centres some of the student services are simply not available and students have to be referred to larger centres. In the Self-Evaluation Report of the Registrar's Portfolio, it is stated that:

*An in-depth scrutiny of the different Regions' standards revealed minor discrepancies in the application and in the intensity of application of standards across the Regions. Nevertheless, the Communities of Practice (CoPs) seek to bridge these discrepancies by keeping all Regional Service centres and regional staff apprised of new developments (p18).*

- d. It is reported that Council approved a revised regional model in 2018 and a multi-year implementation plan in 2019 for the new Regional Model. This new model aspires to transform the six regions into centres of academic excellence in line with the strategic direction of UNISA to enable regions to fully support the academic project. The model aims to integrate cognitive, affective, and systemic student support required for a holistic approach to regional student support. Decentralised services and delegation of authority are expected to improve access and turn-around time of stakeholder service delivery thereby replacing the referral system to main campus. The new Regional Model is designed to ensure a One-Stop service point where students and stakeholders can be served and assisted immediately.
- e. In terms of implementation, it is stated that in some areas good progress were made. The dissemination of most of the system functions in the applications and registration activities, have been largely achieved. However, issues around the location of Regional Directorates on the institutional organogram, agreement on the principle of decentralisation and business partnership within the institutional, finalisation of the Regional HR structures, impacted on implementation in other areas. It is reported that significant progress was made in more routine elements and very little progress in the more critical areas.
- f. In the Self Evaluation Report (p120), the following reasons for not fully implementing the Regional Model are given:

- i. The implementation process is a multi-year, time consuming activity and involves several portfolios.
  - ii. Although Council approved the new model that aims to enhance service delivery in 2019, the Regional Model could not be implemented without adequate delegation of authority in some service delivery departments. In addition, regions still need to get buy-in from their interdependencies, for example, Support Directorates.
  - iii. The new Regional Model has been tables since 2018, it is still pending final consultation with other prominent internal role-players such as the UNISA Bargaining Forum (UBF).
  - iv. Amongst the challenges experienced with implementing the Regional Model was the disruption caused by the Covid-19 pandemic, which delayed the implementation process. While the Portfolio was working on the Regional Implementation Plan to adjust the time frames, due to disruptions caused by Covid-19, the Monitoring and Evaluation Department was measuring the Portfolio against the approved time frames.
  - v. The impact of Covid-19 accelerated digital transformation and contributed to drastic changes to the UNISA operations and service delivery, including online assessment, provision of online academic support, and remote working (from home) – the 2019 approved model must be aligned with these changes/developments.
  - vi. Requests have been submitted to get approval to review the 2018 Council approved Regional Model. The aim is to align it with the 2030 UNISA Strategy and the VC's niche areas.
- g. Although it is understandable that Covid-19 had an impact on the implementation of the Regional Model, some of the other explanations above are questionable in that these issues should have been attended to prior to obtaining Council approval, for example, the delegation of authority, getting buy-in for the model, and issues of consultation with prominent internal role-players (i.e. UBF). It is concerning that Council approved this new Regional Model when these issues were not yet addressed.
- h. In the Peer Review Report <sup>19</sup>, it is stated that the Panel observed that Regional Directors don't have the authority to make decisions critical for regional operations. This was also amongst the concerns raised by the RSRCs. The Report recommended that Regional Directors and Managers be empowered with authority to make decisions that will promote the implementation of the strategic focus areas in an agile manner.

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<sup>19</sup> Registrar's Portfolio Review Report, 2022

- i. It became clear in the interviews with staff and regional SRC students that there are a lot of frustration related to the status of the regional model. Staff reported that some regional offices are understaffed, and that critical positions such as tutorial administrators were made redundant. The current regional offices in terms of structure, are not fit for purpose:

*"This week, our revised regional model was submitted where very important positions like the tutorial administrator position were made redundant. Why do they not consult us? The regional directors have worked together on this model over the past months, and important things like redundant positions were not shared with us – you cannot have redundant positions but the positions that they are reporting to remain unaffected. We must ensure effective administrative support for students, because we cannot work in silos – we can do so much more to offer a holistic service for students, and I think we are doing a lot of damage with our fights for turf.*

*There was a drive to make the regions centres of academic excellence, but you cannot expect that if you don't focus and support the admin functions. The structure is not fit for purpose. I think they continue to focus on the academic side of the work but overlook the importance of the support functions that are crucial to supporting students in a holistic fashion".*

- j. Not having the Regional Model implemented directly affects service delivery to students as all academic support services, including library services, counselling, ICT and facilitation of learning through tutorials and academic literacies are offered in the regional offices. During the interviews, students and staff reported to me the appalling state of some of the regional centres:

*"In relation to Makhado, there is a corrupt history. Makhado, you see this room alone, and that room together, it is a centre that must cater for 5 000. They cater also for students in Messina and Zimbabwe, but it can't do that. If you go there – and I hope you find time to visit there – you will see that there is a toilet and this is the office, you can hear if somebody flushes the toilet. It is bad. I do not blame the staff in Makhado, they are trying to work with whatever they have. They have taken a pipeline room, and made it a disability unit, they tried to cater for students with disabilities. Even the computers there are not suitable for people who are disabled, but they are trying by all means to work with what they have. The process to identify a new building is now nearing 10 years. We asked the simple question that they are really saying they cannot find a simple building in Makhado, and they say that there is no suitable building. We asked for those reports, which were not forthcoming, so we went to court."*

*"Service is slow. UNISA Polokwane is the only functional centre in Limpopo, Giyani is trying, but they are slow. There are two buildings – the admin block and the library and study areas. Most people are frustrated because they don't know which building to go to, and there are two gates, they don't know which entrance to use. There is no clear communication for students who visit only irregularly to know where they must go. The admin and reception is the key problem; people*

*can go to UNISA endlessly until one gives them a person to contact. It is becoming a thing of if you don't know an SRC member, you might have to go to UNISA several time, which is difficult for people from the remote villages".*

*"In Kimberley our campus is in the mall, which gets very busy at certain times."*

*"In Kimberley, the hub is in the mall, and the lifts giving access is also used by the public, and the one in Kroonstad is shared with the police station – it is the same building, people are coming to report their things and you must study right here. In Rustenburg the library and computer labs are nice, but I would not say the same about Mahikeng, Kroonstad or Kimberley. Potch is nice, it is out of the CBD, it offers a conducive environment."*

*"The building in Mthatha is rented from Provincial Public Works. That building was not designed to be a learning and teaching environment. We have had challenges with the building, including ablution facilities. The university took it upon themselves to spend a lot of money to get the building in an acceptable condition."*

*"We have three campuses in the Eastern Cape. There is not much to say about the PE and EL campuses, but Mthatha is not user friendly for disabled people. EL is the hub. The basement of the building is sometimes closed when it was raining, when it gets wet. The building was under construction not so long ago."*

- k. The Regional Model is not fully implemented and it seems like there was no proper consultation or change management and engagement prior to submitting the proposal to Council for approval. Without these steps followed in the beginning of the process, it is very difficult to get the necessary buy-in and support to implement the model. It is however critical that the Regional Model be implemented, staff must be empowered, and regional centres must be equipped and enabled to deliver quality and standardised services to all students and other stakeholders.

#### **4.3.4 Policies and Student Rules**

- a. At the centre of all universities is the position and role of the Registrar, and the Registrar's Office. This Office is unanimous with institutional governance and acts as the custodian of institutional policies and procedures. All institutional decisions must be aligned to existing policies and governance structures, or where necessary, amendments to policies should be made and approved to accommodate changes in processes. It is essential that institutional policies and rules be reviewed regularly to ensure that they align to the best governance principles and practices<sup>20</sup>. It is in other words the responsibility of the Office of the Registrar to ensure that policies, rules

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<sup>20</sup> Lawson-Misra, N. et al. (2022) A Registrar's Handbook

and regulations are relevant, applicable and up to date. Refer to section. 4.4.1.1 for further analysis of UNISA's policies.

- b. The Ministerial Task Team (MTT Report point 25.5.6) reported that UNISA's policies and procedures have not been upheld and/or have been abused in some instances. From my analysis of student related policies, I can confirm that most of the policies have not been updated in years.
- c. Administrative justice is the branch of law that requires public institutions and officials (as well as private institutions performing public functions) to adhere to due process and principles when making administrative decisions, or taking administrative actions.
- d. The table below lists only a few policies that are directly or indirectly related to the Office of Registrar and indicate the date that the policy was last updated or approved. It is worth noting that not all these policies are available on the website. Some were only included in the submission made to me by the University Management when I requested for all institutional policies.

Policy:	Last Update & Comments
<b>Admission Policy</b>	Last update: 2011 Available on the website for students to access. The policy still refers to the UNISA 2015 Strategic Plan.
<b>Students' Disciplinary Code</b>	Last update: 2014 Available on the website for students to access under Student policies and rules.
<b>Assessment Policy</b>	Last update: 2019 Not available on the UNISA website. This policy should have been adapted and updated post-Covid with all assessments changing to online assessments.
<b>Language Policy</b>	Last update: 2016 Available on the website for students to access under Master's and doctoral degrees. In the court case Chairperson of the Council of UNISA v AfriForum NPC, the South African Constitutional Court struck down the policy, adopted by UNISA in 2016, to phase out Afrikaans, and effectively make English the sole medium of instruction. In its judgement, it gave UNISA until the 2023 academic year to gather the necessary findings and devise a plan that complies with all the "constitutional and legal precepts". After the Supreme Court Judgement in 2020, there should have adjustments made to the policy. Although I found reference to progress on the new Language Policy in the ASACoC minutes and that the new policy is recommended to Council for approval in 2023, technically the policy should have been ready for the 2023 academic year. It would have been ideal to post a note or reference on the website stating that the current policy is under review for approval in 2023.
<b>Data Privacy Policy</b>	Last update: 2015

	Not available on the website. Most institutions updated their data privacy and related policies when the Protection of Personal Information Act (POPIA) came into effect.
<b>Policy on Sending SMSs and Emails to Students</b>	Last updated: 2012 Not available on the website. This policy should have been updated to include new ways, platforms and systems used to communicate with students.
<b>Records Management Policy</b>	Last updated: 2007 Not available on the website. The Registrar is the custodian of student data and must ensure the security, integrity and timeous disposal of data. How can this policy still be valid and relevant when it was last updated 15 years ago?
<b>Policy on for Copyright Infringement and Plagiarism</b>	Last Updated: 2005 Available to students on the website. With new technology and methodologies the policy should have been updated accordingly.

- e. As can be seen, many policies are outdated and urgently need to be reviewed. From a student experience perspective, to find the policies on the website is complicated and one must click through many different pages to access the policies. There does not seem to be a process or protocol in place to manage the periodic review of policies. This is contrary to the Policy on Rules Formulation, that was last updated in 2005 wherein it is that “The changes and transformation within the Institution require a continual review of policies/rules, as and when required, but at least once a year, in order to ensure that such policies/rules remain applicable”. Obviously, this is not being done at UNISA as many policies were not up to date and in some cases no more relevant.
- f. Apart from urgently updating relevant policies, the Registrar’s Office should critically engage with all existing policies and identify contradictions and areas of noncompliance. The policies available on the UNISA website need to be better organised and it should be easy for students to find and navigate to different policies. There needs to be a process and protocol in place to manage the periodic reassessment and review of policies to ensure that they are relevant and applicable in an ever-changing institutional environment in line with the Policy on Rules Formulation.

#### 4.3.5 Student Rules 2022/2023

- a. One of the few up to date documents on the website, was the Student Rules 2022/2023. This is of critical importance because the act of registration binds a student automatically to the Student Rules. The student rules state that *“these rules must be read together with the applicable UNISA policies, which have the same force and effect as these rules. The relevant policies are available on the UNISA website. The rules published here, and related policies may be amended prior to the commencement of the following academic year.”*

- b. A serious concern, therefore, is that the Student Rules refer students to the relevant policies on the website, but as indicated above, the policies, in many instances, are not updated and in other instances are simply not available on the website for students to access.
- c. The Student Rules further makes it clear that when a student registers with UNISA, the student:
  - i. acknowledges an awareness of the prevalent rules of the university; and
  - ii. undertakes to be bound and abide by the rules of the institution.

## Unisa rules for students

### Introduction

The content of this section is defined by the legislation and regulations set out in the Higher Education Act, 1997 (as amended). Where provision is made for institutional discretion, the Unisa rules are subject to approval by Council and / or Senate (as appropriate), except where expressly recorded to the contrary. These rules represent the general rules of the university and apply to all Unisa students. These rules must be read together with the applicable Unisa policies, which have the same force and effect as these rules. The relevant policies are available on the Unisa website. The rules published here and related policies may be amended prior to the commencement of the following academic year.

In addition to these general rules, there may be specific rules per college and / or qualification. They will be expressly stated in the information pertaining to the college and / or qualification or in the relevant tutorial letters, all of which are available to registered students online. Where the rules of a college make provision for special requirements with regard to registration for a module offered in the college, the requirements will apply equally where the module is taken in another college or for non-degree purposes, unless expressly stated to the contrary.

Master's and Doctoral students are referred to the [Procedures for Master's and Doctoral degrees](#) which relates to processes and procedures w.r.t the research proposal and research components, i.e., mini-dissertation, dissertation and thesis.

When a student registers with Unisa, the student

- a) acknowledges an awareness of the prevalent rules of the university; and
- b) undertakes to be bound and abide by the rules of the institution.

The student bears the onus of ensuring that he or she is familiar with the rules pertinent to his or her registration with Unisa. Ignorance of these rules and related institutional policies will not be accepted as an excuse for any transgression.

[https://www.unisa.ac.za/static/corporate\\_web/Content/Register%20to%20study%20through%20UNISA/Documents/UNISA\\_2022-2023\\_rules\\_for\\_students.pdf](https://www.unisa.ac.za/static/corporate_web/Content/Register%20to%20study%20through%20UNISA/Documents/UNISA_2022-2023_rules_for_students.pdf)

- d. The student bears the onus of ensuring that he or she is familiar with the Student Rules pertinent to his or her registration with UNISA. Ignorance of these rules and related institutional policies will not be accepted as an excuse for any transgression. This implied compliance to the rules at the point of registration is in principle not wrong, most institutions indicate that by registering at the institution, a student is bound to the rules and regulations of the institution.
- e. What I found very concerning is that at least one of the Student Rules contain conditions that students may not have realised they are agreeing to. For example, under point 18 in the current Student Rules 2022/2023 is the following stated:

## 18 Admission to the summative examinations

18.1 By signing the application for registration, a student undertakes, inter alia, to do his/her examinations online and to provide the necessary equipment for this purpose, i.e. a computer or laptop, including provision of data and internet access. The use of other devices (cellphone or tablets) for online assessment is discouraged as the University will not be liable for any challenges with these devices.

- f. In other words, all students agree that they have the necessary equipment (computer or laptop) as well as data for online examinations. During my interviews with students, access to computers and access to data were reoccurring issues and seen as two of their biggest challenges they face as students of UNISA. By simply including this condition under a seemingly unrelated point about 'Admission to the summative examinations' in the Student Rules, seems not only insensitive towards the students, but malicious on the part of UNISA. I was able to find a copy of the 2021 and 2020 student rules, and since 2021 this condition is included under the item on 'Admission to summative examinations' in the Student Rules.
- g. Although, UNISA clearly wants to move in a direction of online education. It should be a phased strategy where the key stakeholder (the students) is fully aware, supportive and inherently part of the strategy. It must be considered that UNISA serves the most diverse group of students in this country, including very impoverished students that are not able to afford to study at any other university.
- h. In my opinion, this is a very serious matter that needs to be widely consulted and mechanisms must be put in place to support students that don't have access to computers and/or data. The Student Rules document is silent on what provision the institution is making to support these students as far as it relates to the devices or data that students need.
- i. Upon investigating the matter further, I found another outdated policy on the Provision of e-Devices for e-Learning at UNISA (last updated in 2018). In the policy Preamble it is stated that:
 

*UNISA's character requires that meaningful effort should be made to support students in their learning processes and thus affording them the necessary means and support to succeed in an increasingly technologically enhanced learning environment.*
- j. The purpose of the policy highlights that it is:
 

*(1) To affirm the need to support our students with access to digital technology devices such as laptops and assistive devices to access MyUnisa (the UNISA e-classroom) from any location in line with the institution's ODeL character.*

*(2) To define the modalities for the provision of access to and use of such devices, with data and support.*

*(3) To aid UNISA in its efforts aimed at increasing student success and optimizing student graduateness.*

- k. Under the Scope of Policy, is stated that UNISA will not provide the devices but rather facilitate channels for students to have access to the electronic devices and further put in place processes and procedures to ensure connectivity and support to students.
- l. Lastly listed under the Principles Guiding the Policy are two very important commitments that UNISA should make:
  - UNISA will engage with service providers in the context of the latest developments such as reverse billing to ensure that data costs are not a barrier to students. (par 6.2)
  - UNISA will seek to facilitate access to e-Devices for its poor and middle-class students through State and private grants, loans, bursaries and scholarships. (par 6.16)
- m. The policy above states in no uncertain terms that UNISA has some responsibilities as far as it relates to student devices and data. It is clear that UNISA should make a meaningful effort to support students with access to digital technology devices as well as to ensure that data costs are not a barrier to students' learning.
- n. In light of the policy, one would think that UNISA would make a serious effort to firstly create awareness about the recent requirement for students to have their own devices, and secondly that UNISA would proactively offer support for students as far as it relates to devices and data. But rather, UNISA simply adds the requirement that students must have the necessary equipment and data to write their examinations online, in the Student Rules, hidden under an item on admission to the summative examinations. In this instance, it seems like UNISA abdicated its responsibility and shifted the onus on to the students.
- o. I reviewed the UNISA website from a new applicant's perspective and could find on only two pages with some information about the requirement for students to have access to a computer and the internet. It should be noted that even here it is not explicitly stated as a requirement when wanting to study at UNISA.

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## Undergraduate qualifications



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You need to be sure that you are right for Unisa and that Unisa is right for you! To be a successful Unisa student, you need to understand what you are getting yourself into:

- You won't attend lectures, which means that you will be expected to do a lot of reading and writing on your own.
- You must be able to draw up a study schedule and stick to it, so that you can submit assignments on time and be prepared for your examinations.
- You must have access to a computer and the internet, and be familiar with working on a computer.

**Are you ready for Unisa?** Even if you know that Unisa is the right university for you, try our [open distance e-learning readiness tool](#) to find out more about the university and how open distance e-learning works.

<https://www.UNISA.ac.za/sites/corporate/default/Apply-for-admission/Undergraduate-qualifications/ODL-and-UNISA/Try-the-readiness-tool-to-find-out-if-you%27re-ready-for-ODL>

[Home](#) / [Apply for admission](#) / [Undergraduate qualifications](#) / [ODeL and Unisa](#) / [ODeL is a different way of learning](#) ▾

## Undergraduate qualifications

Application for admission starts here

**Step 1**  
What is ODeL and is Unisa for you?

**Step 2**  
Are you certain about your career?

**Step 3**  
Choose or find your qualification

**Step 4**  
Apply for admission

**Step 5**  
Application outcomes

## ODeL is a different way of learning

ODeL is a different way of learning... there is a physical distance between you and your university. For most of us, this means that our previous learning experiences will not have prepared us for the Unisa study journey. In open distance e-learning, YOU are responsible for planning your studies and managing your time effectively. You don't attend daily lectures. You learn from a distance and you connect to the university mostly via the internet. If you completed your previous qualifications at a residential institution, it is especially important that you think about the adjustments you need to make to be a successful Unisa student.

But this doesn't mean that you are on your own. Unisa has several support services for our students - from tutorial support and counselling, to online tools. The "distance" in open distance e-learning means that most of your interactions with Unisa will take place at a distance - mostly in digital format.

### Your study material

Your study material will consist of written content, whether on paper (eg prescribed books or textbooks) or online (eg myUnisa), instead of listening to a teacher or lecturer in a classroom. In some instances, Unisa provides access to computers and the internet at our regional offices and other partner organisations, but you should have your own computer and access to the internet.

### Your study world

The best way to cope with open distance e-learning is to take full responsibility for your own learning experience and environment. Your study world will be the environment you create - a room at home, a desk somewhere at work and, of course, the connections you make and the virtual networks you develop.

### Your time

You will also need to remind your friends, family and work colleagues that your studies demand a lot from you, because they will probably forget that you are studying and make demands on your time.

<https://www.UNISA.ac.za/sites/corporate/default/Apply-for-admission/Undergraduate-qualifications/ODL-and-UNISA/ODL-is-a-different-way-of-learning>

- p. In my discussions with current students, it was evident that students still experience major difficulties with access to data. For example:

*"One issue that we always have a problem with is the availability of data. If you study in an online institution, the question of data is central to the education that you receive. We should have been given data long ago. They agreed to give us data, but we only get it in May and June, but how must we do assignments in the earlier months when we must do quizzes and assignments. We no longer have paper assignments to upload quickly – we must literally be on the system working on the laptop".*

- q. In another interview with a student, when asked what is meant by saying the University went online, the response was: *"It means assignments, tests, exams, assessment, everything. In the past people could write exams with pen on paper, at a church hall or centre close to their villages. We understood during COVID that there was a need for online, but COVID is over now. Our students are poor and from the villages, the university is failing to provide laptops and data, how can we go online?"*.
- r. For an institution that proclaims "our students are the most important stakeholders in the university and are at the centre of our mandate" one would expect more support, awareness and kind consideration for the needs of their students.
- s. UNISA changed to online examinations and assessments in response to Covid-19. This was a necessary change considering lockdown and in the interest of ensuring academic continuity. However, this is a fundamental change in the way UNISA teaches and assess students. From my perspective there is a lack of creating awareness and no visible change management around the requirement that students need to have devices and data to study at UNISA. New applicants might not be aware of this requirement until after registration, where they are already bound by the Student Rules. To include the requirement under the Student Rules without the necessary communication to students is insensitive and appears malicious. UNISA is also not compliant with their own policy in not making a meaningful effort to support students with access to digital technology devices as well as to ensure that data costs are not a barrier to students.
- t. In light of the above, I recommend that there should be a visible campaign and process of creating awareness about the requirement to have both a device and data when studying at UNISA. UNISA needs to update the relevant policies and also comply with the Policy on Provision of e-Devices for e-Learning at UNISA, in terms of the commitments made related to (1) engaging with service providers in the context of the latest developments such as reverse billing to ensure that data costs are not a barrier to students, and (2) seek to facilitate access to e-Devices for its poor and middle-class students through state and private grants, loans, bursaries and scholarships. From my assessment, it is clear that students still need a lot of support in terms of accessing devices and data, and without these students are only being set up for failure, as they would not be able to write examinations or submit assignments.

#### 4.3.6 Student Services

- a. This section focusses on the overall service delivery to students or student services in general; and will be followed by observations on specific issues related to registration and other student administrative functions.

- b. During the ASACoC meeting of 2 November 2022, the VC reported the following on student-centredness:

*Although the university remains resilient, our academic and student support services still face several challenges. Such challenges require a system rethink and reboot. To this end, Council adopted the new IT Strategy which seeks to respond to the myriad of challenges that relate to academic administration and student support as highlighted in the various internal and external reports of the university. The priority of Management is the rollout of the strategy within a short period of time and the recruitment of suitable human resources to improve capacity. Through the method of Joint Operations Committees (JOCs), we are able to identify existing inefficiencies and try to remedy them within a short space of time. And yet at the same time, we have a clear mandate from Council to institute consequences management where responsible managers are found to have neglected their responsibilities.*

- c. Students and staff alike expressed their dissatisfaction with the poor level of student services and in some instance a complete absence of student services. One submission pointed me to social media and stated that one only needs to review the feedback comments from current students on the poor management of related matters from certificates to student registration. The submission stated that "You only need to look at social media, which is rife with complaints, to understand how the reputation of UNISA is greatly under question as a consequence of the incompetency of this department. The office of the Registrar is said to be famous for "never taking phone calls," "never responding to emails," and "never providing information".

- d. Another submission from a student described the situation as follows:

*"Firstly, many of us students experience incredibly bad admin. When we try to contact general phone numbers or email addresses, these tend to go unanswered...I once sent an email that only got an automatic reply a month later. When we need to contact the institution with poor response times, and when campuses are being shut down by strikers (which seems to happen during critical times like registration season), it feels as if we have no chance of finding a solution".*

- e. The submissions above are from different stakeholders (staff and students), but the message is the same. UNISA has a problem when it comes to the delivery of efficient and effective quality services to students. Bearing in mind that 'students' are the key stakeholder of a university, their dissatisfaction is a critical issue that directly threatens the mandate and purpose of an institution.

- f. Student Satisfaction Surveys are generally used to measure the level of satisfaction students experience in different aspects of the student journey. It is stated that UNISA has been conducting student satisfaction surveys since 2005 and that the surveys serve as a strategic management tool to improve student services and experiences at the university. The UNISA 2021 Student Satisfaction Survey (Wave 1)<sup>21</sup> focussed on the application and registration phases of the student journey, and the results of the survey highlighted serious dissatisfaction of students with services in these areas. The survey results are presented on a scale of 0 to 100, where an average index score below 60 points is regarded as substandard, while an average index score of above 75 points is regarded as the bare minimum for a 'respectable' score.
- g. The overall General UNISA Student Satisfaction Index score for 2021 academic year was 55.64 points, which according to the UNISA index scale explained above, is substandard and far below the 75 points of a respectable score. In more detail the scores are as follows:

Criteria	Index Score
UNISA as a university	51.45
Your College	54.34
Qualification for which you are currently registered	61.23
<b>Combined Index Score</b>	<b>55.64</b>

- h. The Student Satisfaction Survey Report (UNISA, 2021) listed all areas that scored less than 50 points, where most of the respondents viewed the particular service as sub-standard. What is interesting is that the table below, only list services below and index score of 50, and not below an index score of 60 i.e. their own benchmark for substandard service, as explained above.

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<sup>21</sup> Student Satisfaction Survey 2021

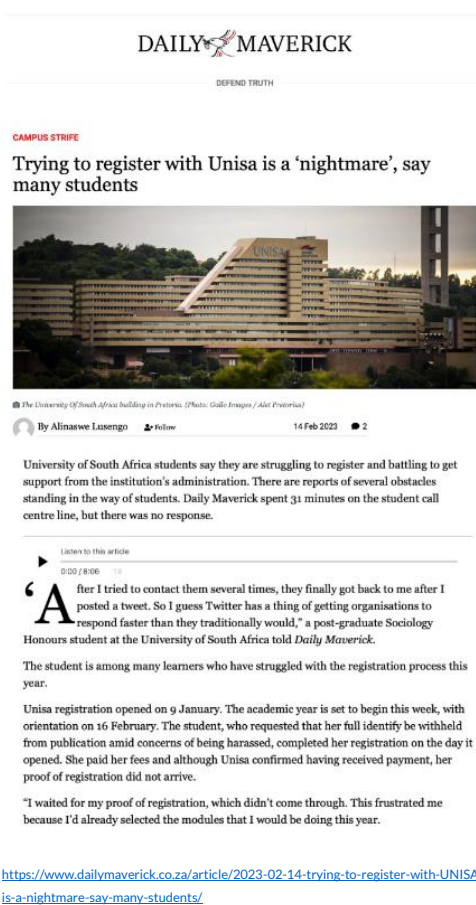


- i. In short, the services listed above are all key services that students depend on during the application and registration phases at university. The survey report included some qualitative comments from students:

- *"I am so confused about how to check if I have the modules that I need for my qualification. I CANNOT go to the UNISA campus because of how much I work and how far it is."*
- *"I wish I could email someone and ask them to look at my student number and tell me if I chose the correct modules to complete my qualification this year but got no help, was only always given links to the UNISA sites which were not helpful because of the weird curriculum changes that were made."*
- *"It would be nice if we received an email or a call or something to check how things are going once a semester. Or to ask us if we have any questions. I still don't know if I chose the correct modules this year as my last year of studying."*
- *"Exam dates not published timeously – especially for working students."*

- j. The Student Satisfaction Survey 2021 Report concluded with the recommendation that UNISA must develop improvement plans as a matter of urgency for all items with an index score below 60 as well as attending to all items between 60-74 as these are also considered substandard. It was recommended that the findings of the survey be widely disseminated throughout the institution to allow for the development of improvement plans.

- k. If the Student Satisfaction Survey results are indeed used by UNISA as 'a strategic management tool to improve student services and experiences for the university' then there should have been a concerted effort made to attend to these issues. One would expect that if indeed the survey results are taken seriously and given the necessary attention, a remarkable difference in service delivery should have been observed by 2023. However, on the contrary, the 2023 registration period was marked with criticism and student complaints.
- l. The Daily Maverick published an article on students' registration woes on the 14<sup>th</sup> of February 2023.



In response to the Daily Maverick article, UNISA issued a formal statement on its website and on Twitter, on 22 February 2023:

The University of South Africa (UNISA) has taken note of an article published on the Daily Maverick online platform on 14 February 2023 titled "Trying to register with UNISA is a nightmare, say many students". We have also noted with dismay that whilst the heading of the article suggests the existence of a pervasive problem, it went on to state only three examples to prove this narrative.

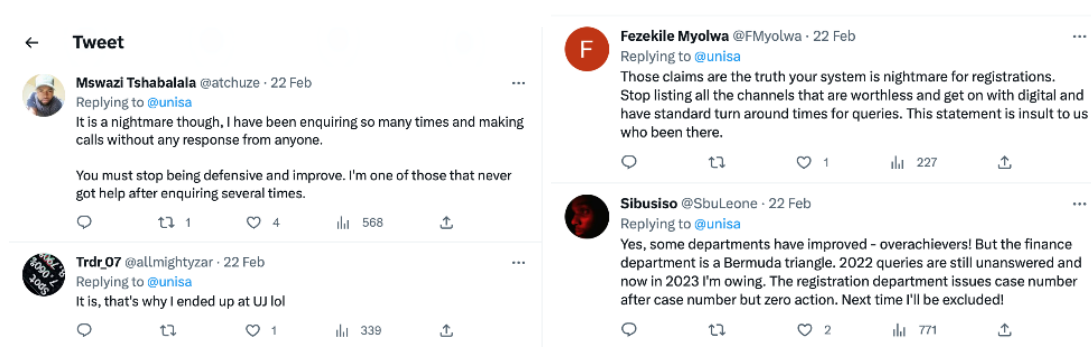
It is the considered view of the university that our stakeholders deserve to know the correct and informed perspective on the issues raised in the article, including a clear explanation of the university admissions processes.

As a point of departure, UNISA wishes to reaffirm its stance that our students are the most important stakeholders in the university and are at the centre of our mandate. ALL concerns and enquiries raised by our students are regarded as critical and worthy of immediate attention. To this end, we wish to highlight the following areas: ....

<https://twitter.com/UNISA/status/1628335088382402560?s=20>

The statement then proceeded with a detailed explanation on the administrative processes.

- m. The narrative and tone of the statement is in general dismissive of the reported issues and just created another opportunity for students to claim the contrary and state their case. These are just some of the comments of the 53 comments on Twitter (date 01.03.2023):



<https://twitter.com/UNISA/status/1628335088382402560>

- n. UNISA claims that students are the most important stakeholder and that they are at the centre of the University's mandate. As far as it relates to the overall delivery of services to students, it is my observation that this is not the case. The Student Survey Results (2021) raised serious red flags and students' comments; and submissions from staff supports this. If UNISA indeed considered students as their key stakeholder, the focus should be on improving service delivery in general. The current status of student service delivery is still substandard. UNISA needs to urgently implement improvement plans to attend to the findings and recommendations of the Students Satisfaction Survey results. UNISA must respond to the needs of students as their key stakeholder and strive to not only provide satisfactory services, but in fact strive for excellent student services.

#### 4.3.7 Application And Registration Services

- a. The application, admission, and registration processes at universities are usually functions that attract many complaints. It is in the nature of the work when some applicants are admitted, and some are not admitted. In many instances students that are not successful and not admitted (due to various reasons), are aggrieved. Likewise, the registration process is generally linked to a financial payment and registration can only be completed after the payment. If there are any issues with processing payment, or issues with bursaries and funding, the registration process is delayed and impacts negatively on students.
- b. I have many years of experience in dealing with these functions and am familiar with the typical issues and problems students encounter during application, admission, and registration processes. However, it is exactly because of my vast experience that I can differentiate between general problems that all institutions face and more systemic institutional-specific problems and issues.
- c. UNISA is the largest public institution in South Africa. It is reported that UNISA receives around a million applications per semester, in other words, twice a year. For an institution to process this

number of applications, there must to be excellent, reliable and efficient systems in place. Furthermore, there must be enough staff to attend to applicants and student enquiries and specialised staff to ensure that the admission processes are according to the Senate-approved requirements, rules and regulations.

- d. Some of the complaints submitted to me on application and admission processes had to do with late communication from UNISA on final admission. One submission explained the issue as follows: *"It was clear to me that students are saying that the problems are with applications, when they apply, they are only told in March whether they are accepted or not – this is too late for those who have been accepted to start with classes and for those who are rejected, so they can find an alternative. These people must know in January what the situation around applications is"*.
- e. It should be noted that this is an issue that most institutions deal with in the time leading up to the registration period. Because some applicants may have forfeited their provisional admission and in some instances applicants do not accept their offers or decide to rather study elsewhere, there are sometimes additional capacity or places become available in certain programmes where more students can be admitted. Although this is not desirable it is in some instances, not avoidable, and a typical practice at most institutions during the registration period.
- f. A serious concern is that UNISA accepts applications from prospective students into programmes that are already full. UNISA reports that for the 2023 academic year, 958 517 application choices were received, and from these, 226 786 offers were made to qualifying students. On the UNISA website it is stated that applicants may only apply for a maximum of two choices. Thus, the number of applications or persons that applied and paid the application fee, is around 480 000. In other words, only about 50% of applicants are admitted.
- g. All applicants are required to pay a once-off non-refundable application fee of R125.00 for their applications to be processed. The UNISA website states the following on the application fee:

This fee is non-refundable even if you decide not to study through UNISA, do not qualify for admission to UNISA or cannot be offered a space due to limited spaces available. **UNISA does not accept cash at any of its offices.**

**The due date for the application fee is the closing date for the application period.** Any application submitted without an application fee paid on time will not be processed. Please ensure that you keep a copy of your proof of payment. <https://www.UNISA.ac.za/sites/corporate/default/Apply-for-admission/Undergraduate-qualifications/Apply-for-admission>

- h. During my interviews, and in some of the submissions, it was suggested that UNISA consider closing applications for programmes that have reached its capacity. This would significantly alleviate pressure on the admission system and staff. A staff member explained: *"During*

*application time we received too many applications, which causes some qualifications to become over-subscribed. It doesn't make sense to continue taking applications and we proposed two years ago that we should close applications for those qualifications once they are full, and we were told we cannot close applications".*

- i. One submission stated: *"When applications are made to universities, whether a person qualifies or not, a lot of money is made. If 500 000 apply for entry to an institution, that is a lot of money. I'm not sure what system allows people to be admitted into UNISA. If the administration is anything to go by, it is possible that people could probably be allowed into the institution incorrectly".*
- j. In principle, applications are subjected to a selection process, and this is explained in that admission is not guaranteed. Applying is therefore seen as a reasonable risk that all applicants take when submitting their applications. However, when it is known to the institution that a programme is full, and the institution still allows applicants to submit applications and pay the application fee, is it not considered an unethical practice?

### What does the selection process entail?

- At the heart of the **selection process is a calculation of your individual points score**, which takes into account your final Grade 12 marks and other key factors such as the school you attended, and your gender, socio-economic group, race, and so on.
- Before submitting an application, please check whether you meet the statutory and college-specific admission requirements, *and* the required academics points score (APS) for your chosen qualification(s). The minimum APS score differs from college to college, and from qualification to qualification. Please refer to each qualification for the admission requirements.
- It is important to note that you will not automatically be accepted to study through Unisa in 2023. **Students will be accommodated on the basis of the number of spaces available for each qualification.**

### The application process

- You may apply for a **maximum of two qualifications**, ranked in order of preference (although you may only register for one should both of your qualifications be successful).
- **Unisa will inform you of the outcome of your application.** If successful, Unisa will indicate for which qualification you have been accepted and will offer you a space for the period for which you have applied (eg semester 1).
- You must **accept or decline Unisa's offer** within the prescribed period of time. If you miss this deadline, Unisa will withdraw the offer and give your space to another applicant.
- **First-time applicants to Unisa** will be required to complete the **First-Year Experience MOOC** (massive open online course) before being able to accept Unisa's offer.
- **You may only accept one offer.** This means that when you accept an offer for one qualification (irrespective of whether it is your first or second qualification of choice), the other offer will automatically fall away.
- If you accept Unisa's offer, you must **register for the period for which you have been granted admission.** Should you not register for the relevant semester of study, you will need to re-apply for admission during the next application period.

<https://www.UNISA.ac.za/sites/corporate/default/Apply-for-admission/Undergraduate-qualifications/What%27s-new-for-2023>

- k. In conclusion, UNISA accepts applications and application fees from applicants that apply into programmes that are full and have reached its capacity in terms of admissions. These applications are then unsuccessful based on limited capacity. UNISA should close applications

for programmes that are full not allowing more applicants to apply and pay application fees for these programmes.

#### **4.3.8 Enrolment Management**

- a. Enrolment management is about strategically and proactively managing and planning the application, admission, and registrations processes to meet specific enrolment targets. It involves, amongst others, statistically calculating the number of admissions needed to ensure a specific number of registrations or enrolments (realisation rates).
- b. Universities submit enrolment plans to the Department of Higher Education and Training, for approval. Once approved, funding is awarded in line with the enrolment plans and institutions are bound to comply with the enrolment targets in their plans (with a 2% deviation allowance), otherwise charged with financial penalties.
- c. One submission indicated that since 2016, UNISA's approved enrolment targets have not been met, resulting in huge financial penalties imposed on UNISA. Another submission indicated the cost of the penalties due to under- and/or over-enrolments since 2016 amounted to R186 million.
- d. During an interview, it was stated that:

*"You should note that we were in front of the Ministerial Committee because of over-enrolments. We cannot manage this space, not because of a lack of trying, just that the material conditions on the ground are such that you cannot expect UNISA to report on enrolments like a 14 000 student unit. The complications we have around registration hinges on how soon students receive NSFAS funding, meaning that we have a large number of provisional registrations. You might think you have a 100 000 students on provisional registration, but when you re-assess you find that the students have taken other offers, or not paid their registration fees..."*

- e. Although I acknowledge that UNISA is much larger than other universities in the country, the issues are the same for all institutions. All public institutions are affected by NSFAS and funding issues that impact on registrations. But through proactive enrolment management it is possible to manage student numbers and ensure registrations remain within the 2% deviation allowance. This, however, requires institutional commitment and staff dedicated to managing enrolments with the necessary systems in place to support the entire process. Given the significant financial penalties UNISA is paying for not meeting their enrolment targets, establishing an enrolment office should be a priority.
- f. In the last five years, UNISA had to pay R186 million in penalties for not meeting their set enrolment targets. The fact that it is an annual reoccurrence is indicative of poor or no enrolment management on an institutional level and that the admission and registration processes are not

proactively managed. UNISA should establish an institutional Enrolment Management capability that takes responsibility for meeting enrolment targets within the 2% deviation. The capability should be mandated to oversee and centrally manage applications, admissions, and registrations, working in collaboration with the Academic Colleges.

#### **4.3.9 Registration Issues**

- a. This section deals with issues and problems students and staff experience related to registrations.
- b. The registration period at universities is commonly referred to as the peak period. This is because institutions need to ensure that thousands of students comply with various administrative, academic and financial requirements in order to register or enrol at the institution in a short period of time. Hence, institutions need to ensure that the necessary infrastructure in terms of systems, staff and contact centres are in place to support the registration process.
- c. The online article published by the Daily Maverick on the 14<sup>th</sup> of February 2023, stated that 'students say they are struggling to register and battling to get support from the institution's administration. There are reports of several obstacles standing in the way of students. Daily Maverick claims to have spent 31 minutes on the student call centre line, but there was no response'.
- d. One interviewee explained that UNISA has only four weeks to register about 380 000 students, placing the administrative offices under a lot of pressure. The person further stated that sometimes the registration period is extended to accommodate students that are struggling with funding and bursaries, however extending the registration period has an adverse effect on the academic calendar in shortening the semester and lessening the teaching time.
- e. The decision to extend the registration period to meet enrolment targets, thereby cutting on academic time is a difficult situation to manage and a decision that cannot be taken lightly. As a priority, institutions must do as much as possible to assist students to register within the limited time. Therefore, it is of paramount importance that institutions adequately prepare for the registration period by ensuring administrative, academic and financial support services are in place before opening for registration.
- f. This, however, does not seem to be the case. Several complaints were from academic staff about the poor support services during registrations where they explained the impact it had on them. One submission stated:

*"Students often do not get responses or answers from registrations. Consequently, academics receive a high volume of e-mails from frustrated students not getting help from registrations"*

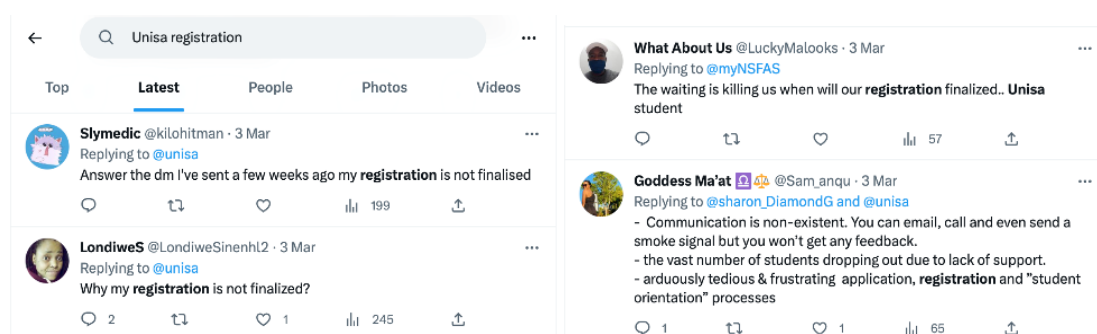
*about finalising registration, changing modules, adding modules, financial cancellations etc. Academics are attending to administrative issues that we do not have knowledge of – we simply redirect the query to the appropriate department. Academics should not do this; academics should focus on teaching and research”.*

- g. Another submission stated that the lack of administrative support to students, *“hinder the smooth running of the academic project by not dealing with registration, finance, bursary and similar issues or not replying to student/staff emails...”*. This submission proposed that for all non-academic staff, helping and supporting students and academics should be their main Key Performance Area of their performance management indicators. This proposal is worth considering as it could be a way to create awareness towards student-centricity and a service culture.
- h. In many instances universities have some problems and challenges related to the registration of modules. This is because several of the qualifications offered by institutions don't have a fixed or set curriculum. At UNISA it is the same.
- i. With a fixed curriculum, all modules leading to the qualifications are compulsory or core modules, and there are only a few options for students to choose some elective or choice modules. Furthermore, with a fixed curriculum the timetable and examination schedules are already worked out and there are not any scheduling, timetable or examination clashes and conflicts. It is much easier to manage the registration system with fixed curriculum as opposed to more general and open qualifications where only a few modules are compulsory, and the rest of the curriculum is made up of elective and choice modules.
- j. With open and flexible qualifications, there are usually only a few core modules, and the rest students choose from various elective modules. During the registration process, there needs to be a lot more academic advice and support services available to students in these programmes to assist them during the registration process. Typically, the issues are:
- Students don't always know which elective modules to choose, they want to speak to an advisor to guide them.
  - Students sometimes want to choose modules where they don't meet the prerequisites and then the system don't allow the registration. Although this is correct, the issue is that these students then need to speak to someone that must explain the prerequisites and propose alternative modules or options.
  - Students have timetable and examination clashes because of the combination of modules they registered for. Again, this is a situation where students need to speak to someone knowledgeable to assist them in sorting out their timetable.

- k. Institutions are not expected to offer only qualifications with a fixed or set curriculum. But institutions are expected to be able to support students during registrations, especially attending to the issues listed above.
- l. During the interviews, one staff member stated that at UNISA about 85% of student registrations are done by students themselves with very little problems. Specifically, it was explained:

*"The remainder are the problem cases. It is possible for students to register for the wrong modules because there are different streams in qualifications at the undergraduate level. Students mix up the streams and the system does not identify it, and the quality assurance in the registration process is not able to pick up these cases because of the short time available for registration".*

- m. It is clear that students do experience different challenges related to their registration. From my assessment during interviews with students and staff, it is also clear that the necessary support services are not in place to assist the students. Frustrated students turn to social media and Twitter to be assisted out of desperation<sup>22</sup>.



- n. The recurring theme is poor communication from UNISA and the general institutional responsiveness. All these problems delay the registration process. Only at the point of successful registration do students have access to their study and learning material. If the registration process is delayed students also have less time to submit their assignments and complete the semester.
- o. A submission from a staff member explained:

*"Semester 1 is from January to June, but registration of students is so often delayed that students write to us as academics in February and March stating that their registration has been finalised late. The first assignment in a semester module is usually due in February or March. If the assignment date has passed, the student asks for permission to submit the assignment late. This*

<sup>22</sup> <https://twitter.com/McebisiZikode/status/1631556301766512642?s=20>

*creates a problem because the solutions to assignments are by then usually available. This means that the academic has to either set a new assessment for this student or allow the student to submit the same assignment, risking the possibility that the student might have copied from the solutions. There is no communication from registrations in this regard, we are expected to adapt without any regard for the additional work that this might cause....Registration due dates are extended every semester, which impacts the academic program because we then have to extend our assignment due dates – this goes against all the emphasis on planning ahead and impacts the time students have to master the module and prepare for the exam”.*

- p. The Daily Maverick article stated that when they tried to call UNISA, they waited 31 minutes on the UNISA Call Centre, without a response and included a screenshot in the article.<sup>23</sup>



Ferial  
@PCFairly

Replying to @unisa

holding for call centre 1 hour 15 minutes 33 seconds and counting.... there is a problem there.

11:39 am · 13 Feb 2023 · 366 Views

<https://twitter.com/PCFairly/status/1625067051076263937?s=20>



Anna Goble @AnnaGoble2 · 26 Jan

@unisa you take forever to get through to the student call centre and when you do after 45 minutes they put the phone down on you and you start all over again #unisa

43



Nokza Wiseman @ligarwiseman · 22 Jan

Replying to @Unisa\_UCL

2 weeks unable to get thru to unisa using 08 CALL CENTRE NUMBER

268

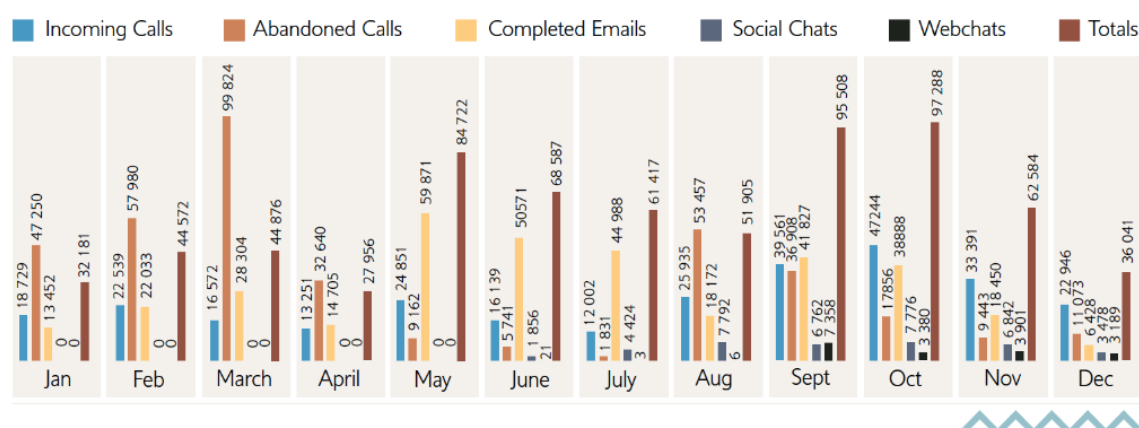
- q. Discussed on the Agenda of the ASACoC in February 2021, was the Student Communication Service Centre (SCSC). The Committee considered and noted the progress report dated 12 February 2021 on the SCSC. The report outlined the following statistics for the registration period in 2021:

- i. There had been great improvement in that 70% of all enquiries were answered. The SCSC had, however, experienced many dropped calls owing to Telkom challenges from 7 January 2021 when it had reopened until services were restored on Tuesday, 12 January 2021.
- ii. The SCSC was also dealing with high volumes of registration calls, which had resulted in abandoned calls, but it continued to take more calls than the number of abandoned calls.

<sup>23</sup> <https://www.dailymaverick.co.za/article/2023-02-14-trying-to-register-with-UNISA-is-a-nightmare-say-many-students/>

- iii. An additional option on the phones had been introduced for the examinations and registrations so that they were not affected by the general enquiries. It had, however, been discovered that not all students chose the correct options, resulting in them being frustrated.
- iv. The average waiting time for the two months to date was less than ten minutes overall but less than two minutes for those who chose the correct options. The SCSC was continuing to monitor trends since reopening.
- v. Over 31 000 calls a month had been answered in the last three months.
- r. The explanation in point II, above, that the number of calls taken still exceeded the number of abandoned calls, is contradicted in the 2021 UNISA Annual Report (page 23), see graph below. The number of abandoned calls far exceeds the number of incoming calls. During the registration period, January to March, these numbers are very concerning and alarming, indicative of UNISA not being able to serve its students.

Statistics showing volumes



Totals: abandoned calls and chat call-backs for January – December 2021

Incoming Calls	Abandoned Calls	Completed emails	Social chats	Webchats
293 160	383 165	357 689	38 930	17 858

- s. I have received many complaints related to the lack of support for students during the registration period. These are problems and issues that could result in UNISA having to extend the registration period. Students are saying that they are not getting through to the call centre, and that their email enquiries are also not responded to. The number of abandoned calls confirms that students are not getting through to UNISA. I have been told that students end up having to travel to one of the campuses to try and solve the problems they have. In some instances, it was reported that students are not always assisted at one of the regional campuses, and then they must travel to the main campus in Pretoria. Given that UNISA is a distance education institution,

and serves students from all over the country, one would expect excellent online and call centre support during the registration period. Many of the registration issues are related to modules and the curriculum because students are not sure about their module choices or because they have clashes in their schedules.

- t. Therefore, UNISA needs to urgently improve their capacity to deal with registration enquiries during the registration period. The current call centre and support structures are not fit for purpose to serve the number of students that must register. The fact that more calls are abandoned than attended to is unacceptable for a university, especially an institution that mainly offers distance support to its students. UNISA should consider streamlining and easing the registration process in terms of module selection, either through improved orientation or curriculum design. Considering more structured curricula in the programmes that don't have a fixed curriculum could significantly ease the registration process and subsequent schedule and timetable clashes.

#### **4.3.10 Examinations And Assessment Services**

- a. As mentioned earlier, UNISA adopted online examinations, initially in response to Covid-19, but since 2020 remained with online assessments and examinations in line with UNISA's ODeL strategy. During the interviews students and staff expressed serious concerns with the total migration to online assessments and examinations.
- b. One student leader explained that *"we understand as student leaders that we cannot be forever complaining. We understand that Covid caused a move to online teaching. The problem is that they (UNISA) did not capacitate or support students to move with the university when they went online"*.
- c. According to the students, there is an assumption that all students have access to computers and data, and that all students are computer literate. This assumption is completely wrong. Students feel that if UNISA really understood and cared for them, the process of migrating to fully online assessments and examinations would have been underpinned with support and proper change management. Students were just expected to be computer literate, to arrange computers and install all the required invigilation apps and ensure that they have unlimited data. During the interviews another student leader sketched the following situation:

*"They (UNISA) have forgotten where their students come from, they think that all of us finish high school already knowing a computer. There was this one student that I had to assist, and she was sitting there for a long time. I had to help her by typing in her name, and the staff came and said*

*that they were trained not to touch the computer for the students, and I think that they forget what it is to be human. I don't know, we have to think about that".*

- d. These student leaders are dealing with these challenges on a daily basis and the students experience UNISA as insensitive and out of touch with its own students. A student stated:

*"They said that everyone is supposed to do their exam in the comfort of their own home. We know where we are all from, there are people living in a house with their siblings, and even the neighbours are close-by and they cannot be expected to be quiet. They took these decisions without consulting us (student leaders) about what our students' experiences are like".*

- e. How can an institution expect of a student that is not computer literate, that don't have access to devices and data, successfully complete a qualification? The Peer Review of the Office of the Registrar (March 2022) highlighted the concern as follows:

*"First-year students from rural communities and disadvantaged backgrounds indicated that they were struggling with online learning as they were not digitally literate, nor did they have resources to acquire the necessary devices".*

- f. During the interviews it became clear that UNISA will remain with online assessments and examinations, aligned to its 2030 strategy. However, UNISA must consider all aspects and situations that can impact online assessments and examinations. These include computer literacy levels of students, access to devices, access to data and other issues such as loadshedding. Furthermore, UNISA also needs to take into account its own ICT infrastructure, the stability of the systems and if there are adequate support structures in place.
- g. UNISA admitted some technical glitches during the October 2022 online examination period and posted the following announcement on the website:

## Announcements

## Unisa apologises to students for technical glitches experienced during exams

The University of South Africa (Unisa) apologises to students in respect of technical challenges that were experienced during some online exams that took place on 24 and 25 October 2022. Students sitting for the affected sessions were granted extension or grace period to accommodate the inconvenience experienced.

The university, through its colleges, is also communicating with affected students via its official communication platforms.

Unisa reassures students that those who could not proceed with the rest of the affected exams sessions even after the university has extended the duration of the sessions in question, their cases would be investigated.

Students are also urged to carefully read the [Step-by-Step guide to the online examinations](#) and take note of the [new permitted submission time](#). Students experiencing technical challenges should contact the SCSC on 080 000 1870 or via e-mail [Examenquiries@unisa.ac.za](mailto:Examenquiries@unisa.ac.za) or refer to the [Get-Help](#) resource for the list of additional contact numbers.

Students are reminded to please read the exam announcements that the University publishes on its platforms. These are aimed at assisting students to know where to go should they experience glitches whilst busy writing exams. In cases of emergency, Unisa posts announcements on the homepage of myUnisa at <https://my.unisa.ac.za>. Lecturers also post information on the module and exam sites when issues emerge.

Having said that, the university wishes all Unisans who are sitting for remaining examinations success. Please give it your best shot. Unisa strives to ensure that the security and credibility of its exams is always enhanced.

🕒 Publish date: 2022-10-26 00:00:00.0

- h. Students are rightfully asking what is the policy in terms of system crashes, or loadshedding or other issues that are out of students' control. I searched for a relevant policy, but could only find the Assessment Policy that was last updated in 2019, and hence not relevant to online examinations. During the interview a regional student leader said:

*"They say that we can do aegrotat when the system crashes – but the policy is actually meant to provide supplementary exams for students who fall ill and cannot write the exam. There is nothing that says when the system crashes that students must do the aegrotat. The problem is that students must take responsibility to do it, and they must pay for it. And some students lose their NSFAS funding, because it looks like the students did not pass those modules. The system is a mess. COVID is now over, we must go back to venue-based exams. In future it would be questioned – some students on social media are complaining, and we are concerned about the quality and credibility of the qualifications in this institution".*

- i. This has been an area of student frustrations, and many have expressed such frustrations on social media. Below are the snapshots of some of the comments from frustrated students:

**Lewcifer** @Afr\_Humor · 12h  
Become a student:

Unisa sends a notice that we should self prepare for loadshedding, when there is no power, we dont have network, now when we are suppose to write exams at 8, the system is offline.

Loadshedding is starting at 12?!

**NOTICES**

- myUnisa login is currently unavailable including myExams. We are working to resolve the issue as a matter of urgency. Exams scheduled for today will continue even if slightly delayed.
- Amended October/November 2022 examination rule on permitted submission time on the alternative link

**Angellina Khumalo** @Angelina\_KidA · 7h  
UNISA should be partners with Eskom 🙄

**Madz** @TooMuchMadz · 1h  
I am tired of being a student at UNISA... I showed up to my exam last week, they forgot to arrange my special needs exam (note: its just extra time) and i wasnt able to log onto the normal one. I got a message at 18:30 today asking of i can write tomorrow 🙄

**Mrs. M** @fifigp · 5h  
This is the struggles UNISA students are going through. @menzi\_mdaniyoka go on and be a fire-extinguisher. 🙄

**Mlungisi** @Mlungisi\_ · 13h  
Replying to @j\_thandekile  
Unisa will be the end of me honestly 🙄🙄🙄  
Like 12 minutes before the exam commences and we can't log on 🙄🙄🙄🙄

**Ronel Olivier** @RonelOlivier19 · 14h  
@unisa writing exam in 30 minutes and myunisa keeps saying "Invalid credentials" I tried to reset my password but i don't receive the SMS. Tried on laptop and cellphone. Same thing.

**tiabeanie** @thobekankalanga · 11h  
Replying to @KgothatsoMabit3, @DineoTsaBadimo and @Boromo\_M  
Unisa always has problems. They don't mark assignments, they "forgot" to process my second term registration even though I paid. Their invigilator app never works, they don't deliver study material in time, they don't respond to emails or calls, their help centers don't assist.

**Ic: @nawless\_tendoo** @nawlessreil · 10h  
I mean why implement online exams knowing very well that you will not sustain them. Bring back venue based exam. @unisa

**Sho\_Maps** @MapsSho · 6h  
Your administration is from hell, you hardly ever respond to your emails and when you do it always late. Stop stealing from the students, if we had other options, I don't think we would bother with UNISA anymore! Your system/moocs/invigilator has cause us irreparable damage!

**Tshenolo\_Phetoane** @TshenoloP1 · 13h  
I'm experiencing the same thing  
@unisa  
@RonelOlivier19

**Anastacia** @Miss\_Nasteeey · 7h  
Honestly I feel like am in a abusive relationship. Their systems are not working yet it's my fault #unisa

Dear students,

Unisa apologises for the system downtime on myexams today. DSAA worked actively in resolving the matter, and the directives issued to you were per instructions received.

Every effort was made to ensure that the system was running for the entire duration of the examination since commencement at 8.30am. Extra time was granted to all students to accommodate the late start. The activation time on the QR code was also extended to 9.15am. The submission portals on myexams and the alternative link were extended to 11.15am.

The exam for 2022 is concluded.

Any student who is found threatening or intimidating the lecturers in any way whatsoever in respect to this matter will

**Sporty Spice** @MasegoLFC · 8h  
Unisa sounds like a horrible institution to study at yoh

**Nompumelelo Zuma** @Mpumikazi · 1h  
Replying to @Vee\_Sta and @unisa  
Happened with MNG3701 sent emails no response, it hurts so bad that I won't finish my degree all because of technical glitches 🙄 that I had no control over, been trying to stay optimistic but I know there's no chance with Unisa

**Siyanda** @Siya\_Diaminii · 7h  
#UnisaSucks Imagine preparing so hard and being ready for system to crash before you write then with all that not being able to submit, Unisa just messing

- j. UNISA implemented online assessments and examinations in response to Covid 19 in 2020 and has since remained with this mode of assessment as it is aligned to their 2030 strategy. However, from my observations, the change was too abrupt and a phased in approach that considered the students would have been a better option. Two years down the line, the system itself is still not stable and students experience a lot of challenges as a result. Policy documents are not up to date. The current Assessment policy (2019) was last updated before UNISA adopted online examinations. During the interviews it was obvious that students don't even identify UNISA, and keep referring to it as "they", as students are disconnected and have no sense of pride being associated with the institution. UNISA faces serious reputational risks.
- k. UNISA must review the mode of assessment considering the needs and abilities of its students i.e., digital and computer literacy assessment of all students. UNISA needs to find out if all their students have access to devices and data, at this point in time it does not seem like UNISA know this information. UNISA must provide computer and internet facilities at various centres across the country to give all students equal opportunities to write their examinations online. UNISA must proactively communicate to students what support structures are in place to assist them during examinations. UNISA must update all applicable policy documentation to cater for online assessment and adjust the content accordingly with reference to online assessments, and include eventualities that could impact on examinations such as devices, data, electricity (loadshedding), etc.
- l. Because of all the issues reported with online assessments by students and staff, the overall integrity of the assessments and examinations are being questioned. One staff member stated that *"from a security and confidentiality point of view, we cannot defend online exams"*. During an interview a student explained:
- "It is true that the public has no confidence in UNISA. We are seen as people who go to an institution, but we would be incompetent in the work environment. This is about only one thing, the current online exam system. They say that they are asking questions in a way that makes it clear that you can apply knowledge, but it is open book, so I don't understand how going online was aligned to the curriculum of UNISA and what purpose it served for students. Yes, the public discredit UNISA, they don't have confidence in it. It is a pity".*
- m. A related risk reported by students and staff is the increase in academic fraud arising from the hiring of exam takers and assignment writers also called ghost writers. During the interviews, it was reported that the invigilator app does not work reliably – it wrongfully flags students that were not cheating, and in other instances don't flag students that were cheating. One staff member stated:

*"We picked up that a lot of students working online were sitting in groups and copying, which affects the credibility of our qualifications, and I recommended that IT must find a way to protect the integrity of our exams. I know that they implemented the proctoring tool. We identified just over 15 000 students who were alleged to have cheated, of which only 200 were actually have been found to be cheating, which is why students still insist on venue-based exams".*

- n. From 15 000 students flagged, to find 200 who have been cheating, is far from accurate! The online examination system is just not stable, students complained about the system crashing, and hanging in the middle of their exams. Students said that when they experienced system issues, they were given a zero (0), other students said that the invigilator app, incorrectly flagged them for cheating, and they were also given a zero (0) for their exam. The Peer Review Report said the following on online examinations:

*Students complained that they were either repeating modules or could not graduate because, instead of receiving examination results, they received system-generated statements indicating that they are facing "pending disciplinary" for the transgressions they believe they never committed. Student Assessment Administration also apparently accused students that they had not sat for examinations when in fact they had evidence proving that they had sat for these exams. Adding insult to injury, students claimed that all calls and emails they would write to Pretoria to complain of these mishaps would either receive hostile feedback from lecturers or not receive any feedback at all.*

- o. The latest figures of student disciplinary statistics, provided to me on 6 December 2022 is a total of 10954 cases of academic misconducts for the 2022 examination period. The report explains:

*The increase in disciplinary cases is caused by students enlisting the help of third parties to complete examinations, assignments, or any coursework. Students are paying for services to complete an exam or assignment. The trend has increased since the genesis of online examinations. Another contributing factor is students uploading and sharing course material to sites that have not been vetted by the university and that claim to offer study help or tutoring.*

- p. A staff member during our interview indicated that the Student Disciplinary Office does not have the capacity to deal with these volumes of cases. At the Council meeting on 24 November 2022, disciplinary cases were discussed, and the Registrar presented a report. The Minutes of the meeting reads:

*Prof Mothata presented the report, highlighting that the submission had been informed by the challenges of backlog in the student disciplinary hearing processes, and that this might take a long period of time to conclude. The factors behind the increase in the disciplinary cases were mostly as a result of plagiarism cases due to migration to online examinations, students making*

*use of third parties, and the drastic escalation of students submitting similar answers to assignments and examination questions.*

*...Council did acknowledge that there was a need to increase manpower to deal with the issue of the backlog, and thus agreed that there was an urgent need to appoint contractors to deal with this. Council resolved (amongst others) that the request to increase the capacity in the student disciplinary office as indicated under point 3 of the report, be approved and that this be durable for a period of 3 months...*

- q. In dealing with student disciplinary cases, students are referred to the Student's Disciplinary Code as it explains the disciplinary process in detail and outlines the student's rights throughout the disciplinary process. What I find very concerning is that the Students' Disciplinary Code was last updated in 2014<sup>24</sup>. How can UNISA hold students to a Disciplinary code that makes absolutely no reference to online assessments under the relevant section dealing with assessment? Below, see the section on Examinations, in the current 2014 Students' Disciplinary Code on page 6:

*2 With regard to assessments, a student is guilty of misconduct if he/she cheats in any University examination.*

*2.1 For purposes of this rule 'examination' includes all assessments of a student's performance organised and/or conducted in the name of the University.*

*2.2 Further for purposes of this rule, 'cheating' includes:*

*2.2.1 the possession of any unauthorised notes and/or aid(s) in the examination venue after the first answer book or question paper is made available to students;*

*2.2.2 the use or attempt to use during an examination writing paper not supplied by the University, any note or aid(s) or electronic devices for the purpose of assisting in the examination;*

*2.2.3 the communication or attempted communication of any information relating to an examination with any other candidate whilst the examination is in progress;*

*2.2.4 the removal or attempted removal from an examination room of any examination book or writing paper supplied by the University for the purposes of answering an examination;*

*2.2.5 the use of a false name, identity number or student number in an examination;*

*2.2.6 the submission for examination as own work any matter that has been copied, reproduced, or extracted in whole or in part from the work of another student or some other person, or which is substantially the same in whole or in part as the work of another student;*

*2.2.7 intentionally or negligently assisting another student to cheat as defined in 2.2; and*

<sup>24</sup> [https://www.UNISA.ac.za/static/corporate\\_web/Content/Apply%20for%20admission/Documents/UNISA-Students-Disciplinary-Code-25-April-2014.pdf](https://www.UNISA.ac.za/static/corporate_web/Content/Apply%20for%20admission/Documents/UNISA-Students-Disciplinary-Code-25-April-2014.pdf)

*2.2.8 the commission of any other fraudulent or dishonest practice whereby a student, whilst being examined by the University, seeks to mislead or deceive the examiner or the examination officer.*

- r. Although the principles of the disciplinary code may still be relevant and applicable, it is just poor administration to not update these critical documents when an institution has gone through a significant change such as the move to online assessments and examinations. Also, other sections in the code may be irrelevant or contradictory. Some sections in the code were never written to accommodate the volumes or high number of cases that UNISA is currently dealing with.
- s. In many instances students claim that they are caught up in disciplinary cases because of system issues with the Invigilator app. One student stated that the *“proctoring system picks up sounds, but people stay in two-room houses, people have kids, so one cannot expect a four- or seven-year-old to stay outside until their parent has completed their exam. Those are challenges that we have, and I’m not sure if this system can work for us”*.
- t. A senior executive staff member confirmed that the *“proctoring system in the absence of invigilators which sometimes identify completely innocent things as problematic – the system failed us, and we have been trying to address it”*. The message from students and staff is that the invigilator or proctoring tool is not working correctly. A student leader explained:  
  
*“I had my own run in with the invigilator app which is not accurate, and the university is refusing to take responsibility for the shortcomings of the app, even if you can prove that the app was giving you problems. Now they are targeting us by accusing us of trying to scam our way into a qualification. The invigilator app is not working, they cannot claim to say that it is a way to ensure the ethical way of getting a qualification. If that is the only way that they ensure the ethical nature of the exam, I think they must revisit their view”*.
- u. It is of critical importance that the backlog in student disciplinary cases be attended to urgently. I recognise the decision from Council to support the proposal for additional resources to focus on the disciplinary cases as a positive but necessary step. The students implicated or flagged are being held up by UNISA’s processes and the students are dependent on UNISA’s capacity to process the cases. Until their cases are finalised, students have a hold on their records, and they are blocked from re-registering, and/or from graduating.
- v. Below, was received in a submission indicating emails from a student that enquired about the status of a subject that was marked 0% because it was flagged. It is clear from the email trails below that the student is not receiving the necessary information about the process or the way forward.

## (1) Student emails lecturer on 18 January 2021

From: [REDACTED]  
 Sent: Monday, 18 January 2021 09:51  
 To: [REDACTED]  
 Subject: Re: Warning Letter for MAC4865 Oct/Nov Examination 2020

Good Morning

I am not sure I understand the contents of this letter.

I am being accused of cheating parts of my paper when I had the invigilator app open the whole time?

I couldn't even use google because I wasn't allowed to minimise my screen and most of the paper had calculations even if I had the opportunity to search for answers there wasn't time.

I spent the whole year on lockdown studying this module it saddens me to see my efforts go at 0.

The entire year I never received such an accusation it really pains me to see nothing being done and receiving a zero knowing very well I couldn't have plagiarised.

Can you as my lecturer assist in this regard, this is the only module I have left and I've put in too much effort.

## (2) Lecturer responds on 19 January 2021:

From: [REDACTED]  
 Sent: Tuesday, 19 January 2021 12:49  
 To: [REDACTED]  
 Subject: Re: Warning Letter for MAC4865 Oct/Nov Examination 2020

Dear [REDACTED]

You have been identified to have copied/plagiarised in the answer file submitted for the MAC4865 October/November 2020 exam.

As per information received from DSAA/Examinations Department, you have appealed your 0% mark for MAC4865. As far as I am aware, appeals are currently being reviewed. Please wait for feedback that will be communicated to you in this regard.

## (3) Student follows up with lecturer on 26 January 2021:

To: [REDACTED]  
 Subject: Re: Warning Letter for MAC4865 Oct/Nov Examination 2020

Good Day Sir

Is my exam still under review and if so how long will it take?

Thanks,

## (4) Lecturer responds on 26 January 2021:

From: [REDACTED]  
 Sent: Tuesday, 26 January 2021 16:47  
 To: [REDACTED]  
 Cc: [REDACTED]  
 Subject: Re: Warning Letter for MAC4865 Oct/Nov Examination 2020

Good evening [REDACTED]

Please note that your appeal is probably still under review. I have however included [REDACTED] email who is the contact per the warning letter received.

Kind regards

## (5) Student follows up with person the lecturer referred to on 3 February 2021:

From: [REDACTED]  
 Sent: Wednesday, 03 February 2021 20:07  
 To: [REDACTED]  
 Subject: Re: Warning Letter for MAC4865 Oct/Nov Examination 2020

Hi,

This is a courtesy follow up regarding the below matter, there has been no way forward.

I still cannot explain to my employer exactly what needs to be done.

Please respond so I know the outcome of my review.

I thanks,

## (6) Student follows up again on 5 February 2021:

From: [REDACTED]  
 Sent: 05 February 2021 03:13 PM  
 To: [REDACTED]  
 Subject: Re: Warning Letter for MAC4865 Oct/Nov Examination 2020

Good Day

I haven't received feedback from [REDACTED]

May I kindly please get an update on my 0% review and what I need to do.

Can I get the marked script at least and see what's going on.

- w. The number of disciplinary cases related to academic misconduct during examinations is alarming. Thousands of students are flagged and need to go through the disciplinary process before results can be finalised. With one submission stating that out of 15000 potential cases, only 200 were found guilty (1.3%), UNISA must question the validity and reliability of the measure it uses to identify the students suspected of academic misconduct during examinations. Measures and systems to improve enhance online examination security is a necessity. However, when the system that is used creates so many false positives, it is a cause for concern. UNISA does not seem to have the required staff capacity to deal with the amount of work being generated. Consequently, student disciplinary cases and student outcomes are delayed, and students complain that they are not getting the necessary information from UNISA regarding their disciplinary cases. Students informed me of instances where they had to wait for close to a

year to finalise their disciplinary cases. Again, the Students' Disciplinary Code is not up to date and makes no reference to online assessments, or any eventualities that could impact on their examinations such as devices, data, electricity supply (loadshedding).

- x. It is my view that UNISA should review the methods, systems, and apps used, to protect the integrity of online assessment and examinations. The current proctoring tool and invigilator app is questionable in terms of reliability and validity. Secondly, UNISA needs to proactively consider their approach and response to student disciplinary cases and improve the turn-around time so that cases are finalised in time for students to still register or graduate if possible. Thirdly, UNISA should ensure that students have access to system support staff or call centres throughout the examination period, so that students can immediately report and log issues in real-time during their exams.
- y. During the interviews, I received a number of complaints about the late release of students' results for assignments and examinations. Many students complained that they don't receive their results before the examinations. One student reported that *"we have had to write examinations without feedback on our assignments, this is a concern that students have raised countless times, but which seem to have fallen on deaf ears"*. The Assessment Policy (2019) makes it clear that students must receive feedback on their assignments and other assessments before they write summative examinations (page 9):

*Instructional feedback is fundamental to the learning process. Lecturers will provide timely and constructive feedback that identifies where misunderstandings have occurred and the ways in which the student can improve, on both marked and self-assessed assignments. Feedback should be individualized to the specific student's attempts whenever possible and practicable. Generic feedback should also be given in answers/guidelines to self-assessed tasks in study materials and lecturer-marked assignments.*

*Feedback on assignments, other assessment activities or in tutorial letters must reach students before they write summative examinations.*

- z. Earlier, I reported under Student Services (section 4.3.6), on the Student Satisfaction Surveys that UNISA use to measure the level of satisfaction students experience in different aspects of the student journey. The 2020 Student Satisfaction Survey (Wave 2) focused on students' satisfaction with teaching, learning and academic and administrative student support services. The survey results are presented on a scale of 0 to 100, where an average index score below 60 points is regarded as substandard, while an average index score of above 75 points is regarded as the bare minimum for a 'respectable' score.

- aa. The survey results on more than half of the items measuring student satisfaction with assignment and examination assessments recorded index scores below 60 points, i.e. substandard. More specifically, the bottom 3 items with the lowest scores were:
- Length of time to get feedback on assignments (37,91 index points).
  - Fairness of marking/grading of assignments (48,71 index points).
  - Quality of academic aspects of feedback on assignments (52,45 index points).
- bb. The survey findings therefore confirms that UNISA has problems with ensuring that marks and results are released on time. Although the findings presented are from the 2020 survey, students still experience this challenge as was evident in discussions with students during the interviews. Current students complained about the late release of their results. UNISA must do what is necessary to improve these processes as the Assessment Policy (2019) is clear that students must receive feedback on their assignments and other assessments before they write summative examinations.
- cc. Prior to online examinations, the capturing and processing of marks were centralised. With the online assessments and examinations, marks and results are captured in the Colleges. From my interviews with Student Assessment Administration staff, it seems that various checks and balances are in place to monitor the processing of results, and to flag for example late or outstanding results. According to staff, they have up to date dashboards and monitoring tools to track progress in terms of marking and releasing of results.
- dd. The problem is that there are sometimes delays in marking at the Colleges. One interviewee explained “...*part of the challenge the central team face - is that with the Moodle integration, marks processing is fully in the hands of lecturers and although there is a double sign-off at the colleges, the central team are not really able to identify tampering with results*”.
- ee. Furthermore, there have been some rumours about tampering with results and that students could ‘pay’ for better marks. During this assessment I was not able to interrogate this further, but I became aware of an internal audit report dated March 2021, where it was in fact proven that a lecturer solicited money from students in exchange for marks (see below). I urge UNISA to consider this as an institutional risk and implement measures to identify and monitor changes to marks.

### 3. SUMMARY OF FINDINGS

- 3.1 [REDACTED] submitted her portfolio as required and [REDACTED] failed to mark and process as required.
- 3.2 [REDACTED] portfolio has since been allocated to another marker and she obtained a pass.
- 3.3 The allegation by [REDACTED] that [REDACTED] demanded her to pay R1000.00 and later R1 500.00 for assistance with portfolio is supported by the statement by another student [REDACTED] who had admitted paying money to [REDACTED] for assistance with her portfolio and evidence obtained during the investigation.
- 3.4 Two students, [REDACTED] and [REDACTED] portfolios submitted to the examination section by [REDACTED] are similar, suggesting that they were either copied from same source or prepared by the same person.
- 3.5 There is no evidence that shows that both [REDACTED] and [REDACTED] have submitted any portfolios to [REDACTED] or the university.
- 3.6 [REDACTED] admitted that she did not submit any work, but paid money for assistance with the portfolio on advise by [REDACTED]. She stated that she paid the money to [REDACTED].
- 3.7 [REDACTED] stated that the portfolio submitted to the examination section by [REDACTED] [REDACTED] which was shown to her during the investigation is not what she submitted and does not belong to her.

- ff. UNISA may have management information and dashboards in place to monitor the release of results, but with the integration of the learning management system (Moodle), there is no central oversight on changes to marks in colleges. This is a big institutional risk.
- gg. I therefore recommend that UNISA must comply with the Assessment Policy and ensure that the student assignments and other assessments results are released before examinations. A mechanism could be put in place for students to report instances where marks are outstanding for the central office to investigate. Secondly, UNISA must consider implementing system controls to ensure that all changes to marks are legitimate, recorded and can be justified when needed. Thirdly, the University should develop a policy framework and institutional structures that will guarantee and safeguard the quality, credibility and security of examinations and the results for all online examinations.

#### 4.3.11 Qualification Audits

- a. After completing a qualification, students are issued with a letter of completion or an Advance Statement, as in the case at UNISA. The 2022/2023 Rules for Students state the following:
  5. An Advance Statement (page 2)
    - 5.1.1 A student will receive an Advance Statement in respect of a completed degree, diploma or certificate prior to a specific graduation date.
    - 5.1.2 The Advance Statement is e-mailed to the student's myLife UNISA e-mail **account as soon as reasonably possible after completion of the qualification.**
    - 5.1.3 All modules that have been passed will be indicated on the Advance Statement, together with the percentages obtained.

- 5.1.4 An Advance Statement will not be issued to a student who has an outstanding fee balance, outstanding/pending disciplinary case or outstanding library material. The Advance Statement will only be processed upon settlement of the obligation.
- 5.1.5 **An Advance Statement is only issued after the student's results have been finally audited for correctness.**
- 5.1.6 A student may be issued with a letter confirming that he / she is in a final year or semester if all the outstanding modules required for the completion a qualification are fully registered.
- b. There have been numerous complaints about students that have completed their studies and then await confirmation of completion from UNISA. Generally, after concluding the academic year, institutions must audit the students that have completed their studies to ensure full compliance with qualification curriculum and link these students to graduation ceremonies. In most institutions this auditing process is completed by end of February.
- c. The UNISA Student Rules state that this process will be completed 'as soon as reasonably possible after completion of the qualification'. What would this reasonable time be?
- d. One issue is how long the process takes, the second issue is about the mechanisms UNISA puts in place for student so that they can enquire and follow-up on the progress of their audits. Students have a right to ask about the status of their qualifications, especially when they have complied with all the qualification requirements. Many of the students need confirmation of their qualifications for potential employment opportunities, or for further studies. However, students report that their calls and emails remain unanswered. See for example the email below, please note that there were 5 emails preceding this email enquiry on a completion letter.

**From:** [REDACTED]  
**Sent:** Wednesday, 24 March 2021 11:26 AM  
**To:** [REDACTED]  
**Subject:** [REDACTED] - Completion Letter

[REDACTED]

It has been a week almost and I have yet to receive a single response from you regarding my Completion of Qualification Letter. My status on my academic profile still says "Final Year Student" even though I completed my studies in Oct/Nov 2020. I've yet to receive my completion letter and as a result, I've missed out on a couple of opportunities regarding possible employment. I haven't been able to get through to anyone on the UNISA helpline after spending 2 hours waiting on the phone. Why is it so hard to get some clarity on when I will be receiving my completion letter and why is it taking this long? I really need this matter handled as soon as possible. It is a matter of urgency.

Regards  
[REDACTED]

- e. In my interviews with staff working with qualification audits and graduations, it was explained to me that the qualification audit process is very complicated with many interdependencies. I explain my understanding of the process briefly below.
- f. Before any records can be audited, the process starts with the approval of the graduation dates for the next year. Once the ManCom approved the proposed graduation dates, the different graduation sessions are created on the student system. When all the final marks are on the system, qualification audits can then proceed and allocate students to the respective graduation sessions. The actual qualification audit process is still done manually at UNISA. Thousands of student records (record cards) are printed and delivered to the Graduations unit for auditing. The first run prints about 20 000 record cards, and the printing process alone takes about two weeks. The Graduations unit then verify and check all the information on the record cards, students' statuses that comply with qualification requirements are then updated on the system. The second run can only be done after the audits on the first run are complete and statuses updated on the system, otherwise duplicate record cards are printed.
- g. I was informed that a new electronic system is being piloted that would not involve any printing and would also enable tracking of records to report on progress. This is a critical step in the right direction, as the current system is subject to high risks of human error, time consuming, resource intensive and not environmentally friendly or sustainable.
- h. As explained above, the whole process kicks off with the approval of graduation dates. The Policy on Graduation Ceremonies (2016) confirms this and states under Principles, point 3.3 that:  
*Dates for graduation ceremonies are determined one year in advance by the Deputy Director: Graduations which are approved by the Management Committee.*
- i. In my interviews with staff in November 2022, it was reported that the Graduation dates for 2023 was yet to be approved by ManCom. The staff member explained that the VC did not want to approve the dates because she would like to incorporate UNISA's 150 years of existence celebrations on the calendar activities for 2023. The Registrar in his interview confirmed that the VC had issues with the dates and wanted three ceremonies scheduled per day as opposed to two ceremonies. In principle, the VC has a right to ask and consult and to make changes to the processes but within the timelines as stipulated in the policy.
- j. This is not only non-compliance with their own Policy on Graduation Ceremonies, but the delay was also causing a critical administrative holdup that affects students negatively and result in late qualification audits. A staff member working with qualification audits stated: *"I can say that they are delaying us from completing our processes, which also delays graduations"*.

- k. When this issue was discussed with the Registrar in early February, he confirmed that the graduation dates for 2023 had since been approved. According to him the qualification audits are largely automated with only *“a few cases where manual interventions are needed”*. This contradicts what the staff working with the qualification audits, reported to me. The Registrar seems to be out of touch with the reality in terms of how the actual work is done by his staff, and the actual student experience related to the process. He stated in our interview:

*“I know that even though students complain about asking for their qualifications to be audited, they don’t understand that it is a process that must be completed after they finished their exams. Given the complaints that we received, there were only about 55 that had to be done manually, and all students will graduate on time”.*

- l. I find the comment from the Registrar above on student complaints as dismissive. Furthermore, his estimate that only about 55 cases of qualification audits had to be done manually is incorrect and unjust towards the staff working in the Graduations unit, that must do this labour intensive and time consuming task.
- m. Throughout this assessment, I have found that at UNISA, one of the biggest issues is the fact that students are not able to enquire or follow up on their issues. In this instance, it is the same, so frustrated students turn to social media to voice their concerns. Below is just some of the posts on Twitter, note how long some students have been waiting. Students complain that they wait anything between 3 - 9 months for their audits to be finalised. The Student Rules state that the process will be completed as soon as reasonably possible. How should students interpret this statement, because what is reasonable for UNISA, is not necessarily reasonable for a student. Some students claim to have lost employment opportunities because they are not able to prove that they have completed their qualifications. The situation is unfair as there is nothing that students can do to speed up the process, as this is completely out of their hands. The other problem is that students don’t get responses on their enquiries.
- n. It is my view that UNISA must invest in the systems and infrastructure needed to improve the timing, efficiency, and effectiveness of qualification audits. Alternatively consider additional resources to in the interim speed up the process. Furthermore, UNISA must provide a dedicated communication channel for these students to enquire and follow-up on the status of their qualification audits; and explain to students the actual timelines in terms of what “reasonably possible” means. Also, the general perception that students just complain is unacceptable. UNISA does not comply with its Policy on Graduation Ceremonies in terms of the planning and scheduling of graduation dates. UNISA must approve these dates long in advance in order for the administrative processes to follow and not cause any delays in qualification audits.



#### 4.3.12 Protection of Student Data

- The Registrar is the custodian of student data and must ensure the security, integrity and timeous disposal of data. The Registrar must ensure that policies that govern the protection of and access to information are compliant with national policies and relevant legislation on retention of data, sharing personal data (POPIA), or access to information (PAIA).
- I have received numerous complaints from students and staff about the student data not being secure. Students are constantly contacted by third parties and illegitimate service providers offering tutoring at a fee, as well as examination assistance. The Registrar's Portfolio Review Report (2022) stated that: The panel is concerned that the leakage of students' personal information is in direct violation of the POPIA and this needs to be dealt with in order to ensure the confidentiality of students' information.
- During the interviews students explained that as soon as they register, they receive SMS'es and WhatsApp messages on their mobile number, from people offering them assistance with their

modules. This means that the student data is available to these third parties in real-time as data leaks. In my interviews with staff, they expressed their concerns with student data being leaked outside UNISA. One staff member said: *“students register now, and a short while later they get that SMS. We asked ICT what they are doing, and raised the issue many times, but nothing happened”*.

- d. I have been informed about forensic investigations and have seen some official reports on this matter but found nothing conclusive. The minutes of the last three ASACoC meetings under matters arising state the following in chronological order:

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**Report on the investigation into third parties having access to the data of UNISA students (CAE)**

(8 August 2019, item 10.1.1; 17 October 2019, item 7.3; 19 February 2020, item 7.3; 13 May 2020, item 7.2; 3 August 2020, item 8.1, item 7.1; 4 November 2021; 16 February 2022, item 7.1)

- *Consideration of the matter was deferred to the next meeting after it was considered by the Management Committee before resubmission to the Committee. (Minutes of 26 May 2022)*
- 

**Report on the investigation into third parties having access to the data of UNISA students (CAE)**

(8 August 2019, item 10.1.1; 17 October 2019, item 7.3; 19 February 2020, item 7.3; 13 May 2020, item 7.2; 3 August 2020, item 8.1; 4 November 2020, item 7.1; 16 February 2022, item 7.1; 26 May 2022, item 7.1)

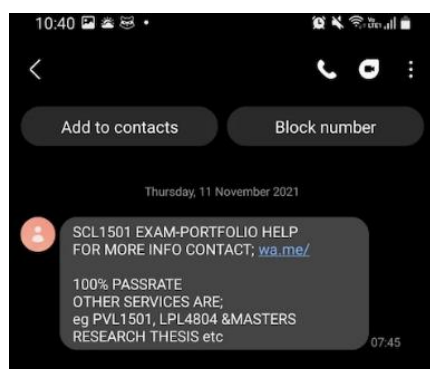
- *The Department: Internal Audit was required to submit a report on the possible prosecution of the suspected employees implicated in the leaked information of the students. No report was submitted, and Prof P LenkaBula undertook to follow up the matter and ensure that a report was submitted. (Minutes of 10 August 2022)*
- 

**Report on the investigation into third parties having access to the data of UNISA students (CAE)**

(8 August 2019, item 10.1.1; 17 October 2019, item 7.3; 19 February 2020, item 7.3; 13 May 2020, item 7.2; 3 August 2020, item 8.1, item 7.1; 4 November 2020)

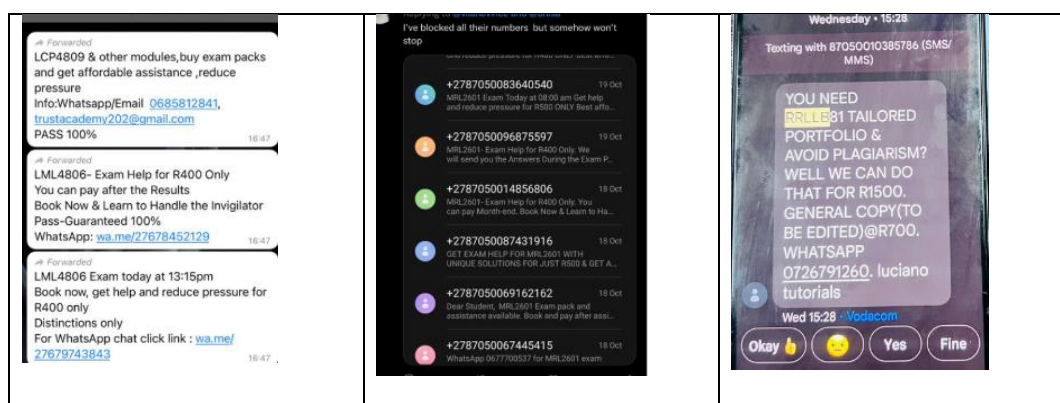
- *No report was submitted by the Department: Internal Audit on the possible prosecution of the suspected employees implicated in the leaked information. (Minutes of 10 November 2022)*
- 

- e. At the meeting of 10 August 2022, the VC undertook to look into the matter and ensure that a report was submitted at the next meeting. As can be seen, there was no report submitted. However, the problem has not gone away, and students still received these messages in the most recent October/November examinations. The culprits still seem to have access to student's examination timetable as can be seen in the messages below:



<https://www.dailymaverick.co.za/article/2021-11-11-the-owl-is-watching-varsity-exam-cheats-but-tech-savvy-few-dont-give-a-hoot/>

- f. Many students that I interviewed shared some of these messages with me, few of them below:



- g. The outdated Privacy Statement (2014) on the UNISA website, states that UNISA may disclose personal information to third party service providers (point 6.1.3, see below) involved with delivery of its products and services. The problem is that students are contacted by fraudulent service providers and they might not know that it is not a legitimate UNISA Service Provider.

### DISCLOSURE OF INFORMATION

- 6.1. *UNISA may disclose your personal information to third parties in certain circumstances, which include, but are not limited to*
- 6.1.1. *Where we have your consent.*
- 6.1.2. *Where we are required to do so by law.*
- 6.1.3. *To our service providers who are involved in the delivery of products or services to you, where we have agreements in place to ensure that our service providers comply with these privacy terms as required by POPIA.*

6.2. *Third parties to which we disclose personal information include, but are not limited to*

6.2.1. *Service providers of UNISA.*

6.2.2. *Government agencies.*

6.2.3. *Professional bodies.*

6.2.4. *Regulators, courts, tribunals and law enforcement agencies.*

<https://www.UNISA.ac.za/static/myUNISA/Content/Learner%20support%20&%20regions/Documents/UNISA%20Privacy%20Statement.pdf>

- h. In my interviews with students, they confirmed that as soon as they have registered for certain modules, they are contacted and offered tutorials and other assistance with their modules. Some students further confirmed that they were misled to believe that this was official UNISA tutoring. This may be plausible, if one considers the latest report on student disciplinary cases, explained that: The increase in disciplinary cases is caused by students enlisting the help of third parties to complete examinations, assignments, or any coursework. Students are paying for services to complete an exam or assignment.

- i. One academic put it this way:

*"It is definitely happening. There are many people who see opportunities to use their positions to supplement their income – this is from low level administration right through the university. Everybody is looking at how they can leverage their positions to make additional income. This comes from selling student information – students receive a message two hours after registration from a training company offering to assist them in their studies. We have been investigating this for the last 6 or 8 years, and it does not get resolved. Our practices are sometimes problematic, and do not enable proper checks and balances and monitoring to pick up these problems. The sense is that it is by design – it is not one or two individuals that are problematic, there is a system that has been created and many people participating or colluding to make it happen. Now with the writing of exams in COVID, there were many stories of people being paid to write exams for others. I know that students are desperate to get qualifications, and people enable them from within. There are also targets for throughput on modules, and if you see it is not going the way it should, why not adjust it slightly and still get your performance bonus for the year. I think it could happen all the way through from registration through to final assessment. It is impossible in an organisation of this size to audit all processes all the time."*

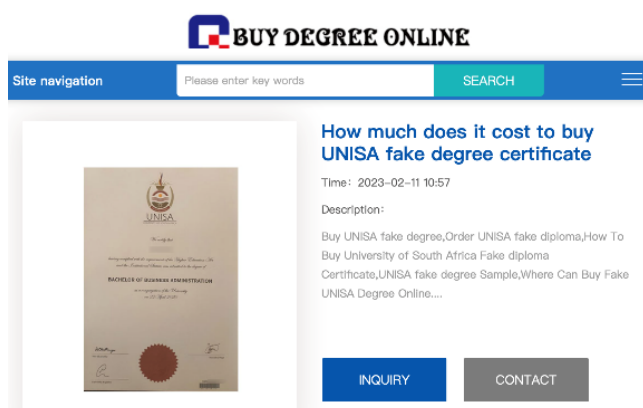
- j. It is clear that students' personal and academic data are not secure on the student system and that fraudulent third parties have access to students' mobile numbers, their module registrations and their examination timetable. Also, UNISA has known about this data breach for a long time already, but nothing has been done to stop the data from leaking. There are students

who are being misled by these fraudsters and accept some of the assistance offered to them, thinking that they are official service providers.

- k. I recommend therefore that UNISA urgently secure and protect all student data. In terms of POPIA legislation, the Information Regulator may impose significant financial penalties on UNISA. The University must also run a visible awareness campaign to inform all prospective and current students that these are fraudulent service providers and that if students make use of their services, they may face disciplinary charges.

#### 4.3.13 Lost Degree Certificates

- a. The Registrar is normally accountable for the overall management and coordination of graduation ceremonies and the certification process, and it is also the case at UNISA. During Covid-19 lockdown, the decision was taken to have virtual graduation ceremonies and to confer the degrees and award qualifications in absentia. Most, if not all institutions opted for this option given the stringent lockdown regulations in the country at the time. With the students graduating in absentia, institutions had to find ways to ensure that students receive their actual certificates via post, couriers, or at collection centres.
- b. In terms of best practises for certification, the Registrar's Handbook (2022, Lawson-Misra, N. et al.) recommends that the certification function be centralised under the office of the Registrar and segregated from academic departments to mitigate risk. Institutions have a responsibility to secure and protect their certificates (printed or not) at all costs. The reason for this is because of certificate fraud and falsified certificates. There is a big market for fraudulent and fake certificates locally and internationally as certificates serve as evidence of educational achievement needed or access to employment and further studies. A quick web search revealed that one can even buy a fake UNISA degree.



<https://www.buydiplomasc.com/other/p7/491.html>

- c. To protect the integrity of the certificates, there are generally two mitigating mechanisms institutions can make use of:
  - i. Internal control mechanisms – referring to policies, systems and processes related to printing of certificates, collection of certificates, safekeeping of certificates, distribution and dispatching of certificates.
  - ii. Security features on the actual certification paper.
- d. In 2014 the University of Johannesburg, implemented a new certification system to improve security features on the new certificates that included<sup>25</sup>:
  - i. unique, controlled paper supply that has a genuine watermark for added security;
  - ii. a holographic visual deterrent giving extra protection from dishonest forging;
  - iii. UJ branded overprint of the hologram, giving extra protection from illegal counterfeiting;
  - iv. individual numbering system for each certificate for auditing and verification;
  - v. a heat reactive spot for instant certificate authentication;
  - vi. micro text security border; and
  - vii. micro-numismatic invisible UV anti tampering technology like banknote-level security.
- e. Rhodes University also published the security features of its degree certificates, so that the public would be able to verify to some extent the authenticity of a Rhodes qualification.

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<sup>25</sup> <https://www.uj.ac.za/news/uj-implements-advanced-certificate-security-features-to-prevent-fraudulent-qualifications/>



## RHODES UNIVERSITY DEGREE CERTIFICATES

Security features on an original Rhodes University degree certificate

(with effect from April 2020)

1. **Watermark** – A clear ink printed across the face of the document that can be noticed on the original if held at an angle. This watermark doesn't show up on a colour copy of the same document. It therefore makes it impossible to colour copy.
2. **Silver Toner** – Silver toner is used to incorporate a subtle drop shadow behind text. It enhances the look of the document but also makes a colour copy impossible to pull off, as the silver toner doesn't show up as silver on the copy.
3. **Microtext** – A small font, so small that you need a magnifying glass to read the words. Without a magnifying glass, it simply looks like a line on a page. This font, just 1/100th of an inch high, is designed to help make valuable documents with personal information on even harder to forge. If a copy is made, the text is illegible, even when using a magnifying glass.
4. **Variable Data** – A unique number/code (e.g. student number) is printed on each parchment, in any position. This number/code can also be replicated in the Microtext, to be cross referenced to prove authenticity.
5. **Embossed Crest** – The embossed crest on each document serves as an added security feature.
6. **QR Code** – A unique QR code can be printed on each certificate which can be scanned with a cell phone or scanner to confirm authenticity. Once scanned, the QR code will direct you to a secure, managed site, where the document is verified, showing a digital copy of the actual document, along with details on the recipient.

*\*Please note that Rhodes University does not confirm or verify their own qualifications nor confirm dates of attendance. This is done through a company called MIE Kroll who run the National Qualifications Register.*

  
 Academic Administration Manager  
 Registrar's Division

[https://www.ru.ac.za/media/rhodesuniversity/content/graduationgateway/documents/Security\\_features\\_on\\_an\\_original\\_Rhodes\\_University\\_degree\\_certificate.pdf](https://www.ru.ac.za/media/rhodesuniversity/content/graduationgateway/documents/Security_features_on_an_original_Rhodes_University_degree_certificate.pdf)

- f. During my interviews with staff working with certification, I was shocked to hear that UNISA's certificates do not have any security features, other than the watermark. I am concerned about the integrity of the certificates when it has only a watermark as a security feature.
- g. I note that the Policy on Issuing of Certificates (I am not sure when last it was approved, the document has 3 dates, 2008, 2006 and 2005) does not make any reference to security features, not even the watermark. It states under principles the following:

- 3.1 The production of certificates for formal and short learning programmes is centralised at the Department: Contact Centre, Graduations and Records Management, Division: Graduations.
- 3.2 Format for certificates for formal qualifications
  - 3.2.1 An A3 format will be used.
  - 3.2.2 A red seal will be used and such seal will be embossed with the official UNISA Coat of Arms.
  - 3.2.3 The certificates will be signed by the Principal and Vice Chancellor, Registrar and the Executive Dean of the College concerned.
  - 3.2.4 The UNISA Coat of Arms will be pre-printed at the top of the certificates.
  - 3.2.5 No duplicate certificates will be issued. Only a letter on an official UNISA letterhead with the relevant information will be provided, if requested.
  - 3.2.6 Certificates for formal qualifications will be awarded at official University graduation ceremonies.

- h. At most institutions, once a certificate is lost, stolen or destroyed, an institution provides a declaration confirming the qualification, but a certificate is never re-issued. In the very rare instances of mistakes, the faulty certificate must be submitted back to the institutions before a corrected version can be issued. The rationale is that there is only one true accurate and correct version of a certificate at all times. Each certificate is considered an original legal document. At UNISA it is the same.
- i. The Policy on Graduation Ceremonies (2016) also states the following on reissuing of certificates and refers to internal controls and measures related to the distribution and collection of certificates:
  - i. A degree/diploma certificate cannot be issued to a candidate before the qualification has been conferred/awarded at a graduation ceremony.
  - ii. Certificates are not re-issued. A statement confirming that the qualification was awarded at a graduation ceremony can be issued on request. A certificate can only be re-issued if the university made a printing error or in the event of a damaged certificate (issued after 2005) that is being returned. The certificate will be revoked and cancelled and a renewed certificate issued.
  - iii. The Division: Graduations ensures that certificates awarded in absentia are posted by registered mail to graduates and diplomates.
  - iv. Should a certificate be claimed in person after the graduation ceremony a candidate must submit proof of identity (e.g. identity document, driver's license or passport).
  - v. Any third party who collects a certificate on behalf of a candidate must provide the candidate's written consent together with proof of identity prior to such a certificate being handed over.
- j. During Covid, all qualifications were awarded in absentia and certificates had to be delivered to students. According to the above Policy, this was supposed to be via registered mail. One staff member explained what happened as follows:

*"During COVID, we worked from home, and we had to come to the office to issue certificates. We used (a courier company) because the Post Office was not effective during COVID. Some certificates could not be delivered to students, but they were also not returned. There are students who come here to ask after their certificates, when we identify that they never received them. Sometimes their certificates were received by another family member, so we are unable to say how many certificates were lost".*

- k. Another staff member stated that the terms of the agreement with the courier company, never stated that the delivery must be based on confirming person of consignee. In other words, it was not a requirement that a student identifies him/herself as the person the certificate is for, prior to the courier company handing over the certificate. Consequently, the courier company does not have a record or log of which certificates were handed over to whom.
- l. Another major failure was that certificates were handed over to the courier company in bulk, and it seems that there is no record of exactly which certificates were handed over, and on what date. It was reported that two of the courier trucks were hijacked and the company confirmed that these batches of certificates were stolen or lost.
- m. In one interview a staff member stated that there was a huge problem with the courier process, specifically:

*"There was a bunch of certificates that ended up in some village in Mpumalanga, which we had to retrieve. We opened a police case, but it was thrown out. This is only one scenario that we know about. I know the other scenario in Nelspruit, where the courier guy was distributing certificates on the border gate. In Bloemfontein, the contract was given to a (courier company), and they sub-contracted others, and somehow the payment was not done so the sub-contractors kept those certificates and they decided to sell those certificates".*

- n. I received different messages and conflicting information on how many students were affected by this failed courier service. Because there is no record or log of the certificates handed over to the couriers and no record of the person signing for the certificates, it is not possible to confirm the numbers and UNISA is dependent on students coming forward to enquire about where their certificates are because they never received them. See emails below, for example.

## 1) Email from Student

**From:** [REDACTED]  
**Sent:** 12 March 2021 09:41  
**To:** [REDACTED]  
**Subject:** Certificate delivery [REDACTED]

Dear Sir

I kindly request your assistance in getting my Degree Certificate which has not been delivered to me. I graduated in absentia due to the covid pandemic early in December last year. The message I got shortly before the graduation date said that a certificate will be delivered to me via the courier in 15 days after the graduation date and up to today no delivery has taken place.

Early in January this year I contacted the courier company (Skynet) responsible for delivering the certificates to students trying to track the certificate's whereabouts and they told me that they have returned all certificates back to UNISA and I did not get the reason for that. I have since sent several e-mails to the University about the delivery and no response and the e-mail I was sending to was [gaudeamus@unisa.ac.za](mailto:gaudeamus@unisa.ac.za).

Thanking you in advance for your co-operation on this matter as it is of utmost importance to me.

Kind Regards

## 2) The University's Response

**From:** [REDACTED]  
**Sent:** Thursday, 18 March 2021 10:57 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Certificate delivery [REDACTED]

Good day,

Your certificate was couriered on 13 November and was not returned to us unclaimed.

I have copied Skynet herein to confirm what happened to your certificate. I have also copied my supervisor to assist with the way forward.

Let's wait to hear from Skynet first and then my supervisor will inform us what the way forward is.

Yours sincerely,

[REDACTED]

- o. A staff member reported that they are aware of about 28 cases where students have come forward claiming to have not received their degree certificates. He stated that the plan is to get ManCom approval to reprint these (28) certificates, as it is currently against the policy.
- p. The minutes of the ManCom meeting on the 23<sup>rd</sup> of August, states the following:
  - i. Reprinting of Music certificates (26 July 2022, item 5.9.3)
  - ii. The Committee had resolved that a submission be prepared of a formal process to be undertaken for all the lost certificates and the relevant audit process of the relevant students. It had been noted that a clear system was required to determine which certificates had been dispersed to students and the tracking and tracing systems that had been used by the post office.

- iii. Prof Mothata had been requested to address the issues of lost or non-delivered certificates through the reconciliation of information with Mr Motebele for finalisation in August 2022.
  - iv. Ms Nakene and Prof Mothata were also to investigate the use of radio frequency identification (RFID) and digital signifiers such as bar codes to track and trace the certificates in the system and to prevent fraudulent claiming of certificates.
  - v. The item was not discussed.
- q. And at the ManCom meeting on the 27<sup>th</sup> of September, the following is stated:
- i. Reprinting of Music certificates (26 July 2022, item 5.9.3)
  - ii. The Committee had resolved that a submission be prepared of a formal process to be undertaken for all the lost certificates and the relevant audit process of the relevant students. It had been noted that a clear system was required to determine which certificates had been dispersed to students and the tracking and tracing systems that had been used by the post office.
  - iii. Prof Mothata had been requested to address the issues of lost or non-delivered certificates through the reconciliation of information with Mr Motebele for finalisation in August 2022.
  - iv. Ms Nakene and Prof Mothata were also to investigate the use of RFID and digital signifiers such as bar codes to track and trace the certificates in the system and to prevent fraudulent claiming of certificates.
  - v. A report would serve at the next meeting.
- r. I have yet to find an official report from the Registrar on this matter. Staff working in the Graduations office are very frustrated, in a submission made to me it was stated:

*"To date we have students who have never received their certificates. Graduation staff had meetings with the Registrar and former Deputy Registrars to pave a way forward regarding these certificates, but with no success. Two years later there is no resolutions on the matter. Students are still suffering because there is no definitive decision or timelines. Currently we cannot reprint certificates that were lost by (the courier company) and the response from the Registrar is: "pending a ManCom decision". Daily disgruntled students stream to our office, and we unfortunately must provide them with the Registrar's response. It is unfortunate that the Registrar has not acted decisively, motivating the re-issuing of these certificates at ManCom, or requested a proper and full investigation into (the courier company) services. The certificate policy only allows us to provide these students with a statement in lieu of a lost certificate, and as they never received the original certificate, leaves them feeling sad and irate due to the incompetence of a service provider. These students also feel that it places them at a disadvantage when seeking employment. This has also led to many a tense situation with accusations made and foul language by students and parents regarding the non-reissuing of certificates as well as the fact that the Registrar is not willing to respond to their e-mails or grant*

*them a face-to-face meeting to address the issue. Unfortunately, we as staff must bear the brunt. Our concern as staff is there was no formal investigation done after the certificates were lost by (the Courier company)”.*

- s. My overall observation is that UNISA made use of courier services that resulted in losing an unknown number of certificates during 2020. Secondly, the University is not able to provide factual information or a reconciliation of certificates. This is a huge institutional reputational risk that threatens the integrity of its qualifications. Thirdly, UNISA does not have any security features on its certificates other than the watermark. This situation is a governance and management failure and there seems to be no accountability or consequence management being implemented. I am not sure if UNISA is realising the reputational risks associated with this failure.
- t. I therefore recommend that UNISA investigate and report on the status of lost certificates. There must be a full reconciliation to account for all certificates as well as the lost certificates. Consequence management must be implemented, and responsible staff must be held accountable. Furthermore, UNISA must urgently consider implementing more security features on their certificates, as the watermark alone, is just not sufficient.

#### **4.3.14 Conclusion**

- a. In March 2022, the ED: Quality Assurance and Enhancement, appointed a Peer Review Panel to conduct a review of UNISA's Registrar's Portfolio. The main purpose of the review was to undertake a verification process of the Registrar's Portfolio Self-Evaluation Report as part of continuous improvements and in preparation for the Council on Higher Education's (CHE) quality assurance audit scheduled for April 2022. The conclusion of the review read as follows:

*Despite the systemic and structural challenges that may have developed over time and may be beyond the ability of individual staff members to 'fix' the Panel have arrived at the following outcome of the audit: The Registrar's Portfolio is functional as it meets the minimum standards and criteria set out in the Portfolio Audit Framework and there is room for improvement. An improvement plan must be developed and its implementation must be monitored by Department of Quality Assurance & Enhancement (DQAE). The outcome of this Audit presents an opportunity for restructuring the Registrar's Portfolio for increased efficiencies.*

- b. My independent assessment of the same portfolio, however, comes to a different conclusion. The panel acknowledges systemic and structural challenges in the portfolio, but still concluded that the portfolio is functional. My conclusion on the contrary, is that the Registrar's portfolio is seriously dysfunctional on the basis of the following:

- i. After reviewing the structure and functions of the Office of the Registrar, including the Dean of Students and the Regional Model, I find serious risks and concerns related to the size of the portfolio, staffing and poor consequence management.
  - ii. Most policies are outdated and not applicable anymore.
  - iii. I find very little evidence of a student centric culture at UNISA with substandard levels of service delivery across most functions from application to qualification audits.
  - iv. I felt the frustration that students experience when their enquiries are ignored. Hence, they turn to social media for a voice.
  - v. Students' needs are not considered in decisions made on mode of assessment, or when results are not released in time.
  - vi. UNISA fails students when it comes to creating a supportive environment. Students at UNISA are rather victimised than vindicated when more than 10000 students are flagged for academic misconduct, but only 200 found guilty.
  - vii. UNISA is failing students that completed their qualifications but must wait up to 6 months for confirmation thereof.
  - viii. UNISA is not able to protect students' data and students are exploited by fraudulent tutors.
  - ix. The integrity of all the qualifications is at stake with an unknown number of degree certificates lost, and when the only security feature on the certificates is a watermark.
- c. I have made various recommendations throughout the report, that must be considered if UNISA is to address the shortcomings that have been identified as far as the Office of the Registrar is concerned.

#### 4.4 Finance and SCM

In this section I discuss the state of policies in general, followed by a discussion of the Operational Investment Committee (OIC) Policy and supply chain processes. This is followed by a section that deals primarily with examples of financial irregularities, particularly about SCM, including policy deviations, disregard for due process and other questionable management decisions concerning finance. This classification is not watertight; there are SCM deviations and financial irregularities across all the examples that are provided. The examples described are not exhaustive of all instances of irregularities, yet I believe they are sufficient to be illustrative of the environment and to support the conclusions that are arrived at in this report. I conclude with a section on the Audit function, UNISA Enterprises (Pty) Ltd, an analysis of UNISA's financial statements for a five-year period and allegations that have been made against the VC.

##### 4.4.1 Policies

###### 4.4.1.1 Policies in General

- a. In this section I report on an overview of the policies that guide the University's operations. The SCM Policy and procurement processes, as a major source of financial irregularities, are discussed in the next section.
- b. Policies are published on UNISA's internal web, styled "e-connect" and me and the team were given access to this portal. According to the "Policy: Policy and Rules Formulation", approved by Council on 29 July 2005, a new policy/rule is created when the need for such policy or rule arises. ManCom considers whether such policy is indeed needed, and, if so, in a consultative process, the initiator of the policy/rule prepares a draft policy/rule, which is then forwarded to the Legal Services Office, which is responsible to ensure legal compliance and consistency. Upon recommendation by ManCom and Senate (if applicable), Council finally approves. It furthermore states that a Policy/Rules Register must be maintained containing all the policies of the institution, which register must be kept by the Registrar (Governance) and administered in co-operation with the Legal Services Office. The most recent form of a policy must be available on the intranet and communicated to persons "...to whom such policy/rule apply."
- c. The policy referred to in the previous paragraph, published on e-connect (in para. 7.2), states the following: "The changes and transformation within the Institution require a continual review of policies/rules, as and when required, but at least once a year, in order to ensure that such policies/rules remain applicable." I find it ironic that a policy document that requires the annual review of policies, itself was approved 17 years ago.

- d. A scrutiny of policies published on e-connect, reveals that policies are published under the categories of Corporate, Communication and Marketing, Community engagement and outreach, Delegation of decision-making authority, Finance, HR, ICT, Library, Research, Security and emergencies, Student affairs, Teaching, learning and student support, UNISA foundation and alumni affairs and University estates (Accessed on 15 November 2022.)
- e. An overview of policies on e-connect suggests that a wide variety of policies have been formulated, as would have been expected from an institution that have been in existence for as long a period of time as UNISA. It is clear that policies have been formulated over time to suit the needs of the University at a particular point and the extent of these policies should be viewed within the context of these particular circumstances.
- f. However, a sample of policies selected under each category indicates that most policies were created or updated between 2005 and 2019. There is no evidence of annual updating, as required by the Policy on Policy and Rules Formulation, referred to above.
- g. In an interview on 14 October 2022, the CFO indicated that he takes responsibility for policy updates and relevance and for making sure that all policies are reviewed annually and are presented to the relevant committees for approval. He conceded that some of the policies on the Intranet are outdated, consequently line managers are the first port of call for the latest version of policies, a weakness, he points out, that should be addressed. Regarding the apparent lack of the regular updating of the policy documents that appear on UNISA's internal web, I was informed that in many instances policies are being updated by the originating unit and forwarded to Legal Services for approval and publishing on the internal web, yet such publication is often not timeously effected, with the result that staff are not aware of updated policies, hence compliance to such policies is compromised. This situation is typified by one respondent as a *"..pervasive culture of opportunism and not caring"*. I was also informed that the review of policies had previously been outsourced to firms of attorneys, but that the results of that exercise were less than favourable, hence the LSO has again assumed full responsibility.
- h. Given the key role of the LSO in the administration of policies, I invited the Acting ED: Legal Services to appear before me where he was afforded the opportunity to respond to this assertion, but he was unfortunately rather evasive in his responses, and he was unaware of the fact that annual review is required. The Acting ED stated that the LSO had been given instruction to review all policies by 30 November 2022, but due to capacity constraints, it has not been able to complete this. Ordinarily, the management of Policies is a function of the Records Management Division that would have a legally trained official to ensure legal compliance, a database of updates and consistency across the institutions. The fragmentation that is pervasive

across the university is self-defeating. I was informed that the Records Management Division is rendered ineffective at the institution.

- i. Information Governance is a serious compliance matter for institutions and other entities. Policy management, which requires, amongst others, administrative diligence by a custodial functionary, is fundamental to ensuring regulatory compliance. In addition, it serves as a critical tool in risk management processes and litigation protection. It is my view that such diligence is absent in the UNISA policy administration hierarchy, hence the University's management processes are undermined, and compliance is jeopardised as many policies are outdated and it is often unclear if it is the latest version of a policy that is available on the official repository. Policies are clearly not updated on an annual basis, as is required by UNISA's own policy in this regard. I could not find any system in place to support compliance, nor of a structured process to provide training regarding university policies. In these circumstances, it becomes clear why non-compliance is pervasive and why irregularities, such as those that are described in this report, are almost commonplace.

#### 4.4.1.2 *Supply Chain Management policy and processes*

- a. The SCM Policy is available on e-connect. This policy encapsulates many of the principles embedded in the Public Finance Management Act no 1 of 1999 (PFMA), specifically the Regulations on SCM, although it has been styled to accommodate UNISA's circumstances, as could be expected. As such, the policy *per se* is comparable to and on similar standard as similar policies in similar institutions.
- b. Nevertheless, I have received several submissions alleging gross misconduct and financial irregularities in the SCM space, some of which are detailed in this document. During interviews with stakeholders, many raised some form of concern about the supply chain/procurement processes. These concerns range from allegations of fraud and corruption to disregard for SCM policy and procedures to concerns about cumbersome processes that can lead to stakeholders being tempted to devise "shortcuts", thereby rendering the process vulnerable. Allegations that SCM was "captured" were also made. At a meeting of AERMCoC held on 5 March 2021, the chairperson noted that a report received from the previous VC, referred to suppliers being approached for bribes when their appointments had already been confirmed through SCM processes. An "unusual situation" is also noted where contracts relating to service providers who had been approved through SCM processes, could not be awarded because they had failed due diligence processes.
- c. Specific deviations are discussed in this report. They include, amongst others, procurement in the Legal Services Department, procurement in the Facilities environment, notably for Cloghereen, the VC's official residence, procurement of data and services, the Laptop advance

- scheme and procurement of Airpods, dongles and SIM starter packs. The appointment of a company that provides external publications and communications services was approved by ManCom without following SCM processes. An internal audit report dated 17 March 2021 revealed at least 34 UNISA suppliers whose tax status have expired.
- d. These events are by no means an exhaustive list of procurement failures, they merely serve to illustrate the extent of the more recent breakdowns in internal controls and lapses in sound governance principles and practices.
- e. It is important to note that the procurement function is a process that permeates the whole of the University and, except for small value procurement, no single department is responsible for executing on the full process, which, in itself, is a sound principle of internal control in that responsibilities are divided amongst role players in such a way that no single person is able to initiate and complete a transaction on his/her own. In essence, the procurement process originates with a requesting unit, and depending on the monetary value, can pass through and need recommendations and approval by various committees, including Technical/work committees, a Tender committee, Internal Audit, ManCom, FIECoC and Council. The Department of SCM, headed by a Director who reports to the CFO, manages the process and is responsible for the administrative arrangements and compliance to UNISA policies. Should malfeasance occur in the procurement process, it could originate in any of these structures. SCM has the responsibility to oversee recommendations of the end user and liaise with the end user, and eventually agree with the end user before giving the go-ahead for the process to proceed. Collaboration in this process could lead to malfeasance that could be difficult to uncover.
- f. Given the extent and nature of irregularities described in this report, it is not inconceivable that a network of people within and outside of the University are in cahoots to defraud the University for nefarious ends. In one submission it is alleged that an enterprise development workshop presented by the University to suppliers had been used as a forum to form networks to manipulate future tender processes. It has also been submitted that prescribed tender processes may be circumvented by so-called "evergreen contracts" in terms of which a particular contract remains effective for an unspecified period of time.
- g. The External Auditors note in their management letter for the year ended 31 December 2021 that there were 14 unresolved cases of possible conflicts of interest for the finance team and ManCom. This could result in procuring from parties where an unresolved conflict of interest exists. They recommend that processes should be implemented to ensure completeness of declarations of conflicts and that consequences should follow for members who are found not to have declared their business interests. Processes should be implemented to ensure that possibly conflicted parties do not participate in procurement processes. Also, possible conflicts of

interest between Grade 1 and Grade 2 members and vendors, may exist; SCM should ensure that such declarations are filed before awards are made. In an interview, I was also informed that the VC insists that no tenders be discussed in ManCom without her being present. Submissions have been received that suggest that Council members or previous Council members may be involved in tendering processes (see also “Reportable Irregularities”, discussed elsewhere in this report). The external auditors note that a potential conflict of interests between a vendor and a Council member was discovered in that the same address was listed for both.

- h. In terms of the Policy, for amounts procured under R800 000, the rigorous procurement process requiring a tendering procedure, do not have to be followed. In such cases quotations need to be obtained, which leaves the process open to abuse, since less structures and people are involved. It becomes a matter between the requestor and SCM. Several submissions refer to this area of procurement as a source of many irregularities, such as tender splitting.
- i. That SCM is also a concern for the CFO, is clear. In an interview he asserts that his biggest area of concern is SCM. **In the CFO portfolio risk register, reported as part of the monthly financial accounts for the period ended October 2022, fraud and corruption is ranked the second highest risk in this portfolio.** Mitigating measures to combat fraud and corruption are listed as an integrated ERP aligned to business needs, transparent processes, free from influence and interference and the implementation of a zero-tolerance approach for financial misconduct.
- j. The Ethics Management section in the University occasionally assesses the status of ethics in the University by way of surveys amongst stakeholders, styled the “Ethics Execution Index”. The latest version presented to the Ethics Committee showed that the index, based on staff perceptions, fell by 27% since 2015.
- k. The position that the Procurement Department takes with regard to deviation of the SCM policy, is similar to that of National Treasury, i.e. to get approval first before the deviation, rather than afterwards. Consequently, SCM has devised a mechanism to deal with non-compliance to the SCM policy in the form of a document, F45, which requires a unit that does not comply to policy, to complete and have it signed off by its line manager before procurement actually happens. It is then up to the line manager to take appropriate steps, or have appropriate steps taken against responsible staff members. There is no structured process or mechanism, as far as I could ascertain, to ensure that such appropriate steps are indeed taken in all cases, hence the **notion of consequence management, largely remains an aspiration**, rather than an essential management tool. **In their management letter on the audit for the year ended 31 December 2021, the auditors refer to an audit finding for the 2020 financial year in terms of which deviations from SCM policy to the value of R110m were found, yet without consequences for**

**the responsible parties. It concludes that the University has failed to implement a culture of accountability.**

- l. I have also received submissions that a too strict adherence to relatively minor administrative detail in tender documents sometimes lead to the exclusion of a tenderer to the ultimate detriment of the University. Such details, it is believed, should be followed up and corrected at the preparation stage, to avoid suspicions that such situation had been orchestrated to exclude a specific tenderer. In an issue that was, according to a submission, raised by the Tender Committee and the Audit Committee, **it was noted that out of 30 tenderers, only 2 or 3 would qualify for technical evaluation, one of the reasons being disqualification on administrative compliance.** According to the submission a tender was disqualified for a lack of a signature on one page, although the tender document ran into 200 pages; another described “a very large company” that participates in many tenders who have been disqualified because of an absent tax certificate. According to one submission received: “Sometimes things just did not sound right, and one wonders why certain companies were excluded”. In a Probity Report, issued by Internal Audit (PT2019/13) it is stated that “...(I)t has been held in various court decisions that it would be unfair to disqualify a bid on the basis of minor administrative non-compliance where such has no bearing on the scoring of the Bids.” Questions are being asked about how big corporates can miss relatively minor information in a large tender, while small entities are able to comply.
- m. The Purchasing Consortium of Southern Africa (PURCO), a not-for-profit company, is a purchasing consortium for Higher Education institutions, whose main objective is to procure goods and services on behalf of such institutions. Since such a consortium is able to procure large volumes, it is (mostly) able to negotiate terms and conditions that individual institutions may not be able to secure. According to the CFO, who had met with representatives of PURCO earlier, he was informed that UNISA was once the biggest procurer of all universities, which is no longer the case, ostensibly because “*..the structure was not designed to serve UNISA*”.
- n. I have received several submissions regarding slow and cumbersome SCM processes. One submission lists “the biggest issue” in SCM as the lengthy period of time from the start of the process until the appointment of a provider, which could allegedly take more than a year. Several submissions indicate that this should be addressed by capacitating the SCM office and appointing people with appropriate skills and experience. The CFO asserts that, given the size of procurement at UNISA, SCM should be managed by an ED and should have adequate numbers of staff with the required skills. It is evident from this thinking that populating the management echelons with not only senior positions, but more administrative / support staff, will continue to undermine needed academic corps.

- o. An investigation into SCM processes was initiated as early as 4 December 2019 when Council decided that FIECoC should commission such an investigation, including timelines, pipeline and concluded projects as well as their impact on the University. An audit report on concluded tender processes was to be included. Also, "...a review of the SCM Policy (should) be conducted, including the turnaround time for tenders." (5.7). Almost two years later, on 25 November 2021, Council noted that a review of the SCM policy had been completed and that "...the academics were being consulted on it." It also noted that the policy would be submitted at the next meeting of Council. Unfortunately, this was not to happen, as the VC had raised issues regarding the business case of SCM before signing off. Again, Council noted that the policy would be submitted at its next meeting. Unfortunately, this did not happen either. In a note to a document entitled "Matters outstanding from Council Meetings 25 November 2021" it is stated that "(T)he policy was put on hold to allow the conclusion of the SCM Turn Around strategy as its provisions has implications for the SCM policy. The SCM turnaround strategy will be taken to the upcoming FIECoC meeting and the SCM policy will then be submitted for approval by Council at the 24 June 2022 meeting." Unfortunately, also this did not happen.
- p. Apparently, the Turn Around Strategy was referred to an Extended Management meeting by ManCom, noting that procurement delegations accompanying SCM policy had been referred to a FIECoC workshop. Upon the conclusion of these workshops, policy changes would be submitted to the next meeting of Council. Yet again, this was not forthcoming. In a document, dated 14 September 2022, on outstanding matters from Council meetings, a note reads: "Deferred to 2023 pending the finalisation of the DOA document." This is a confirmation of many accounts shared with the Assessment Team by staff, students and some members of Council itself, that Council lacks the urgency to conclude matters, thereby rendering it ineffective in certain respects.
- q. In an interview, I was informed that the reason for the delay could be "*...because it benefits certain people.*" One of the causes of the delay during the latter period is internal differences of opinion with regard to the nature of SCM, i.e. should it be decentralised to the extent that academic departments within the University, for instance, Colleges, are able to procure to a certain extent without having to access the central procurement system, versus a University-wide central procurement system, as is currently in place. The latter is favoured by SCM, while the VC strongly favours a decentralised system. In an e-mail dated 27 October 2022 to *inter alia* the CFO and colleagues in the Finance Department and the LSO she asserts that "... A decentralised model which is comparable to most research intensive and successful university (sic) is more FEASIBLE and a proposed trajectory for the future." She continues to list a number of advantages to such a decentralised system, *inter alia* that legacy inefficiencies would be addressed, and University innovations be "catalyse(d)". She asserts that "... UNISA supply chain

systems and the length they take to conclude are detrimental to the success and efficiencies of the University, thus plunging the university to almost a state of paralysis where the academic project gets compromised.” She notes that a turnaround strategy to be activated in 24 months (as has apparently been suggested by SCM) would be unacceptable and would “...*be the most maladroitness and inefficient turnaround strategy*”. She sets a final deadline of 27 February 2023 for an effectively implemented turnaround strategy. Council noted at its meeting on 14 September 2022 that consultations with stakeholders had been concluded regarding the SCM policy. Although there were differences of opinion, the policy would be tabled at the next Council meeting of 24 November 2022. However, the policy was not presented at the November meeting, nor at the December meeting of Council, as the VC requested that it be postponed to 2023, since certain related matters still needed finalisation. Resistance and inordinate delays in implementing a Turn-Around Strategy for a function that ranks 2<sup>nd</sup> highest on the Risk Register, and has certainly been one of the subject for allegations of corruption and irregularities, is clearly a governance and management failure.

- r. The many SCM deviations and transgressions described in this report merely serves as examples of malfeasance and financial irregularities that undoubtedly permeate SCM processes in the University. Conspiracies to defraud the University may reach into the highest level of decision making, as is evidenced by the report of the external auditors to IRBA about a particular reportable irregularity in terms of the APA. Allegations of fraud, corruption and the “capturing” of SCM processes are not beyond the realm of the possibility.
- s. The University is currently engaged in a process to restructure SCM processes and to effect consequential amendments to the SCM policy and related Delegations of Authority. This is to be welcomed, but given the fact that this process started as early as 2019, finalisation on this key matter is clearly substantially overdue. That a critical and key document in the governance processes of the University, such as SCM Policy, could take three years without being finalised, does not reflect well on the University’s management. However, finalising a policy does not mean that all or any of the issues relating to SCM as described in this document would be solved, but it would at least provide a stable basis from which management can go forward in resolving them. More importantly, though, is compliance to policies, governance frameworks and principles. As is being concluded elsewhere in this report, compliance is an area of prime concern in UNISA.
- t. The PFMA requires in s 55(2) that financial statements of entities that have to comply with the PFMA should disclose particulars of “...material losses through criminal conduct and any irregular expenditure and fruitless and wasteful expenditure that occurred during the financial year..” and “... any criminal or disciplinary steps taken as a consequence of such losses or irregular expenditure or fruitless and wasteful expenditure..” The PFMA does unfortunately not apply to

institutions of Higher Education and the Higher Education Act does not include a similar requirement. In this report, I am making a recommendation in this regard.

- u. Since PURCO is deemed an appropriate procurement channel for most South African Higher Education Institutions and actually amounts to the “outsourcing” of procurement arrangements, it is questionable why its structure would not be suitable to UNISA. That does not imply that all procurement should be channelled through PURCO, since circumstances may sometimes dictate an in-house approach. Nevertheless, I cannot find any reason why a major portion of procurement could not be directed through this channel.

#### **4.4.2 Financial irregularities, specifically with regard to Supply Chain Management**

##### **4.4.2.1 Legal Services Office (LSO)**

- a. I received several submissions of alleged irregularities in the LSO. These alleged irregularities include:
  - i. appointment of staff without following prescribed appointments procedures.
  - ii. appointment of firms of attorneys that are not on the UNISA approved panel of attorneys and in violation of the prescribed SCM policy, which firms, in certain instances
    - o overcharged or double charged for services rendered,
    - o charged for services not rendered, or
    - o are inexperienced.
  - iii. appointment of “consultants” without following prescribed SCM procedures and remunerating such consultants through firms of attorneys where they ostensibly are employed. In some cases, these consultants are
    - o inexperienced, or
    - o not registered as attorneys or advocates.
  - iv. appointment of consultants and firms to perform legal work that UNISA’s own staff is capable of doing.
  - v. requesting payments to firms of attorneys and consultants without following prescribed approval procedures.
  - vi. appointing personal bodyguards for the Acting ED and remunerating them via payments to firms of attorneys.
- b. I am unable to substantiate all the above allegations, but an objective overview of invoices submitted for payment through the finance system indicates, *inter alia*, that there is *prima facie* evidence that the University has in some cases been grossly overcharged for legal services

rendered by specific firms of attorneys. The address of one of these firms is in Vryheid, Kwazulu-Natal, which raises a question as to the reason why UNISA would appoint a legal firm that is far removed from its central operations in Pretoria. I understand that the relevant firm has in the meantime also opened an office in Pretoria.

- c. In my interview with the Acting ED: Legal Services, questions were put to him to establish the veracity of the allegations, but he was unfortunately rather uncooperative and not forthcoming in his responses. Regarding the appointment of firms of attorneys not on the approved UNISA panel, the Acting ED acknowledged that such appointments are frequently made based on factors such as race, transformation, gender, specialization, capacity and the interest of the University. No predetermined rates are negotiated in these cases and fees are based on the experience of the person appointed, the complexity of the work performed as well as amounts charged previously for similar work. I was presented with oral evidence that there has always been a perception that there were too many white people employed in the office. At the time of the assessment, only one white legal practitioner was working in the office. Even the previous ED's position was allegedly that white firms that are on the panel, are being favoured. The Acting ED consequently instructed staff that Black firms that are not on the panel should be appointed, claiming he "would deal with it" and obtain approval for such appointments.
- d. When it was put to the Acting ED that factors such as those mentioned that are considered when appointing a firm of attorneys who is not on the UNISA approved panel, presumably had already been taken into account during the tender process of establishing the panel of external attorneys, he responded that he is able to appoint whoever has the capacity and skills required. The appointment process entails that he forwards a note to the VC, who approves the appointment. When requested to furnish me with copies of such emails, the Acting ED responded positively, but at the time of writing, no such copied emails have yet been received. When asked whether the qualifications of appointed attorneys are considered, the Acting ED refused to respond as the matter was being investigated by the Public Protector.
- e. **An overview of the list of legal firms that are on the UNISA approved panel indicate that, judging by the names and BBBEE score of those firms, a substantial number of them would certainly meet the race, gender and transformation criteria cited by the Acting ED as reasons for appointing firms that are not on the panel. This unfortunately raises questions as to ulterior motives behind such appointments.**
- f. In a document headed "Designation and Delegation of Authority" dated 1 September 2021, the Principal and VC designates the ED: Legal Services for the period 1 October 2021 to 30 September 2022 "... in his capacity and responsibilities in all legal matters which is against and for the University as the Acting ED: Legal Services...and assign to him the powers, duties and

responsibilities, as conferred or imposed on me to act as an approver of legal action as required by item 12.5 of the Delegation of Decision Making Authority Policy". It further states: "The scope of his mandate will include the necessary power to fulfil all legal formalities in approving the appointment of outside legal advisors/practitioners to act on behalf of the University of South Africa and to defend all legal actions against the university." **Whether this delegation in itself is a valid document in terms of UNISA's own Delegations of Authority, is uncertain and essentially a legal question on its own, hence I do not express an opinion on this matter.**

- g. Allegations have also been received that this designation was actually drafted on 29 June 2022 by a staff member in the LSO and then backdated to render many of the allegations listed above null and void. However, even if this is the case, it is unclear whether the wording of the document actually achieves this purpose.
- h. When the SCM policy is violated, as is alleged in a number of cases in the LSO, for instance where procurement processes have not been followed during the appointment of external legal firms, on request for payment for these services, the SCM staff is presented with the dilemma that, since the services have ostensibly been rendered, payment could not legally be refused. SCM staff cannot be expected to have technical expertise in all goods and services that are procured across the University. In order to address the dilemma that payment has to be made for services rendered and goods delivered as service providers cannot be held responsible for lapses in internal procedures, SCM requires the completion of form F45, a mechanism devised to approve deviation of the SCM policy for sign-off by the relevant line manager in whose portfolio the project resides. It is up to the line manager to then take appropriate steps, or have appropriate steps taken against responsible staff members.
- i. Oral evidence suggests that the Acting ED: Legal Services refuses to follow the F45 route, thereby leaving SCM no other option but to refuse the processing of invoices, in such cases, for payment. However, in an e-mail dated 24 November 2022 by the VC to the CFO, the Director: SCM, the Acting ED: Legal Services and the VP: Strategy, Risk and Advisory Services, the VC requires confirmation before the end of the day that payment had indeed been processed. She notes that "*... any delays will not be accepted. The University cannot be plunged into untenable situations only because interdependent work is not fully optimised or optimal.*" My assessment is that this is a transgression of the SCM policy which has wider implications across the University, especially when such an irregularity is condoned by the highest office.
- j. According to a report by the CAE to AERMCoC dated October 2022, an investigation into appointments in the LSO was being conducted. An external firm was appointed to investigate whether Legal Service Providers not on the panel were properly appointed, whether these providers were used to appoint Legal Service Officers irregularly, whether they were properly

qualified and capable of rendering services, whether there was proper process followed in the provision of security for the Acting ED: Legal Services, whether payments for certain services rendered were appropriate, and whether UNISA received value for money for the payments made to these service providers. At the time of writing, this process had apparently not commenced in a meaningful way, as the Acting ED: Legal Services was said to be un-cooperative.

- k. I need to restate that the Acting ED is substantively a Senior Lecturer at Post Level 6 in the College of Law. He is seconded into a Post Level 3 position since 1 October 2021 until the time of writing this report. During the interview with the VP that appointed the Acting ED: Legal Services, he explained that the decision to appoint the current Acting ED: Legal Services, was made by himself and the VC. He stated “*I made a recommendation for the VC to approve. We were given two names, and the VC decided to appoint him.*”
- l. When probed on appointing him acting in a job level 3, bearing in mind that his substantive position is a Post level 6, the VP responded “... *inasmuch as one may have shortcomings, one always assumes with a little bit of assistance, support and development, somebody could be seconded for a short-term position.*” I find it very hard to understand this argument. It is yet another example of not following due processes and governance failure. It should be noted that the biggest expense of the Legal Services Office is contracting and appointing external service providers, because they don’t have the internal expertise.
- m. Gross violations of the SCM policy are taking place in the LSO. There is *prima facie evidence* that the University has in certain instances substantially overpaid for services rendered, and maybe even for services that have not been rendered. The Acting ED himself acknowledged that legal firms were being appointed without determining the fee payable to such firms beforehand, and also, although they are not on the UNISA approved panel, thereby deliberately and knowingly violating the SCM policy. He implies that the approval of the VC is obtained, a claim that is strengthened by the VC’s e-mail dated 24 November 2022, urging immediate payment of legal firms. “Approval” by the VC in circumstances such as those described here, in itself is a violation of prescribed procedures that is worthy of further investigation.
- n. The abrasive and unaccommodating style of the Acting ED, when confronted with this information, did nothing to dispel the notion that governance principles, financial or otherwise, are being violated in this Office. The disregard of policy and procedure, intended to support the system of internal control, by the Acting ED: Legal Services, should not be tolerated by University management. The LSO is one of the primary functionaries in policy administration; that the head of this Office actively undermine compliance to those policies should be regarded as an aberration of the highest order.

- o. During the week of concluding the interviews, I received a request from the Acting ED: Legal Services to meet with him the following week. The purpose of the meeting was not furnished. Unfortunately, I had concluded the interviews so I could not see him.

#### 4.4.2.2 VC's Official Residence

- a. Upon vacating Cloghereen, the VC's official residence, on 21 February 2021 by the previous VC, the property was earmarked for certain minor maintenance and upgrades from 1 March 2021, according to the Consolidated Progress Report on the renovation of Cloghereen, November 2021, issued by the Facilities Management Department. The refurbishing included kitchen upgrade, kitchen appliances, furniture re-upholstery and drapery, floors, walls, air conditioning, electrical plumbing and wet works, fire and alarms and garden and groundworks. **The planned completion date was 21 May 2021. An amount of R1million was budgeted for the renovation.**
- b. According to the November 2021 report, an amount of R3 162 130,85 had been spent up to that date. The report indicates "challenges encountered" as, *inter alia*, additional scope and specifications, SCM not having correct suppliers or only limited suppliers for some of the work, absence of enough tools by internal staff to execute the project and acquisition of external service providers to assist with paintwork, tiling, electrical work. It is also noted that **the approved budget of R1 million only covered kitchen renovation and minor maintenance.**
- c. In a report by the CAE, dated January 2021, entitled "Governance Compliance around the Cloghereen renovations" details are provided of deviations of SCM policy as well as examples of clearly exorbitant prices paid for certain goods and services.
- Only two quotations were submitted for the construction of the kitchen instead of three as per SCM policy; a firm of contractors was awarded R687 161.
  - Only one (1) quotation was submitted for the supply of bedroom furniture instead of the three (3) as per SCM policy; a quotation of R277 205 was accepted.
  - Two suppliers were contracted for work on the floors for R600 000.
- d. Elsewhere it stated that training in the use of a vacuum cleaner was procured for an amount of R8 000.
- e. An external firm was appointed to evaluate prices that were paid for some of the items. In their report, dated 23 August 2022 the investigators explain that they had obtained three quotations on a sample basis directly in the market of items that were procured for the refurbishment of the Cloghereen Residence. These quotations were compared to the

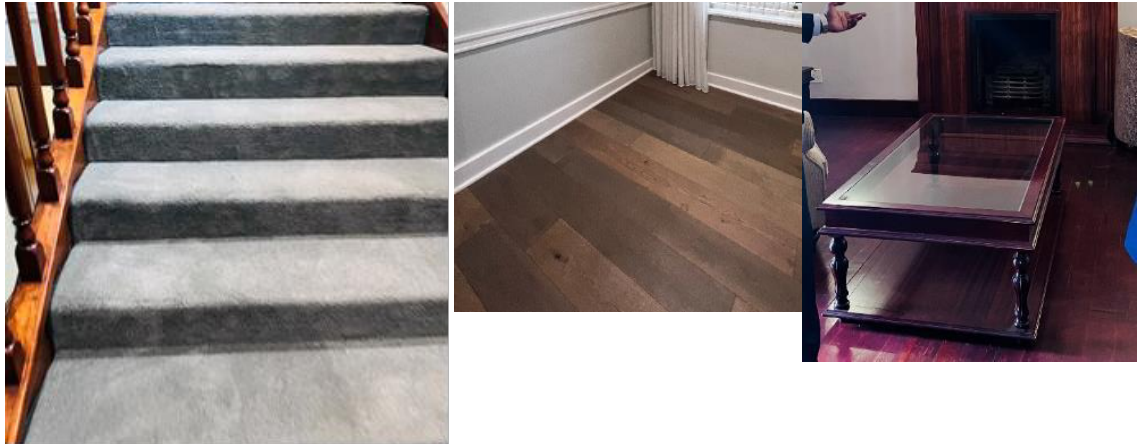
amounts actually paid by UNISA. The following extract from their report gives an indication of differences found in their sample:

Item	Paid by UNISA	Comparison 1	Comparison 2	Comparison 3
Supply and Replacement of Air conditioners	R 74 230,00	R 56 398,00	R 58 440,13	R 58 440,13
Supply and Replacement of the Borehole: Item - Submersible 5KW 380V Borehole complete with plumb and control box	R 49 141,80	R 8 390,00		
Procurement of Curtains	R 285 228,60	R 20 630,40		
Procurement of Glass Gas Hob	R 19 778,85	R 16 999,00	R 16 999,00	R 8848,86
Procurement of Mattress Protector	R 3 205,01	R 1 447,00	R 1 647,00	R 1 758,01
Procurement of Painting Items	R 220 685,00	R 105 248,00	R 108 248,00	R 115 848,00

- f. I visited Cloghereen to view the renovations done at the house. I was shown all the work that had been done as part of the renovations; the new furniture that was bought for the lounge, the bedrooms, the study etc; and the kitchen appliances that were installed. The University paid R285 228,60 for the procurement of curtains, so I was very much interested to see the quality of these curtains. I was surprised to find sheer curtains as can be seen in the picture on the right.



- g. As indicated above, training in the use of a vacuum cleaner was procured for an amount of R8 000. During the inspection of the house, I found that the flooring in various parts of the house was either tiled, or had wooden floors, except for the staircase that was carpeted. It therefore raises questions as to why the University would spend so much money on training for an appliance that can only be used on the staircase:



- h. I also noted the much controversial fridge and other kitchen appliances:



- i. I have received several submissions and heard oral evidence that suggest irregularities with regard to the renovations. Furthermore, articles appeared in the press, *inter alia* alleging untoward activity on the part of the VC. It has, for instance, been alleged that the VC requested the procurement of specific items that were not readily available in the country and had therefore been imported, leading to a delay of almost three months.

- j. In an interview, a senior staff member stated that “...the prices... suggests that ....there ...seemed to be some manipulation of the prices. The end users who are the people with knowledge of facilities and infrastructure, .... did not say that the prices were inflated, they signed it off anyway, which says that there is also a potential problem there where there might be cooperation between the people in SCM and the end user.”
- k. The external Auditors found that, rather than obtaining one tender for the entire renovation, quotations were split for different elements. This amounts to tender splitting, which is against the SCM policy and may have contributed to overspending against the budget. It should be pointed out that, by splitting quotations the delegations threshold is limited, thereby enabling sign-off by Directors and EDs. Also, for transactions below R800 000, quotations are required, rather than the following of a more cumbersome tender process.
- l. The authors of the external report came to the same conclusion as the external Auditors. They recommend that possible disciplinary action should be considered against employees responsible for these irregularities. In an AERMCoC Chairperson’s Report to Council, dated 1 September 2022, the CAE broadly reports these findings to Council and reiterates the recommendation that action be taken against the “...individuals responsible for signing the purchase orders that had either been split or the pricing had been inflated”.
- m. The ED: Finance was asked why red flags were not raised in Finance as soon as the budget for this project was exceeded. She responded that no line-item breakdown was included in the budget, consequently, over-spending could not be prevented. She concedes that the budget for Cloghereen could have been created as a separate account under Facilities Management.
- n. In response to press reports, the University issued a statement during January 2022 in terms of which:
- The VC was at no point involved in operational processes; her interaction with regard to this matter was with Operational and Facilities personnel through the Supervisor: Property and Asset Management and the Director: University Estates when she had been consulted.
  - The VC was not involved in procurement processes, but expressed shock at the high costs noted in quotations for certain items.
  - On 29 October 2021 the house and keys were handed over; the VC conducted an inspection and concluded that the amounts charged were exorbitant in relation to the renovations done; she required formal investigations into the matter.

- The VC instructed the Acting VP, Operations and Facilities to submit a handover report with narratives and financials; at the date of issuing the statement the VC had not received such a report.
  - The Head of Legal Services was instructed to follow up on the report, but numerous attempts at this proved to be unsuccessful.
  - "The Management and the Vice Chancellor are disappointed, if not shocked; to learn with dismay that a formal report which was requested, had not been submitted despite several requests."
  - Action would be taken against employees "...who are found to have violated university policies, misrepresented, or falsified information or unlawfully shared personal institutional information to unauthorised people..."
- p. The Registrar proceeded with a "Statement of complaint and disclosure in terms of the Protected Disclosures Act regarding possible acts of gross misconduct and contravention of policy and law against .... (the) Principal and Vice Chancellor". In the statement, the Registrar claims, *inter alia*, that the claim made in the January 2022 statement that the VC was not involved in the renovation of Cloghereen is misleading, "...issued with the knowledge that they are not entirely true, intended to shift blame and responsibility to other officials without just cause and to cast employees in a bad light to both other employees and the public." It is furthermore claimed that the VC made false statements in this regard at ManCom and Senate.
- q. In an interview with staff members, I was informed that the VC indeed took an active interest in the renovation, visiting the site and indicating what must be changed, for instance the headboard and the mattress; new curtains instead of using the ones that were budgeted for to be dry-cleaned, among others. The VC's secretary provided samples of what was required and insisted on a specific make of electrical appliances which was not always available in South Africa and had to be imported.
- r. In an interview, the VC denies that she had been involved in operational processes outside of her authority or in procurement processes, except for expressing disquiet about procurement that was not value for money.
- s. At the time of submitting this report, the VC has not moved into Cloghereen a bit over two years since her appointment. When I asked her when she would move in, she stated Council had promised to install a security system so she and her family were safe after her life was threatened, including her and her daughter's violation. If this is indeed the case, it is puzzling how Council can take so long in ensuring security in the premises.

- t. Several policy infringements and, quite possibly fraud, has been committed. Sound project management principles have been violated. A competent project manager would have defined the scope upfront and manage the project according to strict timelines and the allocated budget. Scope creep should have been highlighted immediately and approval should have been sought from the relevant governance structures. The finance system should have alerted budget overspent much earlier.
- u. Having regard of interviews with several parties involved in the Cloghereen project, and having also heard the VC's version, I am inclined to conclude that the VC did indeed participate in the procurement process to a larger extent than what she is professing. She apportions blame for any wrongdoing to subordinates, rather than accepting responsibility for governance failures.
- v. I find the public statement of January 2022 by the University rather disturbing, reminiscent of the adage about "washing dirty linen in public". When an employer lashes out in public at its own employees, the quality of its management becomes suspect. Sound management processes would have prevented the occurrence of incidents for which employees are being publicly berated, long before they became a matter for private discussion, let alone of a public statement. Managing a project of this size should, within the broader context of UNISA's vast operations, be a relatively minor and straightforward matter. This public statement actually amounts to an admission of guilt by management of a dereliction of duty and casts doubt on management's ability to grasp even the basic requirements of the responsibilities bestowed upon them.

#### **4.4.3 Facilities environment**

In addition to irregularities regarding Cloghereen, several submissions have been received regarding financial irregularities in the Facilities and Maintenance environment. The following serves as examples of such irregularities, but the list is by no means exhaustive.

##### **4.4.3.1 PMO Tender**

- a. In a tender regarding the establishment of a Project Management Office (PMO) in the built environment to the value of R96,8m over a period of four years, the company who scored the highest technical score and the lowest total cost, was not recommended on 26 August 2020 to the Tender Committee on the basis of alleged discrepancies between its BEE certificate and its shares certificate not reflecting the same registration number and also that its debt/equity ratio is too high. In a submission received, it is alleged that fraudulent changes have been made to the documents. In a letter dated 27 October 2020 to the VC, the ED: Legal Services states that these statements are "...materially false and must have been made with the full knowledge that they

were materially false” and that the decision of the TWC is “... irrational and unlawful” and that those responsible should be disciplined.

- b. A probity report by Internal Audit states that the assertion of a discrepancy between the BEE certificate and the company’s share certificate is “..without merit or evidence. Evidence evaluated by Internal Audit indicates that there were no discrepancies between these documents.” Furthermore, although the concern about gearing is “.. not incorrect ...”, a financial report prepared by the Financial Governance division, found that the company is able to fund its operations successfully. In conclusion, it should be noted that no evidence that disciplinary measures, as recommended by the ED: Legal Services, had indeed been taken, could be found.

#### 4.4.3.2 Overpayments

- a. Numerous examples of obvious overpayments for procured items were found. In the following paragraphs, examples are summarised of some of such instances. It would be superfluous to present details of every such instance. These examples merely serve to illustrate some irregularities in this regard.
- b. For one project 150 plastic misty spray bottles at R38,50 each and 150 foot operated sanitising stands for R438,95 each were procured. From the same supplier 25 back entry toilet flush valves were procured at between R11 390,00 and R12 430,00 each (total cost R798 502); an internet search for these items indicate that it can be bought from a hardware store at less than R3000,00 each. The same supplier supplied and installed steel storage racks for the purpose of art storage and space saving at the Kgorong Gallery. The charges were as follows: 15 times site establishment and clearance (barricading for cutting, welding etc.), cost R13 800,00; drawings for steel racks, cost R73 795,50; supply of 3 drawings of steel materials, cost R63 757,49; supply of 2 drawings for sheet materials, cost R54 676,51; Accessories (fasteners, welding rods, cutting disks, base paints coat, finishing coats etc.), cost R40 152,83; labour R201 825,00; labour for packing of artwork R36 800,00. One seater couches at the Florida campus were cleaned for R360,00 each, two seaters for R720,00 each, three seaters for R1 080,00 each and ottomans for R300,00 each. When the Director: Maintenance was confronted with these obvious overpayments, his reaction was that the UNISA BEE policy results in procurement that is not always at the lowest prices.
- c. In 2018, an outsourced consulting firm investigated a service contract between UNISA and a supplier within the printing environment and found, amongst others, that UNISA had been substantially overcharged for maintenance services. It also recommended that certain individuals be held accountable. According to a submission received, disciplinary procedures had indeed been instituted, but at the time of writing, it was still not finalised. However, one of the

implicated employees have in the meantime been appointed as Acting ED: Study Material Production and Distribution, making him the accountable officer for the contract in question.

- d. Upon installation of a disability lift in Polokwane, after payment was made in full, it was found that it did not meet specifications. The payment for the faulty lift was not recovered, but instead a new lift was installed at almost double the cost, resulting in UNISA paying twice for the same lift. Apparently, no action was taken against the implicated employee; instead, he was appointed to act in a senior position in Facilities Management.

#### 4.4.3.3 *Tender splitting*

- a. In an Investigations Report dated 2 July 2021 regarding the replacement of light fittings at the Western Cape Regional Office, splitting of a contract to remain below the threshold of a closed tender process (between R800 001 and R2 000 000, according to SCM requirements), occurred. The report asserts that, because of the irregularities encountered, payments to the value of R775 490,00 are irregular. It is also found that “(T)here is a trend of non-compliance with the SCM Policy and Procedures by University Estates.”
- b. Attention is also drawn to other cases where tender splitting occurred, namely in the refurbishment of the VC residence as well as in the procurement of laptops, both of which are dealt with elsewhere in this report.

#### 4.4.3.4 *Leases*

- a. UNISA leases a substantial number of properties around the country. A lease portfolio of this size requires a system to ensure the management of such leases, *inter alia* to ensure that SCM processes for renewal of leases are initiated prior to their expiration in order to ensure compliance and adherence to sound managerial and governance principles. Yet, in their detailed findings on the audit for the year ended 31 December 2021, the Auditors report that there are expired leases where UNISA still occupies the properties. In some of these cases leases are merely being continued on a month-to-month basis, without lease contracts having been concluded. Furthermore, some leases are not included in the lease schedule, raising concerns as to whether the Facilities Department actually have a grip on all the lease contracts in UNISA's portfolio.
- b. The previous VP responsible for the facilities environment shared her views on this matter and she concurs that, even during her tenure, questionable decisions were made, and in some instances, leases were concluded that are not necessarily in UNISA's best interest, but rather in the interest of certain factions within the University. Some of these decisions were made in violation of the University's transformation agenda by a staff member “ .... *wanting to continue*

*leasing from legacy contractors that he developed very good relationships with.” She also shared information on a Council meeting where she was requested to sign a submission “... basically signing over the management of all those leases to....” a certain “... company because I was considered anti-transformation”. At this meeting, she alleges, the Chair allowed certain members to lambast her for a long time. She also alleged that she was told by either the Chair of Council or the Chair of FIECoC not to bring submissions that had not been consulted with NEHAWU and students. She lists an example of a building leased in a poor part of Johannesburg (against her own recommendation) that had to be renovated at a cost of R19 million as “...that was the only building that all stakeholders were willing to endorse, because they all stood to benefit.” Similarly, apparently untoward activities happened in Mpumalanga, when attempting to acquire the use of a building in that region.*

- c. Some members of Council, past and present, have expressed their frustration with the former VP: Operations and Facilities about the submission of expired leases, or leases that were due to expire within days without FIECoC applying its mind. They claimed that this, and other non-performance areas, led to her contract not being renewed for a further term. I tested the matter of expired leases with the previous VP: Operations and Facilities, and she said that one of her subordinates did not do his job numerous times on the renewal of leases. She vehemently denied that it was a performance issue, but rather ‘corruption’ because she refused to toe the line on irregularities.
- d. I am unable to substantiate this assertion, but the disarray in the management of leases, the allegations of irregularities in the Facilities Department and the proven irregularities in that Department brought to light in audit reports, renders such a conclusion at least worthwhile of a thorough investigation. In this regard, also refer to the section on “**Reportable Irregularities**” in this report(4.4.7.3)

#### 4.4.3.5 Cafeteria Refurbishment and Renovation

- a. The Cafeteria Refurbishment and Renovation projects at the Muckleneuk campus produced a fair number of irregularities. An Internal Audit Report dated 5 March 2020 highlighted *inter alia* non-compliance to the Delegation of Decision-Making Authority Policy, non-adherence to SCM Policy, not following public tender processes when required, non-adherence to progress payment procedures and inadequate record keeping by the Facilities Management Department. The Bathroom Renovation and Refurbishment Project at Muckleneuk and GSBL Campuses returned similar comments from the Internal Auditors.
- b. Several internal control weaknesses were identified in SCM, ICT and Finance processes. However, the report notes that most of the responsible staff members have left the employ of UNISA and therefore no disciplinary action could be instituted. According to the October 2022

report by the CAE to AERMCoC, a response to this report was still not forthcoming from the relevant department two years later.

- c. The following quote from the report needs to be highlighted as it serves as yet another example of a conclusion that is reached elsewhere in this report: **"Non-adherence to various UNISA Policies on procurement seems to be in order and exposes UNISA to risks such as cover quoting and bid rigging."** Also, since presumably not all the implicated staff members have left UNISA's employ at the date of the report, a question arises as to the reasons why management actions have presumably not been taken against those employees who were still employed to date.

#### 4.4.3.6 Conclusion

- a. Substantial amounts are managed in the facilities environment, rendering it prone to unsavoury elements and malfeasance of large proportions. The leadership is clearly not able to successfully manage fairly uncomplicated projects, such as evidenced by the project regarding the refurbishment of the VC's residence, let alone more complex projects, such as those funded by the IEG. The Facilities environment is rife with SCM policy violations, financial irregularities, fraud and, possibly, criminality. Conspiracies to defraud the University may reach up to the highest levels of governance. Instances of tender manipulation, overpayments and double payment for the same work, tender splitting and related misdemeanours are described in this report. When malfeasance is uncovered, disciplinary action is either not forthcoming, or slow to implement. I cannot but come to the conclusion that decisive interventions would be needed to rid the University of this scourge.
- b. My interview with the former VP: Operations and Facilities left me with the conclusion that she is prone to apportioning blame to various persons and bodies for misdemeanours that happened under her watch. Although she is certainly not personally responsible for many, if any, of these misdemeanours, the fact remains that, as VP for this portfolio, she should be taking responsibility, rather than blaming subordinates, Council, the Chair of Council, the Chair of FIECoC, even NEHAWU, however blameworthy these individuals and bodies might be. She comes across as the only member of the platoon who, in her view, is actually in step, while all the rest are out of step.

#### 4.4.4 Other Procurement policy deviations and irregularities

Several oral and written submissions were received regarding financial irregularities, many, but not all of which, are in the procurement space. Many of these were substantiated with documentary proof and /or in the form of investigation reports, either by the internal Investigations Unit, or by external parties appointed by Internal Audit. Not all of these cases can be detailed here, hence a few are summarised below to serve as illustration of financial irregularities that beset the University.

#### 4.4.4.1 *Procurement of air pods, dongles and sim starter packs*

According to an Investigation Report (03INV2021, 17 February 2022) into the processes followed to appoint service providers for the procurement of Air pods for Executive Management and dongles and SIM Starter Packs for NSFAS Students, it was found that the SCM policy was not followed in the appointment of service providers. Also, that goods and services were not delivered according to policy and that payments were not made in accordance with approved policy and procedure. According to the report, the dongles and SIM starter packs were not issued to NSFAS students and it therefore constitutes fruitless expenditure of more than R8 million. Also, 436 dongles and 40 SIM starter packs could not be accounted for.

#### 4.4.4.2 *Buyer Fraud and internal control failure*

- a. An internal control failure involving the lapse of the principle of segregation of duties is reported in an Investigations Unit Report dated 14 March 2019. It details **fraud to the value of R5,9m**, committed by a buyer through payments for fictitious purchases to a number of related companies, introduced to UNISA to pursue fraud by way of false invoicing and billing. The investigators recommended *inter alia* a review of the standard operating procedures of SCM and expenditure management, action against responsible employees, a review of segregation of duties and recovery of the lost amount. A case has also been opened at the South African Police Service (SAPS). **It is unclear whether all the recommendations contained in the report have been accepted and implemented.**
- b. According to an Investigation Report dated 16 February 2022 cleaning cartridges with a market value of between R713,00 and R2 561,45 were acquired at R5 378,00 per unit. Several Internal control weaknesses were identified. The report concludes: "Non-adherence to various UNISA Policies and Procedures seems to be the order of the day and exposes UNISA to risks such as cover quoting and bid rigging."

#### 4.4.5 *Disregard for due process*

##### 4.4.5.1 *Interim Salary Increases and Capacitation of the Office of the VC*

- a. ManCom approved salary adjustments for different tiers of staff to all academic staff members (including researchers), academic support staff members and professional support staff members on 3 August 2021. Ignoring the fact that ManCom's delegations were for a maximum of R5m, also ignoring normal procedure that such increases should be approved by Council and without consulting the Finance Department in view of the substantial budget implications, salary increases to the value of R90m were implemented during September 2021. Also, ignoring the fact

that engagement with organised labour under the auspices of the UNISA Bargaining Forum (UBF) should have taken place.

- b. The disregard of governance processes are pointed in an email from a staff member to the VC on 13 January 2022 which says:

*"The total amount for the three categories as stated in the memo from HR comes to R80 953 822. Upon interrogating the attached spreadsheet, it is however evident that the amount in question is actually R90 434 653, thus R9 480 831 more than what is stated in the memo from HR. **This again points to the governance failure in that apart from the apparent non-approval by the various governance structures, the implemented increases should also have been referred to Internal Audit for auditing by HR prior to implementation, as is standard practice for all increases.** In addition, it should be noted that Finance was only copied in the email from HR; these increases were thus already loaded on the payroll run by HR at the time".*

- c. Organised labour disputed the adjustments as being unfair to their members, consequently management extended the increases to the remaining levels of staff within the bargaining unit, thereby **increasing the previously unbudgeted amount of R90m to R176m**. According to submissions received, the way that this matter was being addressed contributed to the breakdown in the relationship between Organised Labour especially NEHAWU and Management.
- d. In addition to the above, the VC requested that her office be capacitated by increasing the staff complement in her office, as discussed under section 4.2.1. The cost associated with the capacitation amounts to approximately R14m, thereby increasing the total cost of the interim adjustments to R190m per year, i.e. R90m initially for increases to certain categories of staff, escalating to R176m after Union dissatisfaction, and again escalating to R190m for additional staff in the Office of the Vice-Chancellor.
- e. Council decided on 14 December 2022 that this amount should be funded by abolishing posts in the support environment.
- f. My observation about the approval of these positions increasing a recurring non-academic salary bill, where there are so many academic vacancies and complaints by staff and students about service delivery, is a glaring governance failure.
- g. Council noted on 25 November 2021 that FIECoC had requested the VC to provide it with a report on consequence management in respect of the individuals who had not followed procedures, which had led to expenditure outside Council approval. The VC indicated that a preliminary report was available and that she is still studying it. In a report by the VC to Council and FIECoC, dated 17 February 2022, the process that should have been followed for the

implementation of salary increases, is detailed. It also states that the VC enquired from the VP: Institutional Development and the Acting ED:HR on 9 November 2022 to account for the “unauthorised transaction” and “..explain how R90 million could be spent without the necessary approval by the relevant structures of Council in terms of the delegation of authority framework.” It is also stated in the document that the fact that ManCom approved the interim salary adjustment on 3 August 2021 is irrelevant, as the senior managers should know about the DOA framework. In essence, the VC contends that these unauthorised adjustments were implemented by HR, since HR is the only department who is able to change notches. As HR reports to the VP: Institutional Development, a report of consequence management was requested, but was not forthcoming. The VC continues that HR informed the Director: HR, who should have alerted the ED: Finance and the CFO, of the transaction. Consequently, the CFO is consulting with Employee Relations with a view to instituting disciplinary measures.

- h. In a document to Council entitled “Funding of the interim salary adjustments of 2021 through the abolishment of vacancies within the Professional and Support environment” dated 24 November 2022, prepared by the Acting ED: HR, it is proposed that certain vacant positions, identified by management, be abolished where there are current employees who perform the same or similar functions and where the vacant position is no longer required. Positions to the value of R190 500 533 is identified, with the Office of the Registrar (38%) and Operations and Facilities (28%) making the biggest contribution to the pool. At the time of writing, it was my information that this management action had not been implemented as line managers were being engaged to communicate Council’s decision in this regard. As line managers are reluctant to abolish their vacancies, *inter alia* because people might lose their acting and secondment allowances, or lose their fixed-term appointments, only some R 30 million had at the time of writing, been recovered.
- i. In an Internal Audit Investigation Report dated 14 December 2021 it is recommended that disciplinary action be taken against responsible officials and that a report be presented to Council on such actions. **In a report to the VP: Institutional Development, dated 11 February 2022, the CAE again concludes that the salary adjustment did not satisfy UNISA governance processes.**
- j. Council authorized the VC on 14 September 2022 to take immediate disciplinary action against the VP: Institutional Development for failure to act in accordance with his duties. At the time of writing, it was unclear whether such disciplinary action had indeed been initiated. It was unclear to me how such a conclusion was reached when the entire process was flawed from the beginning.
- k. It has also come to my attention that three personal assistants in the office of the VC received substantial backpay following backdated upgrades in post levels. In a note from the ED: HR to a staff member in Salary Administration, dated 15 November 2021, the ED explains that, following discussions with the VC, the grades for three personal assistants should be upgraded to P7,

backdated to October 2007 and those concomitant salary adjustments should be made with effect from October 2007. The total backpay for the three personal assistants amounted to R2,9m.

- I. In my investigation of this matter, I could not find a proposal or motivation, agenda or minutes of a meeting, where this was discussed or approved. I have only seen the instruction to effect the back-pay to the HR Administrator. Surely there must have been a job evaluation exercise to determine that these positions should be on job level P7. I ask myself serious questions. What is the basis for backdating to 2007? What would the impact be on UNISA, if other staff had the opportunity to ask for upgrading of their positions, and with payments backdated for 15 years? How could this have been implemented with simply an instruction, referring to “discussions with the VC, it was resolved”? See below an excerpt of the instruction:

#### **SALARY AND POST GRADE CORRECTION FOR PERSONAL ASSISTANTS (X3)**

Three Personal Assistants resorted to a grievance process to rectify their post grades to post grade P7.

Following discussions with the Principal and Vice Chancellor it was resolved that the three staff members grades and salaries must be corrected to post grade P7 with effect from October 2007.

- m. When I asked the VC about this, she had knowledge of it and indicated that she had to pick up salary issues that were not implemented from the previous administration. She argued that she was just executing what should have been done by the previous VC. The matter clearly did not concern her as much as it concerned me.
- n. Still, it is disturbing that two VCs before her could have neglected this – 15 years of salary adjustments in the Office of the VC is disturbing. I asked the Chairperson of the HRCoC if she was aware of the salary adjustments dating back to 2007 without first mentioning that they were in the office of the VC. She said it was unacceptable. After declaring her support to the VC because she was a woman (in her own words), I indicated that these were in the VC’s office. She was visibly embarrassed. My question had nothing to do with whether the VC was a woman or not, it was simply a sound management practice question.
- o. The general interim salary increases represent a gross violation of sound governance principles. Prior approval by Manrem, FIECoC and Council should have been obtained before implementation. Management contends that an approval by ManCom does not amount to an approval to implement, but merely and approval to take the matter to Council for ultimate approval, hence staff members in HR (and Finance), as well as their line managers, should be held accountable. If this is indeed the case, the question arises as to why management, specifically the VC, did not intervene immediately to reverse the adjustments as soon as she became aware

of them having been implemented, or made appropriate arrangements for overpayments to be refunded to the University, even over a period of time. Yet, the adjustments are carried forward to this day, while passing the blame on to subordinates to carry the can for this gross irregularity. A pattern emerges in terms of which subordinates are blamed (refer to the Cloghereen issue, for instance) without the VC taking responsibility. This is particularly shocking in the light of the financial consequences on the sustainability of the University that was pointed out to management in that these increases contributed to the escalation of the HR cost to a staggering 78% of total expenditure.

- p. The extension of the staff complement in the VC's office to a large extent clearly amounts to a duplication of existing functions in the University, as has been pointed out by senior staff members. The explanation by the VC that the purpose is to strengthen existing functions, raises questions as to why those existing functions are then not strengthened, if strengthening is indeed needed. It is clear from this report that the strengthening of governance should indeed be a priority, but bloating the VC's office to achieve this objective, is a questionable strategy.
- q. The interim salary adjustments, the backdated salary increases of three personal assistants, the extension of the staff complement in the VC's office, all strengthen the conclusion of careless ineptitude and governance and compliance failures by management. Blaming such failures and lack of judgement on subordinates amounts to a misappreciation of leadership values and indeed strongly reflects on the leadership quality that the University has to offer.

#### 4.4.5.2 *Provisioning of data and devices*

- a. In the Covid-19 aftermath, the University decided that data provisioning services for students and staff should assume priority. SCM was instructed to initiate a provisioning process involving the four main players in this field. FIECoC noted on 17 June 2021 that a closed tender process had been followed for these four companies. Since the suppliers had not complied with all the mandatory requirements, they had been required to resubmit their proposals. On resubmission, one of these companies did not meet the minimum threshold and was therefore disqualified. FIECoC decided that the remaining three be appointed.
- b. According to a written submission, while the contracting process was still underway, the VP: ICT and the VC, without having followed any formal governance process, entered into a Memorandum of Understanding (MoU) with the excluded company to provide the services required. The MoU, signed by the VP: ICT and the VC, dated 1 August 2022 was subsequently concluded with this company in terms of which "(T)he Parties intend and agree to co-operate in good faith for the establishment of an edtech platform." I could find no record of any governance process that had been followed regarding the conclusion of this MOU. It is also alleged that the

contracting process with the three successful bidders was deliberately protracted to allow the MoU with the unsuccessful bidder to be finalised.

- c. In an email on 21 September 2022 to the CFO, the ED: Finance states that “(T)his MoU is very concerning. It is actually a commercial contract and not an MoU. It is silent on how the project will be funded and how revenue will be accounted for. It is also silent on governance and compliance arrangements. This transaction is not compliant with the UNISA SCM policy and goes against the PPPFA.” The CFO thereupon proceeds with an email to a person who was apparently appointed as project manager in which he refers to the concerns raised by the ED: Finance and indicates that since he “... was not involved in the project from its initiation stage I’m not sure if the concerns raised are something to be worried about as I am not privy to the processes followed in identifying ..... as a partner in this project.”
- d. The project manager responds that the MoU was checked by the VP: ICT, LSO and Legal Advisor in the office of the VC. He also sends an email to a director in the Legal Services Office, drawing attention to the concerns raised by Finance. Significantly, then, the latter responds that the MoU was prepared “...under extreme urgent conditions” and that exceptions had to be made. He indicates that ManCom waived the due diligence process on MoU’s “..of this nature..”, although it was rescinded later. The Director proceeds that a “formal commercial contract” will be engaged into, agreeing with the view of the Finance Department that an MoU is not used to deal with income and expenditure. A new due diligence process will have to be followed when engaging in such a contract.
- e. In an oral interview, the Director of SCM confirmed that due process was not followed in the appointment of the company, as no search of the market had been conducted prior to its appointment.
- f. **Council approved the above on 24 June 2022 for an amount not to exceed R322m for 24 months. Approval was also granted for the deviation in that a company was included, although it had been disqualified on technical requirements. This is a typical case of governance failure.**

#### 4.4.5.3 *Backdating of Contracts*

- a. Several submissions regarding the provisioning of Microsoft Cloud Services to the University have been received. The essence of the submissions is as follows: When the contract with company A, the then provider of the service, expired at the end of June 2021, a month-to-month arrangement for a period of twelve months was made for the University to be able to follow SCM procedures for the appointment of a new service provider. When this temporary arrangement expired at the end of June 2022, the renewal arrangements have not been finalised. In apparent

opposing positions, ICT favoured a renewal with company A, while SCM favoured dealing directly with Microsoft, after following due process.

- b. ICT approached the Legal Services Department, who recommended that the contract extension be back dated. FIECoC decided on 17 August 2022 that the backdating of a contract to 9 June 2022 for the provisioning by company A of cloud services on a month-to-month basis for twelve months to 8 June 2023 be recommended to Council. This was done to afford SCM the opportunity to follow due process to secure these services. The estimated amount is R100 million. On 14 September 2022 Council approved the backdating to 9 June 2022.
- c. SCM objected to this procedure, refusing to make payments in terms of this arrangement. In a note to the CFO dated 10 November 2022, the Director SCM indicates that, in his view, the process was flawed since concluding contracts should, in terms of SCM policy, start at the stage of an appointed Tender Committee. He also states that retrospective approval "...is a deviation of policy on its own". In an interview, the Director: SCM, asserts that he wanted to issue an F45 (a procedure described elsewhere in this report), but he was advised by a member of ManCom not to do so.
- d. The CIO approached the CFO to intervene. In a note to the Director: SCM, dated 10 November 2022, the CFO writes "...ManCom duly approved the extension request together with the backdating of the contract as per the recommendation of LSO. Given the amount involved, ManCom recommended the approval further to FIECoC, and FIECoC also approved the request and further recommended for approval by Council. Council approved the request of extension and the backdating of the contract as recommended by FIECoC". The CFO proceeds to advise that the extension of contracts being submitted directly to ManCom "...has happened before..." and points to a "...a limitation in the current SCM policy...". As Council is the highest decision-making body in the University, SCM should proceed with the facilitation of the payment of the invoices as services has already been rendered. The CFO concludes: "Noting that SCM was not involved in the recommendation processes of the contract extension, SCM would not take any responsibility should there be any challenges with the contract extension as the department was not involved in the process." (sic)
- e. At its meeting of 14 September 2022, Council approved the renewal and backdating of the contract to 9 June 2022 on a month-to-month basis, limited to 8 June 2023 until conclusion of the SCM process through a closed tender. At the time of writing, the closed tender process that was supposed to be finalised on 8 June 2023 was still not finalised.
- f. Another case of backdating because approval from the relevant governance structures was not obtained timeously, concerns TENET, a provider of research and education networking services for the purposes of collaboration between universities, science councils and other research

institutions. On 13 December 2021 the CFO explained to FIECoC that TENET services utilised on a month-to-month basis since May 2021 to date at a cost of R5,9m, and requested approval, including for “associated irregular expenditure”, as well as for condonation of non-compliance with SCM policy. Renewal of the TENET contract itself, however, was only approved on 1 March 2022 by FIECoC for three years from 1 July 2021 to 31 July 2024 for R32m and an *ad hoc* amount of R1,620m. These were approved by Council on 28 November 2022.

- g. Yet a further case of backdating is found in the minutes of ManCom, dated 9 February 2021, where it was resolved that signatures on a contract be backdated to 7 December 2020 to comply with the allocations made by an external party to the University.
- h. The examples of the backdating of contracts and of the condonation of policy violation by Council, illustrate the disregard for sound principles of good governance and, raises questions as to the integrity of management. Without following due process, millions are approved by the highest decision-making body of the University. Serious governance and managerial lapses occurred in each of the cases described, i.e. the negligence of not making timeous renewal arrangements according to prescribed procedures while the timeline of an existing contract was running out, and the legitimising of a situation that is essentially out of order. Such negligence fuels perceptions that timeous arrangements have purposely been delayed to force the University into accepting contracts that would otherwise not have been entered into. Again, subordinates are being blamed for senior management failures.

#### 4.4.5.4 Laptop Advance Scheme

- a. A scheme for the procurement of laptops for UNISA staff that was initiated towards the end of 2020 was fraught by deviations from the SCM policy, DOA transgressions, governance failures and sheer ineptitude. Following a decision in this regard by HRCoC on 17 August 2021 and after receipt of a memorandum from NEHAWU, raising various concerns, a legal firm, Bowmans, was appointed to perform a forensic investigation into the matter. Clause 5 of the Terms of Reference of the HRCoC provides it with the authority “to seek outside or other independent professional advice at the expense of the university whenever necessary to carry out its work”. This report, dated 23 February 2022, provides detailed information on how the saga unfolded, and it would serve little purpose to rehash the detail in this report. Nevertheless, in order to assess the scale of the governance failures in this regard, a brief summary of the chain of events, is provided.
- b. During November 2020 a submission was tabled at FIECoC that laptops and related devices for UNISA staff were to be leased. As FIECoC favoured an outright purchase, rather than a lease, the matter was referred back to management. The ED: HR, in a note dated 8 April 2021 to ManCom,

proposed a payment of computer allowances to staff. This proposal was approved on a round-robin basis and confirmed at the ManCom meeting of 13 April 2021, and again on 8 June 2021, with certain amendments. Essentially, staff were given an allowance to purchase laptops that comply with certain specifications and they were required to produce documents to prove such device had indeed been obtained. The devices were to be brought in to be barcoded and taken onto UNISA's asset register.

- c. At a ManCom meeting dated 25 May 2021 the VC stated that "... the request for quotations for the devices was an unnecessary step in the process. Staff should be given the specifications, and they should be trusted to comply with the specifications and the appropriate use of the allowance provided. Where there were transgressions, the necessary steps for accountability and disciplinary action should be taken. The Department: ICT should confirm that the asset complied with the specifications and the Department: HR should verify the receipt for the purchase, after which a barcode could be placed on the device. It should not be a long process."
- d. Following the round-robin decision, the CFO sent an e-mail to a number of staff members, including the ED: Finance, noting a draft implementation plan by the ICT Department, and requesting to pay allowances to staff by 25 May 2021. Upon concerns being raised by staff, the CFO responded that ManCom had taken the decision to proceed with the payments and that a provision for the payment of allowances is part of conditions of employment. A DD in the HR Department, in an email dated as late as 8 September 2021 to members of ManCom, points to serious concerns regarding governance breaches, policy breaches and the "disregard for FIECoC resolutions where it was expressly decided that a supply chain process must be followed to purchase devices, and the possibility for breaches in data/information security .... where devices must be returned to retailers for repairs under warranty and the access that retailers and their service providers would have to UNISA data/information". The DD recommends that the process should be stopped and that SCM processes be followed to supply staff with devices.
- e. It turned out, in the end, that this plea was in vain and that the amount involved, exceeded R87 million and that a number of staff members did not actually buy laptops with the advance money received, nor was the money returned to the University. In its monthly management accounts report January to September 2021, presented monthly to ManCom and quarterly to FIECoC, AERMCoC and Council, the Finance Department notes that "(T)o date, a total of 1 955 advances amounting to R42,7 million have been paid to members of staff in the various agreed-upon categories. In the same regard, allowances amounting to R537 406 have been returned by 181 members of staff for numerous reasons, among which reasons include, returning the difference between the allowance and the laptop procured and the allowance being insufficient to procure a laptop sufficient for optimal functioning." **In its year-to-date report for October 2022, Finance**

**reports that, to date, an amount of R87 million was advanced to 3 799 staff members, "...with advances of R33,3m having been settled". Some R53 million was still outstanding at that date.**

- f. In this regard the Bowmans report (1.2.10) notes "... that the payment of cash allowances to employees for the purposes of procuring laptops could be tantamount to the splitting of order/requisitions, which would be a contravention of UNISA SCM policy, which prohibits the splitting of requisitions in order to avoid prescribed tender processes. Furthermore, the proposed allowances would also constitute a deviation from UNISA's SCM policy." In a ManCom meeting dated 30 November 2021, the CFO, however, states "... that each advance was an individual transaction and the principle had been approved by FIECoC and the Council. He added that, in terms of the business model, each individual staff member would receive an advance on application and could then purchase a laptop from a preferred supplier. If the transactions were consolidated, it would require approval by FIECoC, but if they were treated as individual transactions, FIECoC approval was not required."
- g. In the Bowmans report, several areas of concern are raised, notably deviation from SCM processes, tender splitting, transgressions of delegations of authority, the absence of a policy to regulate initiatives like these, negligence by ManCom in that organised labour was not afforded an opportunity to voice prior concerns and disciplinary issues. It also notes that, where employees failed to follow instructions in this regard, disciplinary action could be difficult, "... if not unlawful". Bowmans attempted to interview the VC on this matter, but she refused. Bowmans recommend that consideration should be given to instructing the VC to be interviewed "... to obtain and document her version of events".
- h. During an interview with me, the VC was requested to provide reasons for her refusal to participate in the Bowmans investigations. She responded that no Chair of a Committee of Council has the right to procure services without following due processes within the university, and, as far as she understands, Council approval was not obtained. She declared that, the Registrar, Deputy Registrar, the Chair of HRCoC and Deputy Chair of HRCoC requested the report. When I pointed out to the VC that there is a clause in the charters of all the Committees of Council which allows such committees to seek independent professional advice at the expense of the university to carry out their work, she disagreed with this interpretation. In a subsequent interview, the VC essentially re-affirmed her position, asking "... *why would I acknowledge a report that was not commissioned within the correct processes and clandestinely drafted. I'm not interested in that report.*"
- i. Deviations from SCM policy should be approved by governance structures and, since the amount involved in this case exceeded R15 million, the maximum amount that ManCom is allowed to approve in terms of the SCM policy, Council approval should have been sought.

- j. In a report to Council, dated 17 March 2022, the VC states that “...UNISA decided to change from an SCM procurement-based approach of provisioning UNISA’s staff members with laptops to an HR-based approach”. It continues that, following the new approach, UNISA complied with the Council approved delegations of authority. This approach requires no FIECoC or Council approval. Furthermore, the new approach implies that SCM is no longer involved in the supply of staff with laptops (“tools of trade”), but that this now becomes an HR responsibility. SCM’s only role would now be to source quotations for specifications established by ICT. The document proceeds to argue that the appointment of Bowmans to investigate this matter, is unlawful, *inter alia*, since NEHAWU (on whose initial complaint HRCoC decided to appoint an external party to investigate the matter) cannot make a decision on behalf of the University, the SCM policy was not followed in the appointment of the external investigator, the Deputy Registrar, having been designated as the University’s contact person to facilitate the investigation, did so without reporting or consulting with the VC and the LSO had not been involved, although the University’s Delegation of Decision-Making Authority delegates legal services to that department, rather than to the Office of the Registrar; Council took a decision which is not within its authority. It is further argued that the VC is responsible for the day-to-day management of the University, including financial and resource management. Within such a framework, the document argues, advances of cash to staff members to facilitate the purchase of laptops is regarded as operational expenditure.
- k. Nevertheless, on 27 June 2022 Council decided that management should take responsibility for failing to comply with SCM policy, consequently a written warning should be sent to all members of ManCom and the VC, with the instruction that she “... should never allow a deviation from policies in her meetings...” and that all members of ManCom should forfeit 50% of their salary increment for 2022. ManCom members interviewed, including those that left, confirmed that there was no such a deduction from their salary adjustment contrary to what was reported by the Chair of Council to me.
- l. This ManCom decision was rescinded at a Council meeting on 14 December 2022, following a legal opinion “... *that the resolution was not enforceable because it was in conflict with the University’s Employee Disciplinary Code and general employment law principles.*” **Council decided that Management should be treated leniently and be given a verbal warning for non-compliance with SCM policy, and that a refresher workshop on key policies of the University should be presented to ManCom by an external service provider.**
- m. I find the assertion of an “HR-based approach” to be rather disingenuous. As the Bowmans report points out, the argument underlying this so-called approach, in terms of which the procurement of laptops is to be considered as individual purchases by/for individual employees and therefore

complies with the DOA requirements, is flawed, since the laptops are the property of the University, not that of the individual staff member. Also, the devices were procured as a single project initiated by the University. I cannot escape the conclusion that the notion of the “HR-based approach” was devised in an attempt to conceal what is clearly a significant lapse in governance at different levels. The same conclusion applies to the notion that these payments should be regarded as operational expenses. In this regard, it should be noted that the DOA for operational expenses, (approved on 10 December 2018) requires Council approval for expenses exceeding R20 million. Since the amount involved far exceeds R20 million, Council approval should in any case have been obtained. Blaming her unwillingness to participate in the Bowmans investigation on those responsible for commissioning the report, again confirms the pattern that is apparent elsewhere, namely that the VC shies away from taking responsibility, preferring to pass on the blame when matters get out of hand. Refer in this regard, for instance, to interim salary increases and Cloghereen refurbishment, discussed elsewhere in this report. Also, an opportunity was missed to engage with the investigators on the matter, and the University is poorer as a result.

#### **4.4.6 Other Matters of Concern**

##### **4.4.6.1 Investments**

- a. I have received several written and oral submissions regarding the appointment of a specific offshore investment manager, notwithstanding a recommendation, on the grounds of costs, of the OIC, to appoint a different offshore investment manager.
- b. Governance concerning UNISA's substantial investment portfolio (more than R13 billion at 31 December 2021) entails that detail matters and technical analysis of investments primarily be the focus of the OIC, consisting of the CFO, staff of the Finance Department and external investment advisors. The OIC's recommendations on investment matters are discussed at ManCom, whereafter FIECoC makes the final decision.
- c. During 2021, the OIC engaged in an extensive process to replace an active asset manager with a passive manager in the offshore portion of the UNISA long term portfolio. The value of the transaction was approximately R1,4 billion. This portion of the portfolio was historically managed by three active managers and the intention was to move from these active managers to a single passive manager. In a note to FIECoC, prepared by the University's investment advisors, it is explained that although a combination of different managers with different investment styles is best suited to active management as the risk in the portfolio could be reduced because of diversification, in a passive management mandate the manager tracks Index returns and does not make active decisions, hence diversification in this scenario becomes less

important. After considering a number of managers for possible appointment, assessing matters such as organisational background, quality of the investment team, tracking error, risk management, fees, take-on ability, transformation and environmental, social and governance considerations, the OIC recommended a specific asset manager. Yet on 18 August 2021 FIECoC decided that the OIC recommendation be disregarded in that it was decided to substantially reduce the amount to be managed by the recommended investment manager in favour of an investment manager that was not recommended by the OIC.

- d. During 2022, having decided to pursue a passive investment strategy in its offshore bond portfolio, the OIC interviewed several asset managers in order to identify an appropriate manager that could effectively track the index. According to a report, entitled "Appointing an Offshore Passive Bond manager in the Offshore portion of the UNISA Long-term portfolio" to FIECoC dated 1 June 2022, the initial process focused on local managers with appropriate skills, a minimum black ownership of more than 50% and a BBBEE rating of at least 2. Before presenting its findings to FIECoC, the investment advisors performed a due diligence exercise on managers eligible for appointment and found that the fees charged were not fully disclosed by all as all local managers, as an industry norm, use the indices of Blackrock, a multinational investment management company based in New York, USA, at additional cost, not always reported. In one instance it is reported that the "extra" cost charged by Blackrock amounts to 0,20%, which could be a substantial amount. The OIC believed, rather than appointing an intermediary at extra cost, directly appointing offshore managers should be considered.
- e. The OIC therefore decided to invite two offshore managers to make presentations on 11 April 2022 in order to select a manager for the Developed Markets Offshore Bond portfolio. Primarily on cost considerations, the appointment of one of these managers was favoured by the OIC, also "... given their footprint of assisting the local community with education". A recommendation was consequently made to FIECoC that this manager be appointed asset manager in the offshore bond portfolio.
- f. Again, at a FIECoC meeting on 1 June 2022, it was decided to substantially reduce the amount to be entrusted to the recommended asset manager in favour of essentially the same asset manager that had previously been preferred over the recommended manager by the OIC even though fees charged by the former is higher.

#### 4.4.6.2 VC Motor vehicle

- a. In the appointment letter of the VC, dated 20 November 2020, it is stated that the VC will be permitted to use a University supplied vehicle. I have received several submissions in this regard, alleging irregularities.

- b. In preparation for the VC taking up office, the then VP: Operations and Facilities, instructed on 22 December 2020 that a Mercedes Benz E 220d be bought for R1,2m for the use of the VC. Apparently, a new vehicle was purchased some two years before, that would be sold after April 2021, upon the departure of the then VC.
- c. During August/September 2021 a new vehicle, Mercedes Benz GLE 400d, was bought for the use of the new VC at a cost of R1,9m. In an interview, the VC was asked whether this should not be regarded as excessive, she responded that this was in accordance with a Council decision prior to her assumption of duty as part of her remuneration package. She asserts that her only input was that she preferred a 4X4 vehicle as she is also visiting the regions; the Registrar, HR and Finance/SCM were responsible for the specifications.
- d. The budgeted amount for the official vehicle was R1,2m. The vehicle that was finally purchased was R1.9m which was R700 000 in excess of the budget. I was informed that all previous VCs used E-Class Mercedes Benzes and were also visiting regions. I do not understand how Council left this matter open ended to officials to provide different accounts on the matter.
- e. The remuneration and benefit structures of Vice-Chancellors are not consistent across the sector. Many universities do not purchase cars for VCs as this used to be the case prior to the restructuring of the higher education landscape. Taxable allowances are paid to some VCs to purchase their own transportation, and some universities do not pay such allowances at all.

#### 4.4.6.3 *Honoraria and Remuneration paid to Council and SRC members*

- a. A table submitted to me indicate that Council honoraria increased by 26% from 2019 to 2020, and by 28,4% from 2021 to 2022. A decline of 17% occurred from 2020 to 2021.
- b. The 2020 increase is ascribed to a proliferation of online meetings during the Covid pandemic, as meetings could be called on short notice, after hours and on weekends. The increase in 2022 is ascribed to an increase in honorarium payments in 2022, doubling the honorarium from R2 500 to about R4260 per ordinary member. These figures include *ad hoc* meetings attended by Chairpersons of Council and committees of Council. Total honoraria paid increased from R1,6m in 2019 to R2,2m in 2022.
- c. National SRC members are paid relatively large amounts per month in the form of stipends, accommodation, relocation costs and rebates on tuitions fees, laptops and cell phones. Stipends alone amount to R2,4m in 2021, while only Pretoria accommodation in same year amounted to approximately R0,2m, relocation costs R0,12m and rebates on tuition fees R0,748m. Individual stipends range from approximately R1 700 per month for Regional SRCs to more than R4 000 per month per member of the National SRC.

#### 4.4.6.4 *Irregular appointments, secondments, salary adjustments and misuse of motor vehicles*

- a. Irregular appointments and secondments and the concomitant governance failures are discussed in more detail in the HR section of this report. The financial implications of such appointments and secondments should be noted, since irregular appointments and secondments render the salaries and acting allowances paid, in itself irregular. The report by external consultants, following a request by the then VC, dated 30 September 2020, list a number of such irregular appointments, secondments and irregular extensions of such secondments. In addition to salaries paid in respect of irregular appointments, allowances in respect of irregular secondments ranging between R5 231 per month to R23 933 per month have been paid out, in some cases for extended periods of time, following irregular extensions.
- b. Allegations that salaries of union Branch Office Bearers (BOBs) were adjusted to the 60<sup>th</sup> percentile without following the correct process of salary adjustment, were also investigated. It was found that increases were not discussed at the UBF, thereby violating the objectives of the UBF, that percentile increases were not adjusted to all BOBs, that:
  - percentile increases were not implemented at the same time and that
  - there were no fairness and consistency in the implementation of percentile increases in certain cases.
- c. In another report by the same external firm, dealing with allegations relating to the alleged misuse of university cars, *inter alia* by labour union leadership, it was found that union members made use of university cars for prolonged periods. According to GPS tracking reports, places visited were not always UNISA branches or campuses. It is unclear what action has been taken in many of the irregularities identified.

#### 4.4.6.5 *Conclusion*

- a. I find it strange that, while the results of a proper due diligence process by the OIC and a team of external experts suggest a clear solution in the best financial interests of the University regarding certain investment decisions, FIECoC should, on two occasions, choose not to accept the outcome of such a process. It is not disputed that management's responsibility and mandate affords them the means not to accept advice offered to them. Yet, to pursue an alternative which is contrary to the recommendations of a team of experts, both internally and externally and on both occasions (co-) appoint the same company which had not been the preferred service provider in the first place, raise questions as to the reasons for such decisions.
- b. I find the procurement of a luxury vehicle with elaborate specifications at a cost of nearly R2m for the use of the VC, excessive, especially since her predecessors made use of vehicles that were

far less luxurious. In my view, the VC should be afforded the dignity that corresponds with the office that she holds, but, given the difficult financial situation that thousands of UNISA students have to endure on a daily basis, a degree of frugality by the VC would have gone far in conveying a message of a compassionate leader that occupies a position first and foremost to serve, rather than to be showered with luxuries that most of them, or their parents, not would be able to afford. Previous VCs were able to do that.

- c. The substantial increase in honoraria paid to Council members raises questions as to the frequency of meetings, the number of ad hoc meetings called and, indeed, the size of Council itself.
- d. I doubt whether the University obtains value for money from the stipends, accommodation, relocation and rebates paid to members of the SRC.
- e. It appears as if the recommendations included in the external audit report, issued in 2020, on irregular appointments, secondments, salary adjustments and misuse of motor vehicles, have still not been implemented, although the current VC asserts that she has indeed implemented some of the recommendations. In view of the substantial financial losses to the University as a result of these irregularities, it is implausible that meaningful corrective action and consequence management have not yet been taken by management or Council.

#### **4.4.7 The Audit Function**

##### **4.4.7.1 Internal Audit**

- a. The Department: Internal Audit is headed up by a CAE, who reports functionally to AERMCoC, and administratively to the VC. The CAE is supported by two directorates for Internal Audit and a Division for Investigations. There are 22 positions in the Department. Internal audits are performed by internal staff, but external firms are sometimes engaged for certain projects. An annual evaluation is made by AERMCoC of Internal Audit.
- b. A quality assessment review of the Department was performed during October 2019 by the Institute of Internal Auditors (IIA) of South Africa. The period covered by the review, however, did not coincide with the current CAE's tenure. The main objectives of the review were *inter alia* to assess the Department's conformity to IIA's International Standards for the Professional Practice of Internal Auditing and the Code of Ethics and to evaluate the Department's efficiency and effectiveness in carrying out its mandate per its approved Charter. In general, the conclusion reached by the IIA team was that the Department's efficiency and effectiveness in carrying out its mandate needs to be strengthened, although a rating of "generally conforms" was issued.

- c. In terms of its Terms of Reference, AERMCoC is required to monitor and review the effectiveness of the internal audit function and to perform an annual assessment of the internal audit function's responsibility, budget and staffing. At its meeting of 20 August 2021, a process was initiated by AERMCoC for an assessment of Internal Audit. The assessment was presented to AERMCoC on 28 March 2022 and no major issues were noted, although a skills audit would be conducted.
- d. As is required by King IV, a risk-based audit approach is followed. It would appear that data analytical techniques using big data sets are not utilised extensively. Such techniques are becoming commonplace in any auditing environment, as they allow internal auditors to reach meaningful conclusions that would not have been possible otherwise. Tech-savvy staff who are competent in mathematical and statistical techniques, is however a prerequisite. The CAE concedes that the staff complement in the Department does not necessarily support the use of these techniques, but opportunities are being created for the upskilling of staff.
- e. Value-for-money audits are also not regularly performed. When asked whether such audits would not prevent malfeasance should it become known that such audits are performed regularly, the CAE responded in the affirmative, but added that they are impractical as granular data, which is currently not contained in the system, is required, forcing auditors to go down to source document level.
- f. Several submissions were received that documents produced by Internal Audit are sometimes late for critical meetings. In an AERMCoC meeting of 5 March 2021, for instance, the Chairperson remarked that documents that had been received late from Internal Audit, reflected negatively on the committee's mandate. Also, on 9 September 2021 it was noted that the discussion of the Investigations Protocol should be deferred as it had been received late and therefore did not afford members enough time to study.
- g. The CAE concedes that the staff morale is low; this was confirmed by forensic investigators who found that staff were opposed to the CAE's leadership style (AERMCoC, 17 June 2022). The CAE himself was the subject of a forensic investigation, but all allegations were found to be untrue (AERMCoC, 17 June 2022).
- h. It is a fairly general practice that external auditors, in forming an audit opinion, rely in certain areas on the work done by Internal Audit. Such practice does not only reduce costs, but serves to reinforce the external auditor's opinion on internal controls within the organisation. In cases of fraud, internal audit reports play an important role when external auditors assess the associated risks. The International Auditing and Assurance Standards Board in International Standard on Auditing (ISA 610, revised 2013), entitled "Using the work of Internal Auditors", states, in broad terms, (in par. 16) that external auditors should not rely on the work of internal audit when the status, relevant policies and procedures of Internal Audit do not adequately support the

objectivity of internal auditors, when internal audit lacks competence and when a systematic and disciplined approach (including quality control) is not applied.

- i. In an interview with the external auditors, I enquired whether they rely (in certain areas and to an extent) on the work done by Internal Audit when performing audit procedures and/or forming an audit opinion. The external auditors responded that no such reliance is placed on Internal Audit's work, although their reports are used as a source of information for risk assessment purposes on the audit. Reference is made to limitation of scope about the completeness of information received regarding investigations performed by internal audit, although the list of investigations was signed off by the CAE. The external Auditors therefore concluded that a limitation of scope was placed on their ability to follow up on the completeness of the investigations performed by Internal Audit.
- j. Internal Audit is key to compliance and governance oversight in any organisation, especially at UNISA, where irregularities, malfeasance, non-compliance and lack of consequence management are the order of the day. Such an environment requires a top-notch Internal Audit section, staffed with tech-savvy staff who are at the forefront of the most modern audit techniques. I am not convinced that all or most of the staff complement at UNISA's Internal Audit Department meet these standards. In my opinion, Internal Audit staff clearly needs to be upskilled if the Department is to meet its responsibilities, and staff morale needs to be addressed urgently for this goal is to be achieved in any meaningful way.

#### 4.4.7.2 External audit

- a. The office of the Auditor-General (AG) is the designated auditor for higher education institutions, but private audit firms may be sourced to perform such audits on their behalf. For UNISA, one of the so-called "Big Four" audit firms was appointed to perform the audit on the AG's behalf.
- b. On 8 June 2022 the auditors informed AERMCoc that they were not in a position to finalise the audit for the year ended 31 December 2021 by 30 June 2022 in terms of Regulations for reporting by Public Higher Education Institutions (9 June 2014, par 7 (4)) as they would first like to investigate certain matters that had come to their attention pertaining to the MTT report that they had not been privy to. Asked why such an investigation had not been instituted in previous years, given the availability of whistle-blower reports on similar matters, the auditors responded that an investigation had been recommended previously, but it had not been supported by Council.
- c. In a letter, dated 23 June 2022, to the VC, the auditors note "with concern" that certain risks and allegations were made in the MTT report and that certain actions to be taken in respect of the recommended investigations are expected. The auditors indicate that they must determine the

impact of these “pervasive risks”, affecting the highest level of management, on the audit and that these risks require additional audit attention.

**d. The additional risks that the auditors deemed necessary to assess are the following:**

- i. allegations of abuse of power and conflicts of interest;
  - ii. lack of action with regard to forensic investigation reports, some issued more than a year ago;
  - iii. lack of consequence management by VPs following investigation reports where consequence management has been recommended more than a year ago;
  - iv. allegations of circumvention of the supply SCM process;
  - v. allegations of the circumvention of SCM policy through UE;
  - vi. potential tampering with tender evaluations committee;
  - vii. allegations of unauthorised payroll payments;
  - viii. allegations of overpayments for goods and services and
  - ix. increased governance risk as evidenced by communication between the Minister and Council.
- e. As a result of the above, the auditors noted, additional work would have to be done, consequently they foresaw that the date of the issue of the audit report and the management report would have to move to 30 September 2022. It subsequently became clear that the auditors would not meet the extended deadline of 30 September 2022, and in a letter dated 31 October 2022 to the Acting Deputy Director-General: University Education at the DHET, the VC requested further extension for the submission of UNISA’s annual report to 30 November 2022. She noted that “... despite deploying all the necessary efforts to get the audit concluded within the original time requested from the Minister, these efforts have unfortunately fell short and as a result, the University is unable to submit the 2021 annual report today, being the final day for submission as per the extended deadline.”
- f. In its quarterly report to Council dated 1 September 2022, the Chairperson of AERMCoC notes that matters delaying the finalization of the 2021 audit included outstanding lawyers’ letters, forensics issues, contingencies and Legal Services expenses.
- g. Apparently following many interactions between the auditors and management, the auditors indicated during October that UNISA’s risk profile is becoming too high for their (the auditors’) risk tolerance limit, with the consequence that they might have to resign as external auditors**

from the beginning of the 2022 financial year. Having been appointed from the 2018 audit for a period of five years, this would mean the departure of the auditors before the completion of their appointed term.

- h. In an interview, the Chairperson of Council opines that the auditors were “*auditing rumours*” and that an “*unprecedented level of pettiness*” in the audit process was evident.
- i. The Annual Financial Statements for the year ended 31 December 2021 were eventually approved by Council on 14 December 2022.
- j. I was informed that UNISA thereafter appointed SNG Grant Thornton as a new firm of external auditors.
- k. The requirement that a public higher education institution must submit to the DHET by 30 June of each year its annual financial statements for the previous financial year, including the report of the independent auditors, is usually strictly adhered to by Public Higher Education Institutions, especially prestigious institutions who claim to be comprehensive universities that are highly regarded by the South African public in general and, indeed, also by the international community. It is almost inconceivable that such an institution would not be able to meet its obligations in this regard and, if this were to happen, it would signal that something is seriously amiss and that the auditors are probably struggling to finalise their audit opinion because of substantial and serious unresolved issues. As is evidenced from submissions received, it is clear that such a “signal” in UNISA’s case, is indeed an accurate one. The reputational damage to the University was substantial.
- l. I do not agree that the auditors were “auditing rumours”. It is the responsibility of auditors to take note of all information that is available, assess the risks that such information brings to the fore, and tailor their audit approach and procedures accordingly. Attempts by some members of the UNISA leadership to downplay the audit findings and the auditors’ early departure, do not behove responsible leaders who should rather engage in solutions to the matters that have been highlighted by the auditors.
- m. I was intrigued by the social media posts in late December 2022 when UNISA celebrated an unqualified audit six months after all public universities complied with the requirement, and I asked the VC why that was the case, and response was, “*This was my first audit as the new VC. My expectation was that it should have been completed in time and submitted. Towards June, the auditors wanted to do a forensic audit, and I wrote to the Minister and Department stating my understanding of compliance issues. I also wrote to the AG to say what EY required, and to apologise for not submitting accounts in time. We made a commitment to submit within three months but the audits extended the audit, so I wrote to all those parties again. I must be honest, I*

*was embarrassed that we were late, but I also looked at the management letters and the actions we have to work on. The CFO is already engaging with the different environments that we have to engage with to address our deficiencies. I will definitely try that this does not happen again this year, it is receiving our focused attention”.*

#### 4.4.7.3 Reportable Irregularities

- a. In terms of section 45 of the Auditing Profession Act, No 26 of 2005, if an auditor of an entity is satisfied or has reason to believe that a reportable irregularity has taken place or is taking place in the entity, the auditor must send a written report to IRBA, giving particulars of the irregularity, and also notify the board, giving details, of the report lodged to IRBA. Within 30 days, the auditor must discuss the report with the board and afford the board the opportunity to make representations, where after the auditor must send a second report to IRBA, wherein it is indicated that no reportable irregularity has taken place (or is taking place), or is no longer taking place or is still continuing. IRBA will then furnish the relevant regulatory authority of the detail of the irregularity. The APA defines a reportable irregularity as any unlawful act or omission committed by any person responsible for the management of an entity, which -
  - i. has caused or is likely to cause material financial loss to the entity or to any partner, member, shareholder, creditor, or investor of the entity in respect of his, her or its dealings with the entity; or
  - ii. is fraudulent or amounts to theft; or
  - iii. represents a material breach of any fiduciary duty owed by such person to the entity or any partner, member, shareholder, creditor, or investor of the entity under any law applying to the entity or the conduct or management thereof.
- b. It has come to my attention that three cases that the auditors regard as reportable irregularities during the audit for the year ended 31 December 2021, have been reported in accordance with the provisions of the APA.
- c. The auditors informed Council on 13 October 2022 that they had reason to believe that a reportable irregularity had taken or was taking place. In a separate report to IRBA, the nature of the alleged irregularity was disclosed, that the University had received allegations of abuse of power and conflicts of interest in procurement contracts against the former Chairperson of UNISA Council, whereupon Council sought independent external legal advice on whether an investigation should be conducted into the matter. **Although the legal opinion confirmed that Council has a legal obligation to investigate the matter as well as to report the suspected**

**corruption to the police in terms of the Prevention and Combatting of Corrupt Activities Act, no 12 of 2004, no action has (at the date of writing of the letter) been taken by Council.**

- d. In a letter dated 11 November 2022, the auditors reported to IRBA that they have discussed the report with members of Council and they have also undertaken further investigations into the matter, but, in their opinion, the reportable irregularity is continuing as the matter has not been reported to the SAPS as required by section 34(1)(a) of the Prevention and Combatting of Corrupt Activities Act (12 of 2004) and that no further investigations have taken place by the University.
- e. In addition to the above, two further reportable irregularities were raised by the auditors.
- f. Complaints were made by 113 students about bribes and other benefits to improve exam marks and to access exam papers before the official exam. The auditors note that there are insufficient controls in place to ensure rigorous management of risks and compliance with laws and regulations. As the University informed the Information Regulator of the breach after the first letter of notification of a reportable irregularity to IRBA, the irregularity was, from a process perspective, if not from a substantial one, resolved.
- g. Also resolved in terms of process, but not in substance, is the uncovering of fraudulent claims in excess of R100 000 during a forensic investigation which was not reported to the SAPS, thereby breaching Section 34(1) of 4 PreCCAA. A case has subsequently been opened with SAPS.
- h. In its report on the audit of the financial statements for the year ended 31 December 2021, the auditors further note that adequate compliance monitoring controls to ensure compliance with PreCCAA, have not been implemented, nor have adequate controls been implemented to ensure that the financial statements are complete and accurate, since material changes were required to the financial statements after its submission for audit. In its Report on internal and administrative controls included in the Annual Report for the year ended 31 December 2021, signed by the CAE and the Chairperson of AERMCoC, it is conceded that the "... systems of internal control over its operational environment, information reporting and safeguarding of assets against their unauthorised acquisition, use or disposal is 'partially effective'".
- i. In the AERMCoC Chairperson's Report to Council, dated 1 September 2022, it was reported that a forensic investigation had been conducted on the payment of a new system in December 2020 and it was found that fraud to the amount of R15m had taken place. As the fraud had not been reported to the SAPS, a transgression of PreCCAA has taken place. The report notes: "*The Principal and Vice-Chancellor should take the required action in line with the regulations of PreCCAA.*"

- j. Filing a reportable irregularity with IRBA by the auditor of an institution, may have serious consequences for such institution as it may indicate a substantial breach of the system of internal control and, crucially, even criminal activity that goes unreported. A sound system of internal control is key to compliance and, ultimately, good governance. Failures in this regard may expose the University to financial irregularities and malfeasance. For a prestigious institution of higher education such as UNISA, to be tainted in such a way, not only causes immeasurable reputational damage, but assigns it to the company of those not known for excellence and academic superiority.

#### *4.4.7.4 Audit and Enterprise Risk Management Committee of Council (AERMCoc)*

- a. AERMCoc is one of the key governance structures in the University and indeed, although it may be known by different titles, in all organisations. This committee is responsible for exercising independent oversight of the assurance functions, including compliance. Towards the end of 2022 AERMCoc engaged the Institute of Directors to evaluate its performance. At the time of writing, I was unable to find the results of such evaluation.
- b. In its final report dated August 2021, entitled "Report of the Ministerial Task Team to Conduct an Independent Review of the University of South Africa" to the Minister, the MTT noted that, given the complexity and size of its annual budget, the expertise required in financial matters is fundamental and would as "an absolute minimum" require the Chair of AERMCoc to be a Chartered Accountant, "especially given that the University has a culture of non-compliance". It notes that the Chair of AERMCoc (at the time) was a lawyer, albeit with considerable business experience. I concur with the view that the Chair of AERMCoc should be a Chartered Accountant, and note that, since the MTT report was presented to the Minister, a new Chair, a Chartered Accountant, assumed the position of Chair at AERMCoc, and chaired her first meeting on 5 March 2021. I have received submissions that, while not all detailed reports prepared by Internal Audit had previously been presented to AERMCoc, from January 2022, at the insistence of the new Chair, all details are being disclosed and discussed. By all indications, the new chair is performing well in the role. This is to be welcomed.
- c. I have received submissions that the relations between the VC and the Chair of AERMCoc is strained. The VC states that the relationship is "not horrible", but complains that she has been humiliated in the presence of staff members. She also complained that she is being asked to account for matters that happened before she joined the University. I have received submissions that the VC "was not taking AERMCoc seriously", in that meetings are sometimes not attended, without tendering an apology, and by not affording the committee the "amount of decorum that it deserves" and that she is unresponsive to requests by the Chairperson of AERMCoc to arrange

private meetings between them. A member of Council contends that the VC “does not understand governance”, does not take responsibility in a meeting for something that went wrong, and then accuses a subordinate. At an AERMCoC meeting of 9 September 2021 it was decided “... that the office of the VC, Prof P LenkaBula should appreciate the committee’s oversight role by complying with all the resolutions it has taken instead of second-guessing it or amending such resolutions, and that such resolutions are to be taken in a serious light and duly attended to.” In a letter to the Chairperson of AERMCoC, discussed at an AERMCoC meeting of 17 June 2022, the VC expressed discomfort on the “... escalating indifference and denigration towards herself” at meetings of the Committee. The Committee decided that the Chairperson of Council should facilitate a discussion between the VC and the Chairperson of AERMCoC to engage on the matter.

- d. **In its meeting of 30 March 2022, Council received the VC’s first state of the University quarterly report on academic progress and achievement, and simply noted that “compliance issues need to be improved”.** I don’t know what to make of this, except that the tension appeared palpable.
- e. The CAE regularly presents to AERMCoC a document containing information pertaining to the significant investigations into fraud, corruption, and irregularities. The fourth quarter summary for 2022 indicates that, out of 15 cases reviewed, only 4 have been concluded, in two further cases, management responses have been received while no responses have been received from management in 9 cases. These 9 cases ranged from allegations of irregular payments, of solicitation of money from E-tutor(s), of mismanagement of donor funding, of irregular appointment and payment of service providers, of recruitment irregularities and of travel fraud.
- f. The Issues Log of AERMCoC dated 19 August 2022 indicate the matter of contractual compliance, dealing mainly with the establishment of a compliance office to monitor performance, was outstanding for more than six months.
- g. As the structure charged with the exercising of independent oversight of the assurance functions, including compliance, it would have been expected that the matter of non-compliance would be high on the agenda of AERMCoC. In its meeting of 24 March 2022, AERMCoC takes note of compliance matters brought to its attention by its Risk Sub-Committee and decides to escalate these issues to the VC and that an update should be provided at the next meeting. However, in the minutes of the next meeting, held on 8 June 2022, no reference is found in this regard.
- h. The External auditors also questioned the Committee’s ability to exercise its oversight role (AERMCoC 8 June 2022).
- i. The working relations between the VC and the AERMCoC Chair however, although apparently lately improving, is not conducive to the success of the oversight role that AERMCoC has to play.

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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID AFRIKA

Vol. 695

26

May  
Mei

2023

No. 48660

**PART 3 OF 4**

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845



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This may also lead to the conclusion by some that Council does not take AERMCoC seriously. Although AERMCoC is not empowered with executive functions, its role is to ensure that Council harnesses AERMCoC's expertise to ensure that issues pertaining to its oversight role, are constantly on Council's agenda.

- j. Council should then ensure that management is held accountable and that there are consequences for individual members of management who do not ensure that in the areas of their responsibility.

#### 4.4.7.5 Non-Compliance

- a. The governance failures that have been highlighted in this report could be viewed against the backdrop of the University not complying with the codes of practice and conduct and the Code of ethical behaviour and practice, insofar as it is relevant to UNISA, as set out in the King IV Report on Corporate Governance. This much is acknowledged in the University's annual report for 2021, where it is indicated that this objective has not been achieved.
- b. It would be safe to conclude that a culture of non-compliance indeed permeates the University and that Council have failed the University in this regard.
- c. The importance of compliance for any well-functioning organisation cannot be over-emphasised. When compliance starts lapsing, a process of snowballing is often set into motion that soon besets the organisation with a culture of indifference. I believe that UNISA has already traversed this dangerous path.
- d. In many of the submissions received, both verbally and in writing, the MTT's remark on non-compliance is echoed. Many examples of non-compliance are discussed in this report. What is astonishing, is that senior staff members refer to this culture of non-compliance in a matter-of-fact way as if the situation is beyond their control, and therefore should merely be accepted. In an interview, an ED, indicated that *"...the problem is that people are simply non-compliant. In UNISA, when non-compliance happens, nothing happens to those people. In the Audit Committee we have reports going back three or four years, nothing happened."* An Acting ED concedes that the extent of non-compliance is "alarmingly high" and yet another ED explains that *"people don't take these... (compliance)..seriously... we report non-compliance and breaches on a quarterly basis, but the movement is very thin..... It is like there is no urgency in applying those findings ..., it is like compliance is just a tick in UNISA."* The Auditors recommend in their management report for the year ended 31 December 2021, that Management should investigate the causes of the non-compliance with laws and regulations and should implement corrective actions. This recommendation is prefixed as a high risk.

#### 4.4.8 UNISA Enterprises (Pty) Ltd

- a. UNISA Enterprises (Pty) Ltd (UE) is a private company with UNISA as its only shareholder. According to its financial statements for the year ended 31 December 2019, the latest that are available at the time of writing, the company is the third-stream generating income entity of the University. In an interview, UNISA's CFO explained that UE is a company that was established to be more flexible than the "constrained environment" of UNISA to pursue commercial opportunities and compete with private enterprises. The company has been capitalised through a convertible loan from UNISA as seed funding. According to the latest audited financial statements, a loan from UNISA amounts to R20,7m at 31 December 2019. Although the financial statements of UE at the time of writing was not available after 2019, according to submissions received, this amount has grown to some R50m at 31 December 2022.
- b. In a report published in March 2022, the Board of UE consists of two members nominated by Council as well as the CFO of UNISA and UE's CFO. The rest of the Board members are external to UNISA. According to the audited annual financial statements of UE for the year ended 31 December 2019, there were six directors, one appointed on 1 November 2019, one on 1 May 2020, one on 1 February 2021, two on 25 June 2021, while the appointment date of the sixth member is not provided. There were also two resignations, one on 4 June 2021 and one on 13 August 2019. According to UNISA's CFO, the Board functions independently, yet "*the governance still has to mature*" as both the Chief Executive Officer (CEO) and the CFO left the company, following investigations, these positions are now being filled by persons acting in their respective roles.
- c. An analysis of the 2019 financial statements indicates the sole revenue as "Sale of Goods" to the value of R5m (2018: R0,8m), with expenses of R9,5m (2018: R3,7m). Employee benefits and Consultancy fees accounts for 69% (2018: 84%) of total expenses. The 2019 financial statements also reflect a transaction of R33,2m from the acquisition of the Bureau of Marketing Research from UNISA, which is included under "Other Financial Assets" on its Statement of Financial Position and included as an "Other Gain" in the Statement of Profit or Loss and Other Comprehensive Income. In the notes to the financial statements, it is indicated that the acquisition was measured and recognised at fair value. It is unclear how the "fair value" was determined and by whom. This transaction turned a potential loss of R9,2m into a profit of R24m. The accounting treatment of the transaction suggests that the transfer of this UNISA asset had been regarded as a donation to UE, raising serious questions as to whether the legal requirements for the sale of assets of a university had been met. When this question was raised with the UNISA CFO, he was not immediately able to respond, but in a subsequent e-mail he indicated that, in a

discussion with the Chair of Council, the latter indicated that Council's understanding was that, since EU is a 100% subsidiary of UNISA, the transfer was not considered to be a disposal.

- d. In the monthly management accounts for September 2022, prepared by the Finance Department, it is noted that, during April 2022, a significant reduction (52,5% compared to March 2022) in revenue from R1,3 million to R0,6m occurred. A loss of R1,2m was incurred during the month, compared to a loss of R0,9m the previous month. A consultant was appointed to develop a turnaround strategy, detailing projects that can generate profits while additional funds are requested from UNISA for operational requirements during the period of the turnaround.
- e. The business model initially envisaged was that intellectual property (IP) developed by UNISA academics would be taken to the patent stage, whereupon UE was supposed to identify those that were commercially viable propositions, and proceed through the next stages. According to a submission, that never happened. Instead, external partners are being identified for specific projects and UE pays as much as 90% of the income to the partner, while retaining 10% as company revenue. It appears as if UE rely to a large extent on activities that are usually performed by the University to intercede as go-between, thereby adding another layer of cost to such activities.
- f. According to a submission received, there is no process in place on how such partners are secured. Agreements would be signed by UE's CEO or CFO without following proper procurement or tender processes. The arrangements would often entail that UE essentially receive a "commission", while the bulk of the income is forfeited to the external providers. According to a submission received, UE seemed not to properly vet these partners beforehand, and appointments would be made without any due processes being followed. In many instances, the services that "partners" were supposed to provide, failed. According to a report by an external party, entitled "Report of the Review of the Revenue Models used by UNISA Enterprises (Pty) Ltd", dated January 2022, a lack of approved policies and regulations cause inconsistencies in the process of identifying and selecting business partners. It recommends serious improvements in the process followed to select business partners before they are presented to the board.
- g. To illustrate the above clumsiness, UE attempted to take over the disbursement of funds to students (NSFAS, for example) which had previously been done by an outsourced company about which students raised certain concerns. UE appointed an external service provider to assist in this venture at a cost of R8,6m, apparently without performing any meaningful due diligence and upon approval of FIECoC on 8 April 2022. Finance pointed out that this arrangement would result in the charging of students for disbursements as well as UNISA having an agency fee on top of that, resulting in a "double charge" to students for this service. Furthermore, according to submissions received, this external service provider had no experience in the disbursement of

student funds, and limited capacity and capability to successfully execute on the venture. Also, the company had no strategic and operational plan, no technical support staff, and no service centre for student queries. At the insistence of Finance and SCM staff, a due diligence revealed that there were several shortcomings that would render the favoured company unable to perform the required functions. A report dated 7 April 2022 indicated that “...UNISA Enterprise did not meet the mandatory requirements as detailed in the evaluation criteria, therefore the TWC will await UNISA Enterprise to fulfil the requirement for technical evaluation to commence.” **Nevertheless, FIECoC went ahead on the next day, 8 April 2022, to approve the disbursement of student funds through UE.**

- h. A student leader informed me that this was frowned upon by students (“*something funny going on*”) as certain student leaders were lobbied to support the new system, although no discussion in governance structures took place. Given the high level of noise because of UE’s inability to proceed with disbursements, the proposal did not come to fruition and eventually alternative arrangements were made. A report by an external party indicates that SCM processes were not followed and that possible conflicts of interest existed, but that no proper policies were in place to deal with such conflicts. The preferred service provider could not be regarded as a revenue source, as they merely provided the infrastructure for payments, however insufficient such infrastructure might have been, according to submissions received.
- i. I have also received submissions that UE is being used to circumvent UNISA SCM processes. It is alleged that UE is used as a vehicle for corrupt activities as it does not have to comply with UNISA’s SCM policy. The external auditors view these allegations as a concern. In an interview with UNISA’s CFO on 2 December 2022, these allegations were put to him. He conceded that it would be possible.
- j. In a letter dated 23 June 2022 to the VC, the External Auditors refer to a general independent contract review performed by an external party, implicating both the CEO and the CFO of UE in irregularities, the result of which was apparently that the services of the CEO had been terminated and the CFO had been disciplined. According to the External Auditors, a review report indicates that some contracts had been unsustainably priced, while there is no process for the contracting of sustainable business partners. The External Auditors remark that these matters bring the control environment of UE into question and hence open to heightened risk.
- k. At its meeting of 14 December 2022 Council approved a **turnaround strategy** for UE. **Another loan of R50m was approved, as well as a repayment plan for the original loan of R50m.** The turnaround strategy *inter alia* involves the ring-fencing of certain projects to UE regarding enterprise supplier development, property repurposing and management, conferences and convening dialogues, university retail services and education business solutions.

- l. I find that UE has not succeeded in its goal of generating third stream income for UNISA. While it was established to gain more independence from State subsidy, the opposite has actually happened in that UNISA is now relying more on State subsidy. There is an unstable leadership and no appreciation of governance principles. Over the period of its existence, UE has achieved nothing meaningful, while having squandered the seed funding of R50 million that has been advanced to them by UNISA. The Turn-Around Strategy is yet to prove its success, but up to now, UE's business model has been questionable, and its finances are in a shambles. The attempt at window dressing by transferring a UNISA assets to UE is not only probably illegal, but a clear attempt to mislead by reporting a surplus, where there is none. At the very least, competent legal opinion should have been sought before such transfer was effected.
- m. In its present form UE is unsustainable and is likely to remain a drain on the finances of UNISA. This is clearly not a sustainable situation as is evidenced by a note to the financial statements that "(t)he business plan is aimed at obtaining set-asides from UNISA to keep the company sustainable in the near future."
- n. It is possible that questionable transactions to circumvent UNISA policies are being conducted, as has been alleged in several interviews and submissions. The External Auditors suggest that the MTT's proposal for a forensic investigation of UNISA should be extended to include UNISA Enterprise. I agree with this proposal by the External Auditors.

#### **4.4.9 Financial Report**

##### **4.4.9.1 Ratio and trend analysis**

- a. For the purposes of the Financial Report, the Statement of Financial Position (Balance Sheet), Income Statement and Cash Flow statement have been summarised for the financial years 2017 - 2021, using the audited annual report as basis for the summary. To highlight financial trends, a period of five years has been included in the summary.

SUMMARISED STATEMENT OF FINANCIAL POSITION (Balance Sheet) Rm					
	2017	2018	2019	2020	2021
<b>NON-CURRENT ASSETS</b>	<b>3 274</b>	<b>2 674</b>	<b>2 445</b>	<b>2 282</b>	<b>2 328</b>
Property, plant and equipment	2 826	2 519	2 308	2 152	2 152
Other non-current assets	448	155	137	130	176
<b>CURRENT ASSETS</b>	<b>7 951</b>	<b>8 618</b>	<b>9 955</b>	<b>12 428</b>	<b>16 199</b>
Inventories	191	210	203	164	101
Trade and other receivables	661	735	1 172	1 574	1 325
Other investments	6 458	7 170	7 665	10 091	13 889
Pension Fund asset	193	197	188	248	267
Cash and cash equivalents	448	306	727	351	617
<b>TOTAL ASSETS</b>	<b>11 225</b>	<b>11 292</b>	<b>12 400</b>	<b>14 710</b>	<b>18 527</b>
<b>EQUITY AND LIABILITIES</b>					
<b>PPE DISTRIBUTABLE RESERVES</b>	<b>1 521</b>	<b>1 548</b>	<b>1 574</b>	<b>1 620</b>	<b>1 766</b>
Unrestricted	0	0	0	1 541	1 684
Restricted	1 521	1 548	1 574	79	82
<b>DISTRIBUTABLE RESERVE</b>	<b>7 022</b>	<b>6 954</b>	<b>7 826</b>	<b>9 592</b>	<b>12 742</b>
Unrestricted	6 986	6 919	7 791	9 560	12 698
Restricted	36	35	35	32	44
<b>TOTAL EQUITY</b>	<b>8 543</b>	<b>8 502</b>	<b>9 400</b>	<b>11 212</b>	<b>14 508</b>
<b>NON-CURRENT LIABILITIES</b>	<b>1 147</b>	<b>867</b>	<b>844</b>	<b>780</b>	<b>733</b>
Lease liabilities		35	11	18	7
Post-employment medical obligations	752	758	753	711	692
Employee benefit liability in respect of pension fund guarantee	33	25	33	51	34
Other	362	49	47	0	0
<b>CURRENT LIABILITIES</b>	<b>1 535</b>	<b>1 923</b>	<b>2 156</b>	<b>2 718</b>	<b>3 286</b>
Trade and other payables	1 114	992	1 230	1 336	1 904
Post-employment medical obligations	53	59	63	64	63
Accumulated leave	21	358	403	562	612
Other	347	514	460	756	707
<b>TOTAL EQUITY AND LIABILITIES</b>	<b>11 225</b>	<b>11 292</b>	<b>12 400</b>	<b>14 710</b>	<b>18 572</b>

BALANCE SHEET RATIOS					
	2017	2018	2019	2020	2021
<b>Total Equity/ Total assets%</b>	76	75	76	76	78
	This ratio gives an indication of the extent to which an organisation funds its assets with its "own" funds. More than three quarters of total assets are funded by equity, which, in the case of a public institution, can be considered healthy. Furthermore, the trend is fairly stable over the selected five years.				
<b>Total liabilities/ Total equity%</b>	31	33	32	31	28
	Since total assets are financed by total liabilities and total equity, this ratio gives a different view on the organisation's financing structure, i.e. the extent to which "outside" funding, as opposed to "own" funding is utilised. In UNISA's case, liabilities form less than one third of the total equity. Furthermore, the trend is fairly stable and shows a moderate decrease in liability funding. This could be regarded as a healthy ratio for a public institution.				
<b>Current ratio</b>	5	4	5	5	5
<b>Quick ratio</b>	5	4	5	5	5
	The current ratio indicates the ability of an institution to meet its short-term obligations from resources that are also of a short-term nature. As inventories are also regarded as sources of a short term nature, but are not as liquid as other resources included in this category, inventories are excluded from short term resources when calculating the quick ratio, thus employing a more stringent measure of liquidity. Since inventories are relatively immaterial to total short term resources, there is little difference between the current ratio and the quick ratio in UNISA's case. Normally a current ratio of 2 is regarded as a prudent and healthy measure, implying that short term liabilities are covered twice by short term resources. In UNISA's case, the number of 5 indicates a healthy liquidity position.				
<b>Growth % reserves</b>		0	11	19	29
<b>Growth % unrestricted reserves (excluding PPE reserves)</b>		-1	13	23	33
	The growth in reserves, especially unrestricted reserves, during the last three years outstrips inflation, as well as the growth in UNISA's total expenses (see later). This can be regarded as a healthy situation.				

SUMMARISED STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME Rm					
COUNCIL CONTROLLED & UNRESTRICTED	2017	2018	2019	2020	2021
<b>REVENUE</b>	<b>7732</b>	<b>7315</b>	<b>8644</b>	<b>9806</b>	<b>11164</b>
State subsidies	3158	3512	4104	4501	4638
Tuition and other fees	3336	3763	3530	4753	4547
Contract income	35	14	20	20	19
For research		12	18	19	18
For other activities		2	2	1	1
Interest, dividends and rental income	297	360	420	402	496
Fair value adjustment	591	-667	246	-167	1199
Other	315	333	324	297	265
<b>EXPENDITURE</b>	<b>6994</b>	<b>7207</b>	<b>7749</b>	<b>8055</b>	<b>7931</b>
Personnel costs	4737	5137	5515	5768	6032
Academic & professional		2374	2466	2392	2725
Other personnel		2763	3049	3376	3307
Other current operating expenses	1936	1511	1825	1360	1752
ECL impairment (reversal)/loss		228	69	615	-106
Depreciation and amortisation	320	323	333	305	247
Finance costs	1	8	7	7	6
NON-RECURRENT ITEMS	-9	-1	-1	-1	-1
<b>NET SURPLUS</b>	<b>729</b>	<b>107</b>	<b>894</b>	<b>1750</b>	<b>3232</b>
Re-measurement gains	47	-54	4	86	51
<b>TOTAL COMPREHENSIVE INCOME</b>	<b>776</b>	<b>53</b>	<b>898</b>	<b>1836</b>	<b>3283</b>

INCOME STATEMENT RATIOS					
	2017	2018	2019	2020	2021
<b>Surplus/Total Revenue%</b>	9	1	10	18	29
	This figure indicates the percentage of total revenue that has not been expended. Over the last three years, this figure is on the increase, reinforcing the growth in reserves, shown earlier.				
<b>Subsidies/Total Revenue excluding Fair value adjustment</b>	44	44	49	45	47
	Since the fair value adjustment is in itself an erratic figure and not part of the core income of the University, excluding it from Total Revenue produces a more useful figure for comparative purposes. Almost half of the University's revenue is derived by State subsidies. This figure shows UNISA's relative dependence on subsidies in				

	the pool of income streams. Ideally, this trend should be downward, especially in view of the University's stated goal of becoming less dependent on State subsidies, <i>inter alia</i> through the endeavours of UNISA Enterprise. Over the five-year period this ratio has increased by almost 7%, indicating a growing dependence on state subsidies.				
<b>Tuition fees/Total Revenue %</b>	43	51	41	48	41
	This figure shows UNISA's relative dependence on tuition fees in the pool of income streams. If the trend is upward, greater relative dependence on tuition fees as an income stream may be indicative of the relative general level of tuition fee increases, but also of a decrease in other income streams. The erratic pattern in this case is largely due to a decrease in tuition and other fees in 2021, but also to the fact that fair value adjustments are included in total income and that an exceptionally large positive fair value adjustment was recorded in 2021.				
<b>Tuition fees/Total revenue excluding fair value adjustment</b>	47	47	42	48	46
	When fair value adjustments are excluded from total revenue, the pattern is less erratic. The indication remains that almost half of UNISA's revenue is generated by way of tuition fees. The low level of third-stream income exacerbates the relatively high dependence on tuition fees and subsidies. The relative decrease in tuition fees ("core income") is worrying.				
<b>Personnel cost/Total expense%</b>	68	71	71	72	76
<b>Personnel costs / Total revenue excluding fair value adjustment %</b>	66	64	66	58	61
	The above figures indicate that three-quarters of total expenses are paid towards salaries and that almost two-thirds of UNISA's total revenue is paid to salaries. This is a worrisome feature of UNISA's Income Statement and certainly one that needs Council's urgent attention.				
<b>Subsidy growth %</b>		11	17	10	3
	The declining tendency in this figure should be hugely worrisome to Council, especially since State subsidy is almost half of the University's total income. It is probably at least partly due to the problematic enrolment management process that besets the University, as discussed elsewhere in more detail.				
<b>Tuition fee growth %</b>		13	-6	35	-4
	This is an unusually erratic figure and is probably indicative of the problematic enrolment management process that besets the University. The declining tendency in this figure should be hugely worrisome to Council. This is discussed in more detail elsewhere in this report.				
<b>Third stream income as % of total revenue</b>	5	5	4	3	3
	This is indicative of the low level of third-stream income and testament to the failure of UE.				

SPECIFICALLY FUNDED ACTIVITIES - RESTRICTED FUNDS (Rm)					
	2017	2018	2019	2020	2021
Tuition and other fee income	34 054				
Sales of goods and services	5 680	720	347	2	3 023
Income from contracts					
- for research				9 284	28 675
- for other		22 295			
Private gifts and grants	301		17 472	37	36
Interest and dividends			378		
Operating expenditure	-17 719	-23 243	-18 260	-34 247	-17 471
Finance costs					-8
Depreciation and amortisation		-98	-448		
Net surplus / loss	22 316	-326	-511	-24 924	14 255

Cash Flow from Operating Activities (Rm)					
	2017	2018	2019	2020	2021
Cash flow from operating activities	659	988	832	2329	3090

STUDENT DEBT (EXCLUDING NSFAS) (Rm)					
	2017	2018	2019	2020	2021
Student receivables - gross	350	505	593	644	657
Impairment	42	318	252	347	346
Student receivables - net	308	187	341	297	311

STUDENT DEBT NSFAS (Rm)					
	2017	2018	2019	2020	2021
Gross	157	426	806	1 641	1 302
Impairment	115	118	241	754	653
Net	42	308	565	887	649

STUDENT DEBT TOTAL (Rm)					
	2017	2018	2019	2020	2021
Gross	507	931	1399	2285	1959
Impairment	157	436	493	1101	999
Net	350	495	906	1184	960

BALANCE SHEET /INCOME STATEMENT RATIOS					
	2017	2018	2019	2020	2021
Unrestricted reserves (excluding PPE)/ expenses	1	1	1	1	2
	This ratio indicates to what extent the institution's annual expenses are covered by its reserves, specifically unrestricted reserves, since they are the only reserves that Council is able to utilise at its own discretion. For 2021, this ratio indicates that the University would be able to sustain its annual expenses for two years should an emergency arise and should other streams of income no longer be available. This can be regarded as a healthy situation.				
Student debt (before impairment)/tuition fees%	15	25	40	48	43
Student debt (after impairment)/tuition fees%	10	13	26	25	21
	These ratios indicate the extent of unpaid student fees, before and after impairments. For 2020, almost half of tuition fees levied were unpaid at the end of the financial year. In 2021 this figure has improved slightly to 43%. A decline in tuition fees of 4% from 2020 to 2021, partially resulted in a decline in outstanding student debt from 2020 to 2021 with 14%. Although there has been an improvement in outstanding student debt compared to tuition fees from 2020 to 2021, the figure of 43% (21% after impairments) should be regarded as unacceptably high.				
Impairment % NSFAS	73	28	30	46	50
Impairment % Other	12	63	42	54	53
Impairment % total	30	47	35	48	51
	The impairment of student debt is unacceptably high. This matter needs the urgent attention of Council. More than half of all student debt is impaired.				
Return on investments %		-5	9	3	17
	The return on investments is erratic. Except for 2018, the returns are acceptable, given the unusual circumstances during 2020.				

CASH FLOW RATIO					
	2017	2018	2019	2020	2021
Cash Flow from operating activities/net surplus less fair value adjustment	5	1	1	1	2
	This ratio gives an indication of the extent to which net surplus is supported by cash flow. Since the fair value adjustment may distort the ratio, it is excluded from surplus. The higher this ratio, the higher the quality of net surplus. The figures above point to a fairly healthy situation. The figure for 2017 can be regarded as an outlier and further analysis is deemed superfluous.				

From the tables with financial ratios and trend analysis as well as from enquiries made and submissions received, the following remarks, conclusions and recommendations are made.

#### 4.4.9.2 *Post retirement funding*

- a. The National Tertiary Retirement Fund is a defined contribution fund with a small membership of 114 (2020: 127). A Non-current liability regarding Employee benefits in respect of a guarantee of the fund of R34m (2020: R51m) is carried on the University's Balance Sheet. An actuarial valuation for the purposes of IAS 19 of the Defined Benefit ("DB") obligations of the University and the Employer Surplus Account in the Fund indicates fund assets of R25,9m and liabilities of R59,8m, leaving a net liability of R33,9m, which is included in the Balance Sheet at 31 December 2021. The net liability is not specifically funded, as no assets have been ring-fenced for this purpose, but by virtue of it being reflected as a liability on the University's balance sheet, the University is at this stage able to fund it. Excluded from the assets are those assets backing the Defined Contribution (DC) element of the Fund. For the DC element of the fund, the actuaries assume that assets and benefit obligations at 31 December 2021 are equal. The annual cost to the University is R8m (2020: R5m).
- b. The UNISA Retirement Fund is a defined benefit fund and has 470 (2020: 527) active members entitled to the defined benefit underpin and 812 (2020: 742) pensioners. An actuarial valuation for the purposes of IAS 19 of the Defined Benefit ("DB") obligations of the University and the Employer Surplus Account in the Fund indicates a fund surplus of R397,4m and an employer surplus of R266,9m, which is included in the balance sheet under current assets. The assets of the Fund are held independently of UNISA's assets in a separate trustee-administered fund. For the DC element of the fund, the actuaries assume that assets and benefit obligations as at 31 December 2021 are equal. The annual cost to the University is R21m (2020: R16m).
- c. UNISA subsidises medical scheme contributions to all eligible retired employees and continuation members who joined the University before 1 January 2006. An actuarial valuation for the purposes of International Accounting Standard 19 (IAS 19) was performed for the year ended 31 December 2021. The subsidised amount increases annually on 1 January with health care cost inflation. 124 (2020: 132) in-service members and 830 (2020: 870) continuation members qualify for the subsidy. The accrued liability in terms of both in-service and continuation members as at 31 December 2021 was actuarially valued at R754,9m (2020: R775,3m) and is reflected as such on the balance sheet. Since no assets have been ring-fenced to fund this liability, it is regarded as unfunded, but by virtue of it being reflected as a liability on the University's balance sheet, the University is at this stage able to fund it. The actuaries project this liability to increase as follows: 2022 – R768m; 2023 – R779m; 2024 – R785m; 2025 – R787m; 2026 – R782m. The current service cost and interest cost, included in personnel cost for the year ended 31 December 2021 amounts to R72,2m (2020: R77,3m).

- d. In my view, financial arrangements for the post-retirement contractual commitments of the University are adequate. In view of the rate of medical inflation, which has consistently exceeded CPI over a number of years, commitments in terms of post-retirement medical provision are usually regarded as an area of high risk. Since employees who joined the University from 2006 are not eligible for this benefit, the risk is, however, fairly contained and is therefore not regarded as a material risk to UNISA's financial sustainability.

#### 4.4.9.3 *Salary expenses*

- a. The increasing personnel cost as a percentage of total expenses should receive Council's urgent attention. As personnel related expenses is the largest single expense item of the University, and the fastest growing item, this should clearly be a source of major concern to all responsible for governance and management in the institution.
- b. The interim salary adjustment of R190m that had been implemented, as has been detailed in this report, should be noted. In its monthly management accounts for the year ended 31 December 2021, the Finance Department points out that there is no correlation between the decline in operations and the increase in the cost of HR. HR cost per head is R61 856 against a budgeted figure of R66 978. The budgeted split between academic and support staff, favours support staff as administrative salaries account for 53% of the HR budget and academic salaries account for 43% of the HR budget (other: 4%).
- c. In the CFO's risk portfolio at 31 December 2021, unsustainable HR cost growth risk is rated as the highest financial risk. In the MTEF Budget 2023 – 2025 it is shown that, although the average CPI for the period 2009 – 2021 was 5,34%, the average increase in salaries at the University over the same time was 7,20%. It is important, also, to note that a 1% increase in salaries amounts to R66,8m, while a 1% increase in tuition fees would only enhance revenue with R48,1m.
- d. Actions proposed to address this risk include the implementation of a financial sustainability plan by line management, incorporating all revenue streams and cost drivers. Key ratios should be monitored in terms of a cost management plan. It is unclear whether such a sustainability plan has indeed been devised, although, in terms of a Council decision of 14 December 2021, HR support budget was reduced with an amount of the R190m. As indicated elsewhere in this report, at the time of writing, it appears as if little headway was being made as portfolio managers were still being engaged to communicate Council's decision in this regard.
- e. I have also received a submission that some 91 staff members in the Office of the Registrar were out of work because of the University's move to online teaching, yet they were still being remunerated. In a note to the Registrar by the Acting ED: HR, dated 5 September 2022, the former states that an amount of R74,5m has been lost by the University over a period of two and

a half years, requesting advice on how this money should be recovered. When the Registrar was requested to respond, he said the number “... *is actually less than 91%.*”, and they were people who worked in distribution before COVID. “...*you cannot use them in the call centre or anywhere.*” HR will now place these people where there is a need for resources.

- f. In an interview, the CFO referred to insourcing of security staff during 2015 when between 1 500 and 1 800 people were insourced, thereby contributing to the bloated salary expense. He conceded that the University should rethink its HR structure in view of the prevalence of online interaction. He asserts that an analysis of salary increases over the last 10 years shows that they were always above inflation.
- g. I have received several submissions from academics about unsustainable large numbers of students per academic staff member and an understaffed academic complement. Also, students complain about lack of support and proper teaching and learning. According to the October 2022 Management Accounts, the headcount ratio is **31:69 (academic: support)**. **In terms of remuneration, the ratio is 42:58.** For temporary staff, the ratio is 83:17 (academic: support), while the remuneration ratio is 66:34. These figures appear skewed in the favour of support staff and should receive Council’s attention.
- h. It would appear as if the academic enterprise is being stifled in favour of the support side of the University. If Council is to be taken seriously in addressing this issue, immediate action should be taken to speed up the cancellation of positions of some R190m in the support side and not allow bureaucracy to stymie progress towards addressing the imbalance in staff composition and the sustainability of the organisation. **Although such a measure is unlikely to adequately address the potential long term financial risks facing the University, it could be regarded as a first step in an overdue restructuring process that, in my view, should take the highest priority of the institution’s highest decision-making body.**

#### 4.4.9.4 Student Debt

- a. Impairment of student debts of just shy of 50% and impairment as a percentage of tuition fees of more than 20% may be regarded as being too high. This implies that more than one-fifth of tuition fees is “lost” through impairment. Moreover, these figures show an upward trend, indicating a danger signal that should be addressed. In its monthly management accounts for the year ended 31 December 2021, the Finance Department attributes the levels of debt to increased unemployment, a weak economy and Covid-19. An age analysis of student debt indicates that a substantial proportion of debt outstanding at 31 December 2021 relates to debt that had been incurred in prior years, dating back to even before 2016. During October 2022 a decline in prior year debt is reported as having been collected by debt collection agencies.

- b. In the UNISA MTEF Budget 2023 – 2025 it is flagged as a risk that 47% of UNISA students (headcount) are NSFAS funded, amounting to 58% of tuition fee revenue. This increases the exposure of the University to the national fiscus finances. In the CFO portfolio risk register in October 2022, increase in student debt is ranked third highest in this portfolio. Mitigating measures are listed as the handover of the debt book and an update of the policy on student debt. It is unclear what success should be expected from an update of a policy, given the non-compliance with policies, described elsewhere in this document.

#### 4.4.9.5 *Third Stream Income*

- a. Increasing third stream income is included in the UNISA Strategic Plan 2021 – 2025 as one of its strategic objectives. It is, however, not materialising. Elsewhere in this report, it is indicated that UE was to be a prime vehicle to achieve this goal, but, sadly, it has dismally failed the University in this regard. From the financial analysis it is clear that, whilst third stream income comprised (albeit a meagre) 5% of total income in 2017, this figure has reduced to 3% in 2021. Stagnation of 3rd stream revenue is also ranked second, and is to be mitigated by a third stream revenue strategy and “.....approved entity strategies that promote revenue growth” as well as a turnaround strategy for short learning programmes. **From inquiries I made, it appears that the income derived from short learning programmes is on the decline. Cash flows from these programmes have declined from R166,5m in 2018 to some R103m in 2021 and to R98,9m in October 2022.**
- b. UNISA’s infrastructure and experience in distance learning afford it a unique position amongst South African higher education institutions to pursue distance based short learning programmes. Some other South African universities are making inroads in this lucrative area as a means of generating third stream income, but it appears as if UNISA is not capitalizing on its unique position. The Turn-Around Strategy in this regard was considered by Council at its meeting of 14 December 2022. This is discussed elsewhere in this report.
- c. In the CFO’s portfolio risk register, increasing reliance on government funding is ranked as the third highest risk in this portfolio. Mitigating measures include engaging DHET through FEF on the funding framework and the revitalization of the internationalisation strategy. It is unclear this mitigating measure will take effect to benefit UNISA, and if the funding framework will change any time soon given the pressing financial demands on the fiscus and the declining state of the South African economy.

#### 4.4.9.6 Infrastructure and Efficiency Grant

- a. In a letter dated 31 October 2022 by the Minister to the VC regarding the funding allocation in the sixth round of IEGs for 2022/2023 to 2023/2024 to South African public higher education institutions, the Minister notes that UNISA's performance regarding infrastructure delivery is poor.
- b. During July and October 2018, a total amount of R115,868m has been transferred to UNISA for this purpose, but by 31 March 2019 nothing has been spent. By February 2020 the full allocation of R264,073 had been transferred, yet by March 2020 only R8,579m was spent and by June 2022 an amount of R14,674m, or 13% of the funds transferred in 2018 and only 5,6% of total transfers was utilized. Therefore, the Minister concludes, "...UNISA poses a high risk of continuing to fail to spend its allocations (both new and existing) during 2022/23".
- c. The Minister further notes that, although the renovation of the VC's residence is not funded by the IEG, it was noted that, according to a media article in January 2022 about alleged mismanagement of this project, UNISA released a statement that the VC has not been provided with a report in this regard. Although such report had been requested from the Acting VP: Operations and Facilities, the Minister concludes that "...the VC or University Management (or even Council) are either not receiving infrastructure progress reports or they are only receiving reports on selected projects while the rest of the projects are implemented without proper oversight by University Management and Council." In view of the above, chances are that the University may fail to manage some of DHET-funded projects in line with best practice, consequently an amount of "only" R154,2m was approved. The allocation is subject to, *inter alia*, that, in order to monitor projects more closely, implementation level monthly progress meetings be consolidated in a single meeting covering all infrastructure projects.

#### 4.4.9.7 The Block Grant

- a. The major portion of UNISA's subsidy income is derived from the Block Grant component of the State subsidy. For 2022, this grant is analysed as follows (Source: April 2022 Monthly Management Accounts):

	UNIVERSITY	Grant proportion of the UNISA total	UNIVERSITY SECTOR	Grant proportion of the University sector total	UNISA proportion of the University sector
Teaching input grant	2 685 735	51,4%	24 499 432	61,7%	11,0%
Institutional factor grant	273 860	5,2%	2 390 713	6,0%	11,5%

Teaching output: actual	1 852 280	35,4%	7 580 559	19,1%	24,4%
Research output: actual	415 510	7,9%	5 226 955	13,2%	7,9%
<b>TOTAL (R'000)</b>	5 227 385	100,0%	39 697 659	100,0%	13,2%

- b. It is important to note that while 61,7% of the Block Grant for the sector as a whole is attributed to Teaching Input factors, in the case of UNISA, this figure has dropped to 51,4%, (from 60% previously, according to the monthly management accounts), indicating that UNISA is lagging behind the sector as far as this component is concerned.
- c. An analysis of the Teaching Output component, however, shows the opposite trend, which seems to indicate a relatively higher rate of completion of qualifications by UNISA students. What is of concern, however, is UNISA's share in the Research Output component. In the case of the sector, 13,2% of its Block Grant allocation is contributed by research output, while only 7,9% of UNISA's Block Grant is produced by research outputs.
- d. The University struggles to adhere to enrolment targets agreed upon with the DHET, with concomitant negative implications for the Block Grant. In a letter dated 28 December 2020 by the Minister of Higher Education and Training to the Chair of UNISA's Council, the Minister points out that preliminary submissions of enrolment data indicates that 20137 students were enrolled (35% over the approved target), despite previous warnings that it must adhere to enrolment targets or face a penalty for the 2020/2021 financial year. Consequently, the Minister intends to reduce the University's 2021 targets by 20 000 FTEN to accommodate the over-enrolment in 2020 from 57 857 FTEN to 37 857 FTEN. **Although this matter has been the subject of litigation in the High Court of South Africa, for the purposes of this report, such litigation is regarded as irrelevant, as this report only purports to point to the incompetence with respect to enrolment management by the University.**
- e. In the February 2022 Management Accounts, it is pointed out that R116.078m has been forfeited because of a 15,7% over-enrolment in Teaching Input Units for 2020, while R5m has been deducted for the late submission of incorrect 2020 HEMIS data. I was informed that UNISA seems to have been unable to manage enrolments properly over the last five years as it frequently missed enrolment targets, with the result that subsidy penalties of R182m have been incurred for the period.
- f. Enrolment targets were missed by 12,6% in 2018 (over-enrolment), by 2,2% in 2019 (under-enrolment), by 4,8% in 2020 (over-enrolment) and by 6,8% in 2021 (over-enrolment). In an interview with a senior member of staff on 14 November 2022, the frustration at this situation was clear. *"We keep on asking who must be held accountable for that – surely there must be*

*consequence management for losing that amount of subsidy funding .... If nobody is held to account..., why would anybody else care?"*

- g. According to the September 2022 Management Accounts it appeared that targets have been reached following the pushing out of registration dates, albeit at the expense of students, whose study time have been reduced by this action. To demonstrate the ineptitude in this regard, even a previous ED in a letter dated 21 August 2021 to the Minister, alleges that EXCO reduced the enrolment by 5 000 without the required Ministerial approval.

#### 4.4.9.8 Sustainability

- a. The University's core income streams comprise tuition fees and State subsidies, since third stream income is almost negligible, as discussed elsewhere in this report. The ratio analysis shows an erratic trend in tuition fee growth and indeed a decline from 2020 to 2021. The growth in State subsidies has been on a downward trend for the past three years. During 2021, these two income streams account for 93% of the University's total income. As indicated earlier, this is probably to a large extent indicative of poor enrolment management.
- b. Apart from introducing a proper enrolment management system, mitigating measures may include the growing of third-stream income and the growth of short learning programmes, but, as is explained elsewhere in this report, these two potential income streams are also on the decline.
- c. NSFAS funding is crucial to the maintenance of tuition fee income, core to the University's sustainability. Should government funding through this mechanism decline because of fiscal pressures, a serious challenge will be posed to UNISA's sustainability. Also, tuition fee increases were on average below inflation, and growth in subsidies and grants also decreased. The university has failed in its endeavours for third-stream income.
- d. On the expenses side, the bloated salary bill and impairments of student debt poses a substantial threat to the University's sustainability. In the MTEF it is pointed out that HR cost are increasing, although operations are declining.
- e. As far as expected cash flow is concerned, according to the MTEF 2023 – 2025, a cash and cash equivalent balance of approximately R200m is foreseen throughout this period by transferring funds from investments. Fixed asset additions of around R1bn per year is foreseen throughout the period, financed mainly from the investment portfolio.
- f. The Chair of Council boasted about the increase in reserves by R 3 billion in one year; and the investments by R2 billion. It is indeed commendable that reserves and investments are substantially increased. However, this does not translate into a health institutional atmosphere where academic positions are not filled to demonstrate that the university strategy is supported,

or an atmosphere where students complain incessantly about service delivery; or a culture of non-compliance appears like 'business as usual'.

- g. Overall, I believe that UNISA is currently, from a financial perspective, sustainable for the foreseeable future. But, this conclusion could change fairly quickly if the issues highlighted in this report are not urgently addressed.**
- h.** Below I provide a brief summary of pertinent conclusions of the Financial Report that require Council's attention, is provided.
- i. Personnel cost as a percentage of total expenses is unacceptably high, and increasing.
  - ii. The growth in subsidy income is declining.
  - iii. The growth in tuition fees is erratic and declining.
  - iv. Third stream income is so low, it is almost negligible.
  - v. Impairment of student fees is too high.
  - vi. There seems to be an inability to manage infrastructure spending.
  - vii. If not addressed, the sustainability of the University is compromised by the above matters, and those that are highlighted elsewhere in this report.

#### **4.4.10 Allegations against the Vice-Chancellor (VC)**

- a.** In this section, allegations that have been made in both oral and written submissions against the VC, are discussed.
- b.** Several submissions have been received regarding slow and unresponsive reaction of the VC to critical matters that had been addressed to her. In one instance, for example, where FIECoC had approved the transfer of a substantial amount of money from the money market into a long term low-risk portfolio, an inordinate amount of time had lapsed before the VC signed the contracts, losing a substantial amount of investment returns in the process. Also, on 16 March 2022 AERMCoC noted that "... the VC, Prof P LenkaBula, should be reminded that she must provide the committee with the long-overdue written report regarding the non-actioning of matters that were under investigation and the reports that had not yet been signed."
- c.** The VC refused to afford Bowmans the opportunity to interview her on the laptops advance scheme, described elsewhere in this report, because she believed the investigation to be illegal and without legitimate standing. I believe that, even if that were the case, an opportunity to engage with the investigators to convey her views on the matter, had been lost and the University is probably poorer as a result. Also, the Chairperson of AERMCoC informed members of that Committee on 17 June 2022 that attempts to communicate with the VC in order to arrange a meeting had been futile because emails were either bouncing back or there was no response to

either text messages or emails. In an interview with her, she indicated that it was highly unprofessional for a person in the VC's position to block a member of Council whose interests are only for the university and not personal.

- d. During September 2021, AERMCoC decided that the VC must procure the services of an independent external party to investigate the veracity of issues, claims and allegations that a previous ED: Legal Services had made against Management and Council. The External Auditors remark that no evidence was submitted to the audit team as proof that the AERMCoC resolution was implemented. The External Auditors attached a risk rating of "High" to this matter. Management responded that this was a stand-alone resolution as all committees submitted their own recommendations regarding the matter. Council then considered the different resolutions and essentially resolved that all the matters needed to be investigated, but that terms of reference for the investigations needed to be developed. However, the External Auditors note that, at the time of writing, that the terms of reference of the investigation had not been finalised and no investigation had been initiated.
- e. As described elsewhere in this report, there have been allegations that the VC "was not taking AERMCoC seriously", in that meetings are sometimes not attended, without tendering an apology, and by not affording the committee the "amount of decorum that it deserves" and that she is unresponsive to requests by the Chairperson of AERMCoC to arrange private meetings between them. For more detail, refer to the section on Audit and Enterprise Risk Management Committee of Council in this report.
- f. There is a tendency on the part of the VC to blame subordinates for governance failures, rather than taking responsibility herself, as an ethical leader should be doing. A number of such instances are described in this report, for instance the Cloghereen project, the Laptop advance scheme and the interim salary increases. I find the public statement (in the case of Cloghereen) about the alleged non-performance of a colleague, particularly unworthy of the office that she occupies.
- g. I find that the VC does not live up to the high standards that is required of a person in such a responsible position that she occupies. She is economical with the truth and refuses to take responsibility when there are failures in governance and management. She chooses to blame subordinates when things go wrong. Moreover, she does so in public. This casts serious doubts on her qualities of leadership. She is particularly amenable to the trappings of office during a period when signalling a measure of frugality would have been welcomed by staff, students and the broader South African community.

#### 4.5 Human Resources

- a. In this section, I detail the state of human resource policies and practices of the University; particularly in relation to enhancing organisational efficiency and employment relations at the University; as well as staff suspensions, disciplinary cases, and dismissals at the University since 2018. This analysis is based on reading various submissions, interviewing many staff and office-bearers in the University, and reading policies and other documents that were provided to me.
- b. The VC prior to her interview with me made a submission and in it she highlighted a number of issues in the space of human capital and labour relations:
- i. Concerns about the fitness of the organisational structure to the Vision and Strategy given the distance education mandate, digital technologies, and new emerging demands.*
  - ii. Weakened systems of HR and labour relations – characterised by low morale, mistrust, conflict and even violence.*
  - iii. Poor performance culture and competency issues.*
  - iv. Non-compliance.*
  - v. High turnover at middle Management level.*
  - vi. Relations are not built on values, systems, and compliance but patronage.*
  - vii. Organised labour exercising an inordinate amount of power over the management of this important function in the university.*
  - viii. Concerns about the salary bill exceeding the 65% mark.*
  - ix. Allegations of irregular appointments.*
- c. The submission stated the following key reforms and interventions that are being executed:
- i. A new Human Capital Strategy is necessary. The CHE Institutional Audit recommends it too.*
  - ii. Reorientation of Human Capital as an epistemic community.*
  - iii. Instituting and driving new institutional cultures geared towards service, performance, and results – a high performance culture.*
  - iv. Ensuring consequences management across the university.*
  - v. Although there is anxiety and even resistance, a discussion to review the organisational structure has been initiated to ensure full and proper alignment with mandate, strategy, operational demands, changes nature of technologies, competition, and new emerging demands.*
  - vi. We have initiated a process to review Resetting the HR and LR regimes, systems, and cultures – Review of Recognition Agreement underway.*
  - vii. In order to understand our skills base and the performance or even compliance matters, a Skills Audit is necessary. This process will begin in 2023.*

- viii. *We have begun the review of salary disparities between academics and support staff in line with principles of fairness, equity and,*
- ix. *We have optimised the tools of trade for staff, including the procurement of laptops, an item that has been outstanding for four years.*

#### **4.5.1 The UNISA Organisational Structure**

- a. At the onset of my assessment, I requested the Management to furnish me with the organisational structure of the University. I was provided with a structure said to be approved by Council in 2018.
- b. At the top of the hierarchy is the VC, followed by the VPs which head various portfolios; and under them are Executive Directors heading Departments, and then there are Directors who head Directorates.
- c. In the office of the VC is the ED with 3 Directors (Executive Support, Special Assignments and Institutional Contracts); as well as the Department of Leadership and Transformation. There is also the Department: Internal Audit headed up by a CAE, who reports functionally to AERMCoC, and administratively to the VC.
- d. Under the VP: Operations and Facilities are three Departments (Print Production, Supply & Distribution, University Estates, and Protection Services)
- e. Under the CFO or VP: Finance and UNISA Business Enterprise are two Departments (Finance and SCM). The portfolio also oversees the UNISA Enterprise.
- f. VP: ICT has two (2) Departments, namely ICT Governance and Project Management; and ICT Systems and Operations.
- g. VP: Strategy, Risk and Advisory Services oversees four (4) Departments, namely Risk and Compliance, Legal Services, Institutional Intelligence, and Quality Assurance and Enhancement.
- h. The VP: Institutional Development has two (2) Departments (HR with five directorates, and Institutional Advancement with 3 directorates - Communication, Marketing and Events, Internationalisation and Partnerships, and UNISA Foundation and Alumni Affairs).
- i. The VP: Research, Postgraduate Studies, Innovation and Commercialisation oversees Department: Research, Innovation and Commercialisation, and the Department: Library and Information Services; and the College of Postgraduate Studies.
- j. The VP: Teaching, Learning, Community Engagement and Student Support has the Department: Academic Planning and the Department: Tuition Support and Facilitation of Learning.

- k. Reporting on the teaching and learning; and research, postgraduate studies, related matters are dealt with as per agreement between the respective VPs in order to deal with workload.
- l. The Office of the Registrar consists of two departments namely Deputy Registrar: Student Admissions and Systems Integration and Deputy Registrar: Governance. The portfolio further consists of 12 Directorates that include the 6 Regions; Dean of Students; Institutional Governance Committee Services and Ethics Management; Institutional information; Music; Student Admissions and Registration; Student Assessment Administration. In addition, the following three Divisions are included namely: Graduations; Records Management; and Student Communication and Services Centre.
- m. As alluded to elsewhere in the report, the structure of the Registrar's office is unworkable and bloated. Almost all services are centralised in the office. This defeats the functioning and efficacy of the office. Regions and students submitted that a decentralised structure should be implemented in order to make decisions faster and more efficient, especially in respect of resolving student matters.
- n. I also identified another anomaly with respect to the Legal Services Office. In some universities, the Legal Services Office reports to the Registrar's portfolio. UNISA has a different setting in that the LSO reports to the VP: Strategy, Risk and Advisory. It is further confusing that the latter is responsible for risk, among others. Much of the functions of the Chief Audit Executive are about risk as well. I still do not see the synergy in this. Council has approved the establishment of a separate Risk Committee as alluded to earlier. Nevertheless, given the size of the portfolio of the Registrar and the attendant service delivery issues in that portfolio, I think UNISA should apply its mind going forward. It would be a further risk, and probably to counter-productive to throw the LSO in the mix unless a comprehensive restructuring is considered.

#### **4.5.2 The New Structure**

- a. During my interviews with academic, professional and support staff; and in various submissions the issue of resource constraints in terms of staff capacity was emphasised again and again, and its impact on the employee wellness as well as level and quality of support services provided to students and staff. Staff reported that they are not able to make appointments or fill critical vacancies because the 'new structure' has not yet been approved. Staff would argue that either their departments' new structure is yet to be approved, or that only the top levels have been approved. During an interview, a staff member explained the frustration and confusion as follows: *"Everyone talks about the approval of structure, and nothing moves. Things appear to be blocked by structures. It is true – we started to do the structure in 2018, and when COVID*

arrived we had to review it. It is **why we have so many people in acting positions**, across all the management levels. The job profiles in (the department) are still in the old structure – I have 8 supervisor positions empty that need to be filled, and it was approved, I could not believe it. Now we are in a situation where those positions can be advertised, but we have to use the job descriptions for the old positions in the previous structure”.

- b. The VC’s Report in the 2021 UNISA Annual Report contains a section on the implementation of the new structure which states the following:

*“In looking at how UNISA’s inability to **implement the new structure** at all levels of the University affected service delivery and how this is being addressed, I will begin by saying that structure follows strategy and that, in this respect, UNISA has developed a digital strategy called the ODeL Blueprint”.*

*The UNISA Strategy requires that staff have the requisite 4IR skills and competencies. Various UNISA Portfolios, Departments and Colleges, including ICT, Finance, and HR have undergone competency assessments and interventions are being implemented to address the gaps in 4IR capabilities. UNISA’s inability to implement the new structure at all levels of the University has affected service delivery, which in turn has led to the University being unable to meet its set targets and objectives.*

*The issue has also created tension between Management and stakeholders. However, the HR Department is in the process of implementing the approved structures, and the placement process has been concluded for the College of Science, Engineering and Technology (CSET) and the College of Graduate Studies (CGS). The placement process has been put on hold for the entire University for the following reasons:*

- i. **Funding of the interim salary adjustments** of 2021 by abolishing vacancies in administrative and professional Departments have yet to be implemented and processed. (This is the result of UNISA making salary adjustments that was neither approved nor budgeted for)*
- ii. Placement documents as agreed upon by the UNISA Bargaining Forum (UBF) are to be reviewed to address identified risks and inconsistencies.*
- iii. Unions’ representatives’ capacity as members of the Placement Committee and Quality Assurance Committee are to be reviewed.*
- iv. The new positions in all the approved structures are to be evaluated to determine their levels.*
- v. Certain positions may become redundant in the University in the aftermath of COVID-19.”*

- c. From my perspective, some of the reasons given in the VC's report for the non-implementation of the structure relate to elements of the design and development of the new structure, such as stakeholder engagement, buy-in from staff, consultation and change management. In other words, its processes that should have been undertaken before approving the new structure. This is a management failure, in not ensuring that the correct processes are followed and that change management practices are successfully conducted or implemented. I explain briefly some of the points above, next.
- d. In point 1, reference is made to 'interim salary adjustments' made in 2021 and that the new structure could not be fully implemented because certain positions needed to be abolished first. The fact is that UNISA implemented salary adjustments to only certain levels of academic, academic support and professional staff, that were not approved by Council nor budgeted for. As a result of this failure in following due processes, Management was told to fund the increases through abolishing vacancies in professional and support departments. This means in effect that some of the departments where increases were implemented, have to now give up or abolish vacancies to finance the increases. Refer to the Finance section for more on the financial implications of the decision (section 4.4.5.1).
- e. Point 2, states that placement documents as agreed upon by the UNISA Bargaining Forum (UBF) are to be reviewed to address identified risks and inconsistencies – this is part of design and development that should happen prior to implementation. Also point 3, about Union representative's capacity and roles on the placement committees, should have been sorted out already. This should not be a valid argument as to why the new structure cannot be implemented.
- f. Point 4, in particular, about the evaluation of new positions in all structures is clearly part of the design and development phases and should have been finalised before the new structure could be approved. This information is critical to consider whether to approve the structure or not in the first place. If this is holding back implementation, it in effect means that the new structure is not approved.
- g. The Realignment Report (2022)<sup>26</sup> made a number of recommendations as a way forward:

Three (3) of the 40 structures in the support departments could not be finalised timeously, namely, Regional Structures and Records Management. It is recommended that the respective Portfolio Manager prioritise these structures by 15 January 2023.

  - i. A workshop is being arranged between the VC and Portfolio Heads to discuss the structures and the contents of this report.

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<sup>26</sup> Realignment of Structures: Support Departments, December 2022, Prepared by HR for Submission to ManCom

- ii. Once this report is noted by the Management Committee, and the mandate to consult is approved, this will be followed by consultations with the respective Departmental staff, UBF consultations and the evaluation of the identified jobs.
  - iii. There are certain instances where the Department: Human Resources would need to conduct a work study where structures have enlarged significantly and/ or structures could not be justified in line with the university operations, productivity and output.
  - iv. ManCom is hereby requested to consider whether the Voluntary Severance Package (VSP) may be explored as part of the implementation of the structures, which will create flexibility within the university, which is in line with the Human Resources 2022 Balanced Scorecard. The result is envisaged to provide financial stability and sustainability to the institution.
  - v. The upskilling and reskilling strategy is to be implemented for employees who occupy roles that are deemed redundant once the process unfolds.
  - vi. It is recommended that this report be used as a baseline to further review structures in line with the 4IR and the university's focus on the academic project.
- h. The submission to ManCom that accompanied the Realignment Report states that the purpose of the submission is to provide a global view of the reviewed structures across all support departments (excluding UNISA Business Enterprise, Bureau for Market Research and College Structures), and to request the consideration to conduct a workshop with Portfolio Heads to engage further on each Portfolio's structures, working towards financial viability and operational excellence. It further states that the Report provides a status update of restructuring at the University, inclusive of the sequential processes that were embarked on, those finalised and those pending, as well as timelines to bring outstanding processes to conclusion.
- i. According to the Report, twelve (12) departmental structures served at the UBF in the past 3 years; however consultations have been concluded for 8 departments. Three of the 8 departments have not made any further amendments to their structures, namely, Research, Deputy Registrar: Governance and the TM School. It is further stated that post-Covid, some departments have reimagined their structures due to the possibilities created by the introduction of technology and the rapid move to supporting students online. These departments' structures will serve again as a consolidated pack to the UBF with all remaining Support Departments.
- j. The following is a high-level account of the work completed towards finalising structures in the support departments, and includes the full life-cycle to the point of finalisation of the structure and does not include the placement process (and the recommendation made is for this report to be used as a baseline to further assess the proposed structures to ensure future sustainability for the university):

Table 1: Restructuring progress status

Process	% Departments complete
<b>1: Strategy-structure alignment/ Benchmark/ desktop analysis</b>	<b>100%</b>
<b>2: Engage Departmental ED/ Management team</b>	<b>100%</b>
<b>3: Structure compiled</b>	<b>98%</b>
<b>4: Cost estimations</b>	<b>95%</b>
<b>5: Mancom submission (with financial implications - 1st iteration - global view)</b>	<b>83%</b>
<b>6: Job Descriptions compiled</b>	<b>28%</b>
<b>7: Consultation with Departmental staff (driven by the Departmental Head)</b>	<b>43%</b>
<b>8a: Job Evaluation (concurrent with UBF consultation)</b>	<b>5%</b>
<b>8b: UBF consultation (concurrent with Job Evaluation)</b>	<b>8%</b>
<b>9: Mancom submission (2nd iteration)</b>	<b>3%</b>
<b>10: Approvals: VC sign-off; DOA</b>	<b>3%</b>

- k. Based on the information I reviewed, and information from staff during interviews as well as other submissions, I find that UNISA's organisational structure is neither clear, nor yet finalised; and this has a significant impact on organisational effectiveness. Contrary to the VC's statements, UNISA is clearly still in the design and development phases of creating and aligning the new structure to their ODeL Blueprint. The problem is that the process appears to have been delayed and severely impacted by the interim salary adjustments (unplanned and unbudgeted) which have resulted in the abolishment of a number of vacant positions in professional and support departments. The number of vacancies in the colleges (approximately 600) is a serious concern as well.
- l. I recommend firstly, that UNISA needs to clarify exactly what is the status of the 'new structure' and this should be accompanied with comprehensive project plans, schedules, change management initiative and regular reporting of progress. Secondly, UNISA needs to set priorities in terms of where capacity is most needed in the institution and rather ensure the necessary resources are in the right places that can provide immediate relief in terms of workload and deliverables.

#### 4.5.3 Staffing and Recruitment Practices

- a. Staff referred to serious problems and issues related to recruitment and appointments at UNISA. The impression was created that even simple standard straight-forward HR processes were complicated by other forces with hidden agendas. The MTT also reported that, "Standard HR processes, such as the issue of letters of appointment for new staff, appear to be unacceptably

long and tedious. Some new staff must wait for approximately 4 months to receive a contract of employment”.

- b. If one wants to infiltrate and infect an institution, the easiest way would be to influence staffing and recruitment functions at an institution. Staff at UNISA referred to this ‘*invisible power*’ and influence that just pulls things in a certain direction. This coupled with the prevalent culture of fear and intimidation, most people just try to survive and not ask too many questions. They are scared and despondent. During an interview, it was explained that:

*“The issue is that you are dealing with an **organisation that operates like a mafia**. There are networks, people working in certain circles, and there are people who are naïve and do not work in those circles. If you look at the value chain of the university, and how you appoint people in positions from P4 and up, there are extraneous factors influencing those appointments, and the important thing is that those people must have the competency to do the job. My experience is that there are people in senior positions who cannot write a report or explain it in Council. They have no clue whatsoever. The unfortunate part of it is that staff are aware of this, **that these people are tokens**, there because of a particular purpose. You are dealing with an organisation that **is effectively captured**. There are interest groups with vested interests, I have had some bust ups with them along the way. I will focus on the main on appointments where I have had some serious clashes with people”.*

- c. This corroborates what was said by the MTT that the HR department is “*allegedly ‘captured’ with indications of close association with labour and political formations. HR officials are said to be empowered to take decisions regarding key senior appointments. They too were reported to be stalling recruitment, if necessary, particularly academic recruitment. Requests from departments are often ignored without explanation. The high number of vacancies of academic staff threatens the academic project*”.
- d. The following section provides an analysis of the relevant policy framework and practices relating to appointments at UNISA.

#### 4.5.3.1 Fixed Term Contract Appointments

- a. UNISA has the Procedures for the appointment of contract employees, fixed-term contractors, temporary employment service (TES) workers and independent contractors, last updated in 13 December 2017. The purpose of the Procedure is to ensure that the appointment and utilisation of contract employees, fixed-term contractors, temporary employment service (TES) workers and independent contractors and related matters are consistent with the strategic objectives of the University, its social responsibility, the dictates of good governance, sound management,

administrative practices and labour legislation. The Procedures applies to all contract appointments at UNISA, except for five-year performance based contract appointments with benefits, and any exceptions determined by the Management Committee.

b. In terms of the Procedures

“Only a vacant funded position on the approved organisational structure of administrative departments and support services (confirmed by Directorate: Organisation Development) may be filled by means of a fixed term contract appointment or where funds are made available for this purpose. The fixed term contractor must comply with the minimum requirements pertaining to educational qualifications, work experience, relevant competencies and skills for the intended position, which position Title, P-level and Job Description must be confirmed by HR: Organisation Development prior to the appointment as well as the operational need thereof.

Fixed term contract appointments at academic departments are made in terms of ACHRAM (acronym for the UNISA funding allocation model for academic departments known as the Academic Human Resources Allocation Model) cost units, own funds or a vacant position. The fixed term contractor must comply with the minimum requirements pertaining to educational qualifications, work experience, relevant competencies and skills for the intended position, which position Title, P-level and Job Description must be confirmed by HR: Organisation Development prior to the appointment as well as the operational need thereof.”

c. In terms of the period of appointment, the Procedures state that

“The accumulated periods for a fixed term contract appointment are for a maximum of twenty-four months, except for the Management approved justifiable reasons which are limited to six months (three [3] months renewable for a further three [3] months), or projects where the period of appointment can be made to coincide with the length of the project. A justifiable reason must be provided in respect of each request within the accumulated period.

Employees earning below the threshold may not be appointed on a fixed-term contract for a period in excess of 3 (three) months in the absence of a justifiable reason for such an appointment.

Seasonal fixed term contract appointments may be approved for a maximum period of three (3) months provided that each application, including accumulated periods, must be considered on its own merits and would have to be considered against whether a temporary seasonal operational need exists in respect of each contract period as motivated by such line manager.

No appointment of employees earning below the threshold will be effected unless the principle of equal treatment has been considered by HR: Organisation Development.”

- d. There is however a provision as per the Council resolution dated 15 April 2011, that "*the Management Committee may in exceptional cases approve fixed term contracts beyond twenty-four (24) months*<sup>15</sup>. All applications for submission to the Management Committee require a compelling motivation, endorsed by the relevant Vice-Principal, including one or more of the justifiable reasons for fixing the period of employment. Fixed-term contract appointments made in terms of project related appointments or a training programs or fixed-term seasonal appointments where the appointment period will exceed 24 months are exempted from the Management Committee's approval but must be approved by the applicable ED: HR and Vice-Principal. ". There is no indication on what constitutes exceptional circumstances.
- e. From my analysis of the testimonies made by many staff during the interviews, it appears that FTC appointments are being widely used as a stop gap measure to avoid recruitment process in terms of the recruitment policy. The reasons given were that the recruitment process is drawn out and delays the appointment of incumbents. The method is used for the sake of expediency and results in flouting of the recruitment process with the added risk exposure for the University both in terms of finances and labour litigation. The practice creates an expectation by the incumbent of a permanent appointment.
- f. According to the data provided to me by HR, the number of FTC appointments as at 30 November 2022 were as follows:

Portfolio	Number
Principal and VC	17
CFO	88
VP:ICT	13
VP: Institutional Development	39
VP: Operations and Facilities	83
VP: Research PSIC	58
VP Strategy Risk and Advisory Services	24
VP: Teaching and Learning	917
Registrar	105
<b>Total</b>	<b>1351</b>

- g. Fixed term contract employees are entitled to terms and conditions of employment in terms of an applicable Memorandum of Agreement which stipulates the particulars of the agreement, including but not limited to the remuneration, period of the agreement, the tasks and the justifiable reason(s) for fixing the period of employment. However, the procedures allow for several opportunities for a discretion to be exercised by a line manager without ensuring the

justifiability. The risk exposure for the University is substantial and may be the subject of discrimination lawsuits on account of equal pay for equal work.

- h. I received a submission from a former employee on a FTC who described her contracting appointment experience at UNISA and shared how traumatic and humiliating it was. She worked in the PVC's Office and was then moved to another Portfolio where she was given a fixed term contract against a vacant post that was renewed on a second occasion. She was then moved from position to position; until a time when the contract was terminated on the basis that the position was earmarked for someone else. This is but one example of the kind of abuses of FTC appointments.

#### 4.5.3.2 *Acting and Secondments*

- a. Acting and Secondment appointments are regulated by two policies in accordance with the relevant post levels namely Policy on the Recruitment, Selection, Appointment and Related Matters for Permanent Employees on Levels P5 To P18; and the Acting and Secondment Policy for Directors and Above.
- b. According to the Policy for Directors and Above:

Acting appointment means a temporary appointment, normally not exceeding a period of one year, in a higher or similar graded and funded position on the staff establishment, other than the funded position of the employee, which appointment is necessitated by a temporary absence or vacancy in which case the person acting assumes full accountability for his/her current position and the post in which he/she is acting if the period is less than three months. If the period is three months or longer the person acting assumes full accountability only for the position in which he/she is acting;

Secondment refers to the temporary re-assignment of an employee normally not exceeding a period of three years, into a position other than the one in which he/she had been permanently appointed;

- which position has been identified as a secondment position (includes Director of School, Chairperson of academic department, and the Head of an Institutes, Bureau or approved Centre and any other position as and when approved by the Management Committee);
- which re-assignment is driven by a specific pre-determined operational need, e.g. projects with a limited lifespan, where specific skills are required and a vacant permanent or a secondment position does not exist;
- which re-assignment has as purpose the temporary filling of a vacant position that requires the full-time commitment of the seconded person;

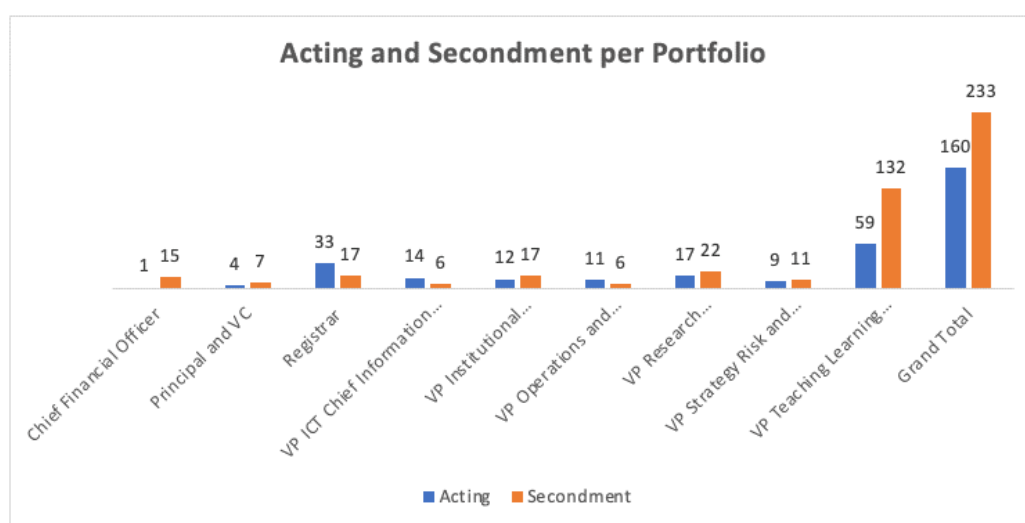
- within the University refers to secondment made within UNISA
  - outside the University refers to secondment of an employee to an external company/institution other than UNISA for a period not exceeding three years.
- c. An employee is appointed in an acting capacity to ensure that the responsibilities of an incumbent, who is absent for a period not exceeding one year and whose position is funded, are executed. Employees appointed in acting capacities on the same or on a higher job grade than his/her substantive position, will be remunerated by way of an acting allowance (equivalent to twenty per cent of the median package of the job grade in which the employee will be acting) that is paid in addition to his/her remuneration received in terms of his/her appointment in his/her substantive position. This acting allowance will be payable to the employee where the acting period is at least more than 30 calendar days.
- d. Secondment is considered when a specific predetermined operational need with a limited life span exists for which special skills are required and, in the event of a temporary vacancy, for which an acting appointment is not expedient or cannot be made due to the need for continuation and the full-time commitment of the person. The period of secondment, normally not exceeding a period of three years, will be determined by the approval authority that may extend the period to a maximum inclusive period of five years in the event of exceptional cases and on the basis of a detailed motivation. An allowance, equivalent to twenty per cent of the median (cost to company) of the job grade of the position to which the employee is seconded to, is payable.
- e. The Policy for the Permanent Employees on Levels P5 To P18 contains the following provisions acting appointments:
- i. An acting opportunity arises when a funded position is vacant or when the regular incumbent of a funded position is absent for a period for one or more of the following reasons, *inter alia*: leave, secondment, suspension, attendance of conferences and seminars (national or international), and termination of employment for whatever reason.
  - ii. The identification of a suitable candidate must be guided by the inherent requirements of the vacant position, competencies of candidates and/or developmental plans in line with succession plans, skills development and employment equity. Managers must also consider rotation in the acting position to provide relevant qualifying employees with an equal opportunity to act.
  - iii. Acting can either be in a higher graded position than the employee's own position; or in a position on the same job grade as the employee's own position.

- iv. Acting periods must not exceed a period of twelve months. The approvals authority determines the period of acting. Extension of acting appointments will be approved in accordance with the delegations of decision-making authority.
- f. Secondments, in accordance with the Policy for the Permanent Employees on Levels P5 To P18:
- i. When a position requires the full-time commitment of an incumbent, a secondment is effected to temporarily fill such a position. After the secondment period expires, the seconded employee reverts back to his/her original substantive position.
  - ii. The identification of a suitable candidate must be guided by the inherent requirements of the vacant position, competencies of candidates and/or developmental plans in line with succession plans, skills development and employment equity.
  - iii. The recruitment and selection process must be followed with the purpose to fill an academic and support position which has been classified as a secondment position (including chairpersons of academic departments, heads of institutes and bureau and heads of departments).
  - iv. Secondments are considered:
    - when a specific predetermined operational need exists and the position has been classified as a secondment position (academic positions excluding directors of schools but including, chairpersons of academic departments, heads of centres, institutes and bureaux);
    - to complete projects which have a limited life span, or where specific skills are required, and a vacant permanent position does not exist; or
    - to fill a vacant position.
  - v. A secondment to a classified secondment position is considered for an initial term not exceeding three years, which may be extended for a second term. Secondments in positions other than classified secondment positions are considered for a period of more than three months and a maximum of one year. Such a secondment may be extended for a maximum period of another year, if necessitated by operational requirements linked to a position.
  - vi. A fixed secondment allowance is paid when an employee is seconded to a position which is on a higher job grade. No allowance is payable when an employee is seconded to a position on the same job grade at which the employee currently functions. If the employee is seconded to a new or ungraded position, the position will be graded, and the allowance will be paid in accordance with this Policy.

- vii. A fixed allowance, equivalent to twenty percent of the median [50th percentile of the salary range] (cost to company) of the job grade in which the employee will be seconded, is paid to employees who are seconded to positions classified as a secondment position.
- g. The use of acting appointments and secondments is so prevalent and seems to be institutionalised that it has rendered recruitment processes obsolete. According to the University's Acting and Secondment Appointments Report of December 2022, 160 acting appointments and 233 staff in seconded positions were reported at the end of November 2022. The levels of the employees range from administrative positions to director levels. The duration of the acting appointments varied from less than a year to more than five years. Furthermore, 52 employees were acting for more than a year. There were 2 employees who were in acting positions for more than five years. A total of 58 employees were in acting or secondment for 3-5 years and 16 employees for more than 5 years. It should be noted that all these cases were eligible for acting allowances creating a financial liability for the University that could be avoided by ensuring recruitment processes to appoint employees in permanent posts.

### ACTING AND SECONDMENT PER PORTFOLIO

*Current as at 30 November 2022*



- h. I found many instances that would confirm the observations of the MTT Report, that "HR policies are frequently ignored by the HR department itself. HR appears to be empowered to take policy and staff promotion decisions, including promotions of academics, but not obligated to comply with their own policies. Recruitment policies are not consistently applied by HR, with certain positions not being advertised as per the policy, with internal applications ignored in certain instances and appointments made, based on apparent vested interests. This happens even at very senior levels in the institution".

- i. This observation was supported by the suspended ED: HR who was on suspension during the time of the assessment, who said that the University is captured and that there are interests' groups who have managed to place incumbents without following procedures "*in key positions to facilitate the agenda of people who are controlling things behind the scenes*". He stated that appointments to positions are earmarked for a selected individual and "*they are then indebted to their handlers, and they don't act in the best interests of the University*". This explains how pervasive HR malpractices are at the institution. HR management is not blameless in these malpractices.
- j. During my interview with a senior staff member, it was explained that: "*Sometimes I don't think we follow the right channels. I think our HR is not strong enough in implementing HR policies – there are a lot of people acting in their positions, and once people act, they don't take action, they just do things to prove a point. If people are appointed permanently, they do better, because they are focused and committed. The main problem is the acting positions – no firm decisions are made, even at the top level of management. People are too scared to make decisions, and they might be suspended*".
- k. The Policy applicable to P4 and above is silent on the grade into which the secondment occurs, and I found many cases of persons seconded or appointed to act into positions up to 3 post levels higher than their substantive positions. I find this to be highly irregular and poor HR practice and questions about the capacity of such individuals in terms of experience and qualifications immediately arise. I heard many narrations of appointments in senior positions without procedural compliance or employees without the necessary qualifications.
- l. It is evident that the recruitment policy and practices of appointments of senior employees at the UNISA are not complied with and no or little measures are taken to protect the university against legal and financial liability. It reinforces poor management of human resources and impacts on the efficiency of the UNISA. I suggest that UNISA must conduct a general compliance audit of breaches regarding appointments to identify irregular appointments; and ensure compliance with the relevant policies and institute consequence management where irregular appointments are identified.
- m. On the issue of acting and secondments, I was made aware of the "Khuli Report" that looked into the appointment/secondment and/or acting appointment of certain identified officials into various positions. I narrate the matters relating to this report below.

#### 4.5.4 The Khuli Report

##### 4.5.4.1 Submission of the Report to the Assessor

- a. In January 2023, two members of the National Association of South African Workers (NASA), seemingly a new union at UNISA which was campaigning for most of the assessment period outside the Kgorong Building, came to where I was hosting interviews to request my audience. In their request, they also indicated that they had some documents that they wanted to bring to my attention. I agreed to meet with them. My support team sent them an invitation to which they were meant to respond by a particular date to enable the finalisation of the programme.
- b. It so happened that by the time I concluded the programme for that particular day, on their way out, my support staff spotted one of the NASA members to whom the invitation had been sent. They approached him requesting him to respond to the invitation. I pose to mention that there were many instances wherein my support team interacted to follow-up with various members and stakeholders of the University who would have been invited to appear before me using various methods of communication, given the time-bound nature of the work. There was nothing untoward by them approaching this person.
- c. It was during this interaction that the NASA member requested if I had seen the Khuli Report, which he then promised to send, but also expressed his intention to copy various other people and the members of the University Management. My support team advised that he should separate his correspondence to me from his communication with the University Management. The day before my interview with them on 18 January 2023, NASA proceeded to send the document to me and copying the University Management thereby choosing to ignore the advice from my support team.
- d. Of course, I asked NASA how they obtained the Report, why they copied other people in the correspondence, and how they viewed their actions which violated the POPI Act? Below is their response:

*"We have been raising issues since last year, and in all our communications we copied the independent assessor because we want our issues to be transparent to the university community and the public. The issues we have been raising emanated from the poorly consulted report – we stated that we are in the event that the university is not taking action on these issues, we will release the report. Management has not responded to our communication, in which we copied the independent assessor, and we said that we will issue the report."*

*"That is why we issued the warning to the university. Sometimes, in raising awareness and whistle blowing, it is better than staying quiet. I know there are people in the university who have this*

*report, we have engaged with them, and they asked where we got the report and said we will not disclose our sources, but we will sleep better knowing that we disclosed the information."*

- e. On 23 January 2023, I was copied in a letter titled "Complaint on abuse, bullying and harassment by alleged non-UNISA employee and unofficial trade union" by Adv. BK Morota who is the Head of the UNISA Law Clinic and the President of the Black Forum. He also happened to be amongst the subjects of the investigations. In the letter he raised the following:
  - i. *Is the "Khuli Report" a legally compiled report of the University, if so, when have the Vice-Chancellor, Prof. P. LenkaBula, as the Chief Auditor and Investigating Officer of the University, together with relevant governance structures of the University ratified the report, if never, what are you intending to do with **this unlawful and unethical report?***
  - ii. *The "Khuli Report" has personal information of various University employees and such personal information as illegally, unlawfully, and unethically collected, retained and now disseminated and used at the Independent Assessor against the persons illegally implicated therein including myself - How are you intending to protect us and our personal information as employees of the **University on such unethical and illegal usage of such report at the Independent Assessor** or any other fora the contraveners might choose to approach?*
  - iii. *Are we permitted to invite other Trade Unions operating outside UNISA to come into the University premises, visit University employees in their offices to shout at them, harass and bully them - And furthermore camp within the University premises, access protected personal information of employees, **participate in Independent assessments** or investigations of the University and use the acquired information for dissemination etc., if yes, we shall therefore recruit more trade unions into the University to occupy university spaces in the coming week, if no, why have you permitted NASA and mpho morolane? (sic)*
- f. The letter went further to make allegations and misleading statements against my support team around the "occurrence(s) of meeting(s) between [Mr] Mpho Morolane and my support staff. The letter was written to the Acting ED: Legal Services requesting him to "investigate occurrence(s) of meeting(s) through Prof. Mosia of mpho morolane and support team of the Independent Assessor"; and was circulated on UNISA WhatsApp groups.
- g. I had no desire to be involved in any vendettas allegedly happening within the University save for what was prescribed on the published Terms of Reference. I was also not ready to tolerate this kind of behaviour. No one within the University had any authority to investigate my assessment of the University or choose for me who to interview. I wrote a letter to the Chairperson regarding this matter on 25 January 2023.

- h. On 26 January 2023, I noted a response from the Acting ED: Legal Services, stating that LSO will engage with the VP: Teaching and Learning and the Chief Audit Executive to find ways to approach the complaint. He also instructed a staff member in his office to allocate the matter to four Advocates and to arrange a meeting with the VP: Teaching and Learning. I find this to be an abuse of university resources.

#### 4.5.4.2 *The contents of the Khuli Report*

- a. I must state that prior to this, there was no mention of this report during interviews with staff. The report is titled 'Investigation on Behalf of University of South Africa: Allegations Relating to Secondments and Acting Roles of Personnel Impacting Governance and Administration in the University' by Khuli Consulting.
- b. The investigation was commissioned by the former VC in March 2020 after receiving various complaints relating to certain conduct within the University. Following preliminary assessment of the complaints, which found merit on the concerns, a full investigation was commissioned to establish the veracity of the allegations was necessary. Based on the terms of reference contained in the request for quotation, UNISA requested Khuli Consulting to investigate *inter alia*, the appointment/secondment and/or acting appointment of the identified officials into various positions.
- c. In terms of the limitations of the report, it is stated that Khuli Consulting did not undertake an audit in terms of the International Standards of Auditing. The scope of its work was limited to a review of the documentation and information provided to during the investigation. It is stated that they did not authenticate the relevant records and documentation provided to them. They disclaimed that it might have been possible that documents and information exist which were not made available to them or that they were unable to locate. It was then stated that the report is neither designed nor intended to provide legal advice and/or a legal opinion and should not, and cannot, be so construed. Then it was emphasised that the report was prepared solely for the purposes of reporting their findings to UNISA and that no part of the report may be quoted, referred to or disclosed in whole or in part, to any other party, without their prior written consent.
- d. The Khuli Report was released late in 2020 on the eve of the former VC's departure. It is a very explosive report that contains details on secondments and acting appointments of identified staff members, with supporting documentation. It points out not only irregularities in these appointments, but also where supporting documentation were not available. The Report concludes with the following recommendations:

- i. UNISA should consider sourcing services of a Law Firm with experience in Labour Law and advise the university on possible actions to be taken against all the people who implicated in this investigation.
- ii. In view of irregular appointments of employees to secondment and/or acting roles, the university should consider reversing the allowances that are currently paid to the implicated employees.
- iii. In light of the practice that the university followed, which was against the policies on secondment and acting roles, UNISA should consider reviewing all the appointment of employees to secondment and acting roles. It is possible that all other appointments did not follow the rules prescribed by the policies.
- iv. The University should consider reviewing the policies on secondments and acting roles in order to make it possible for HR Advisors to enforce the policies and hold them accountable when such policies are violated. The current policies are not designed to allow and empower HR Advisors to enforce the policies fully.
- e. I will not divulge more details on the findings of the report, but I want to state that even with factual evidence presented in the report related to irregular appointments, I can confirm that some of the staff are currently still in these positions acting or seconded since the report was issued in late 2020. This is clearly a management failure and probably why this report was swept under the carpet and not mentioned or disclosed to me during interviews. I don't condone the actions of NASA as they violated the terms of the report itself, as well as posed serious POPIA risks.
- f. I interviewed the author of the Khuli Report, knowing that these malpractices continue, years after the release of the report, the person stated that *"It is like the entire university should do consequence management – if there must be a disciplinary hearing, the entire management team must be held accountable"*. Unfortunately, UNISA does not have a track record of holding people accountable and this lapse in managements' responsibility is indeed creating a breeding ground for corrupt actions and malpractices in HR to continue.
- g. I requested the CAE to confirm for how long the University had the Report and he shared with me an email to the former VC of 28 October 2020,

*"Kindly find the attached investigations report (executive Summary) including the corresponding detail in the other reports. I have been requested by the MTT to provide this report to them. I am not comfortable in delivering this to the MTT without your permission. Also, this investigation was initiated and communicated to the university community by the office of the VC. Therefore sending it to the MTT without your specific permission/comfort will not be correct."*

*The contents of these reports do not implicate the office of the VC. However, they do raise serious issues that various VP's may need to act on. The legal services department is busy conducting a legal review on these reports for the purposes of providing practicality in the corrective measures that are recommended. Please advise if we can send to the MTT as soon as you have gained comfort."*

- h. I further wanted to find out if the Report has been brought to the attention of the current VC; and the evidence provided to me was an email from the CAE to the VC of 03 February 2021. On whether the VC was aware of the Report, she indicated during an interview that :

*"Yes, it was commissioned by Prof. Makhanya, and components of it was shared with me and I have implemented some of the recommendations. The fact that it was recently issued as a substantive report, or rather leaked in the media, means that I have had to reread it. There are various issues covered in it, including the fleet issues and the appointments, and some issues have to be excavated and they have to be read in conjunction with other reports such as the Public Protector's enquiries or the HRC report. In a normal functioning institution they would have formed part of the handover report."*

- i. When asked further of the implications given that the implicated persons are still in these positions, she said *"The report was commissioned by Prof. Makhanya from Adv. Mannya and the CAE in 2017. He did not act on the report at all, but it has not yet been fully shared with me. I am therefore still investigating it, but as I stated I have looked at the issues that were raised by the Audit Committee. I knew there was a report but I cannot act on rumours, so I only acted on the aspects that I found in the Internal Audit reports, working with the Audit Committee and the Internal Auditor. I have received so many anomalies that I have been hard at work to address as part of the strategic imperative of the university to give the academic project primacy. I sometimes feel that I am hard done by, because I am asked to account for things that fall outside my time of responsibility such as enrolments in 2014 and staff not being paid since 2017."*

- j. I requested the Chair of AERMCoC whether she was aware of the Report and she was not. The CAE stated in his submission to me of 2 March 2023 that it was shared with the AERMCoC in November 2020, and this was before the term of the current AERMCoC Chairperson. He however, stated that there was an agreement with the Chair of AERMCoC earlier in the year that *"the CAE needs to look much backwards on all investigations reports before her term (before 2021) in order to give assurance on appropriate tracking of issues and to close the gap on issues that were not properly addressed in the past. These need to be re-submitted to AERMCoC by the CAE from the next meeting onwards for AERMCoC to be able to track the actions. We have therefore added this report to AERMCoC for the meeting of this quarter."*

- k. I also noted the minutes of 16 March 2022, wherein the CAE presented audit reports which had not elicited any action by or feedback from management and completed (but unreleased) reports which were being subjected to quality assurance, that a long discussion on poor consequence management ensued. The Minutes state: *“The Chairperson observed that it was quite disturbing and concerning that no action had been taken with regard to a lot of the reports. She was dismayed that the **chronic disease of lack of consequence management was continuing to spread unabated within UNISA**. She felt that the committee’s mandate was being negatively impacted by such inaction. She recalled that there was an undertaking by the Principal and Vice-Chancellor, Prof P LenkaBula (VC), in terms of taking action, or closing out or signing off the reports.”*

#### **4.5.5 Organisational Culture of Fear, Intimidation and Bullying**

- a. The UNISA 2030 Strategy, presents the Values of UNISA. These values underpin all behaviours and directly and indirectly influence and affect organisational culture. If these values were indeed at the core of behaviour, the current organisational culture would be very different. The values are listed and described below.
- i. **Ethical and collective responsibility** - Ethics reflect the intrinsic and extrinsic values, principles, norms and standards to which UNISA is committed and are undergirded by respect, integrity, accountability and excellence. Our ethics guide all institutional conduct, actions, decisions and stakeholder relations, supporting equity and fairness. Against this backdrop, our decision-making will be participatory in the interests of the effective and efficient functioning of the university – all employees are equally responsible for decisions taken and implementation is underpinned by commitment and loyalty to and solidarity with UNISA.
  - ii. **Integrity** - Integrity refers to conduct guided by honesty, equity, respect, transparency and responsibility in all that we do. Integrity must be evident at an individual level and it should be infused in the character of the institution through the behaviours of the individuals who constitute and engage with the university.
  - iii. **Innovation and excellence** - At UNISA, innovation and excellence characterise the actions, attitudes and culture required to create new ideas, processes, systems, structures, or artefacts which, when implemented, lead to a sustainable and high-performing institution. They are the underlying principles that we, as change agents, use to make a difference in the way we work with the limited resources available to achieve our specific goals despite contextual and policy constraints. Innovation requires everyone to adopt a problem-solving approach that fosters intellectual ingenuity and novel solutions rather than simply problem identification.

- iv. **Responsive student-centredness** - Responsive student-centredness reflects our commitment to recognising, cultivating and promoting the interests and views of students – especially their lived experiences and prior learning – in order to achieve academic access and success in an Open Distance e-Learning context.
  - v. **Dignity in diversity** - At UNISA, we will strive to promote humanness, anti-racism and self-worth in the context of cultural and intellectual differences for the attainment of equality, and will not tolerate unfair discrimination based on race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language, birth, HIV status or any other arbitrary grounds. This value speaks to UNISA's soul and identity.
  - vi. **Accountability** - In order to promote a high-performance culture and work ethic, we accept individual accountability for our decisions, our actions and mistakes as individuals – irrespective of whether we are leaders, employees, or students. We are clear about our expectations from each another and we ensure that our expectations are credible and reasonable. We hold one another accountable for what we have agreed upon within a UNISA consequence management regime.
- b. The MTT Report painted a picture of an environment that is contrary to the values that the University claims to subscribe to.
- A simultaneous failure of multiple management systems points to deficiencies at leadership level, as well as a gross neglect of consequence management. In short, gross incompetence is pervasive in certain departments. **A culture of non-compliance pervades the institution, and this is accompanied by lack of consequence management.** The Labour unions are alleged to be leveraging disproportionate influence, including in the appointment of academic staff. Council has failed to engender an enabling and ethical culture befitting a knowledge institution. **Instead, there is an all-pervasive culture of corruption, impunity, conflict, fear, and intimidation.** There also seems to have been a deliberate and systematic plan, over a sustained period, to establish a corrupt network which has resulted in institutional capture. In addition, there is a **culture of impunity deeply embedded in the institution.***
- c. UNISA responded to the MTT Report, in a formal Report to the Minister on 22 April 2022. On the matter of culture and ethics it is stated:
- “Council views the allegations of the creation and existence of a corrupt network in a very serious light. Such allegations are woefully made without an indication of the timespan or persons involved in the creation of such a network. **The persons who make the allegations are also not identified to enable enquiry by Council or management so that it can offer a full response to the allegations, whether an admission or denial.** This aligns to similar allegations made in internal*

*ethics culture assessments conducted by the Ethics Division, where respondents merely give verbal statements without providing proof.*

***Unless particulars are provided, any representation to the Minister cannot be meaningful and Council cannot be said to have been provided with a fair opportunity to respond to the allegations. It is therefore critical that Council is provided with the particulars relating to these allegations to enable it to respond meaningfully.***

- d. I find this response problematic, as it is defensive and dismissive of matters that should be regarded as very serious; particularly in an institution where the former VC decided to seek the assistance of the SAHRC in December 2017, to conduct an investigation into allegations and counter-allegations of racism, harassment, **bullying and victimisation at UNISA**. In fact, it does not look like there has been any follow-up to the outcomes and recommendations of the investigation. In my interviews, many of the staff whom I interviewed expressed fear of victimisation and needed assurance that their identity shall be treated confidentially.
- e. This culture of corruption, impunity, conflict, fear, and intimidation seems to be continuing. During an interview with a Senior Academic reported:
 

*"I have been contemplating resigning from all the committees I serve on in the institution, I have that kind of fear. I was told by people in HR that I'm in the firing line, that we (HR) were told to concoct any kind of thing, whether sexual harassment or whatever, to get you (me) into a disciplinary process and get rid of you (me). Basically my answer would be that the culture of fear in UNISA must come to an end".*
- f. Many Managers expressed their reluctance to take disciplinary action against employees for fear of reprisal; being challenged by organised labour or other influences and interests' group such as the Black Forum. Staff were also saying that HR is part of the problem and not supportive when it comes to following due processes. A member of ManCom, stated that: *"Another thing which is the opposite of bullying is that if a subordinate does something wrong and you discipline them, the subordinate runs to ER or HR and lays a grievance against you – you are accused of bullying if you ask for legitimate work to be delivered which people are paid for. This is a common thing, and HR could give you the information. It turns even legitimate processes into bullying. There are actual bullying and fear issues but also this kind of reaction from people who are supposed to be doing their work".*
- g. The frustration with HR not being helpful or assisting in cases of bullying, was emphasised during an interview a very senior academic staff member: *"...they (Black Forum) have been enabled, and the unions as well, which created an environment of victimisation where people will receive emails or calls in which they were threatened, and it resulted in people stepping back and doing the bare minimum. The problem is also that HR is not doing anything about the issues that have*

*been identified – bullying is at its peak in the institution. I have had to deal with it and I'm glad that we are doing more things online because it is somewhat easier to deal with bullies if you don't see them face to face. The bullying and victimisation has been part of our culture for a long time".*

- h. It is evident from many accounts shared with me by staff and management that UNISA is not a healthy working environment. A culture of intimidation, fear, bullying and non-compliance to policies is pervasive. It was clear to me that this practice cascaded down to lower management levels as well. The HR department at UNISA is not functioning optimally, it is fraught with too many problems judging from the many complaints I received about its non- caring nature. Although the institution has a work from home policy, the well- being of many staff is not supported. A number of staff wept before me when they described their circumstances.
- i. Of a major concern is the fact that it does not look like this matter is finding expression in the agenda of the institutional forum which is to advise on "the fostering of an institutional culture which promotes tolerance and respect for fundamental human rights and creates an appropriate environment for teaching, research and learning".
- j. The VC shared with me her "AS IS" Report that resulted from her own assessment of UNISA when she took office. The Report reveals concerns raised of a culture "*that does not support the academic project –no consultation, the silo approach, fear etc.*" It says "*There are concerns that the academic voice is either ignored, not heard or at worst silenced. A perception that top-down decisions are made without consultation. It is also interesting to note this is not only from an administrative vs academic viewpoint but also within the academic hierarchy. A concerning point raised is that academics are "cowered" into silence and, in extreme cases, fearful of litigation or victimisation. There are reports that some academics only voice their opinions via labour movements for fear of marginalisation or victimisation. The silo effect of the institutional structure is also a reason cited as the cause of the lack of academic voice*".
- k. A Senior academic who has been in the institution for years, highlighted the impact of factionalism, and had this to say: "*We are concerned about the image of the institution, and of the College of Education. We are concerned about the disunity in the institution – nobody trusts anybody else anymore. We are concerned about the different camps – you want to talk openly and frankly, but at some stage you are afraid that you might be talking to a person from another camp. It is terrible – in fact, that is an understatement. It is debilitating.*" A Council member also highlighted this from a perspective of a governor "*the fact that the university is so factionalised is very concerning, because it could mean that you get different versions of a story depending on who is in the room*".

- l. In her written submission to me, the VC acknowledged that there is a problem with the institutional culture, which I find to be reassuring. She stated that: *"The cultures of intimidation, violence, muted voices, and inconsistent performance management, etc, must come to an end. Today, every Unisan knows that there are consequences for bad behaviour, rules apply to everyone equally, and that a conducive academic environment is important for UNISA to succeed. I have informed all managers that they have an ethical and legal obligation to act against bad behaviour or poor performance. Besides, Council too wants to see consequences for bad behaviour. Institutional culture change is at the centre of the reform agenda."*

*Initiatives led by me as Principal and Vice-Chancellor are underway to engage and involve all Unisans in the process of changing bad institutional cultures. Although it will take long, many are beginning to appreciate that we need to change habits, mindsets, archaic frameworks, bad and inefficient practices, old symbols, infrastructure and technology, the questions we pose, etc, including curriculum content to a give way for new and dynamic institutional cultures to emerge."*

- m. I find that the culture of UNISA does not promote or create an appropriate environment for the core business of a university. There are individuals who have been enabled to bully, victimise and create a difficult environment for other people within the University and this cannot be allowed to continue. UNISA must urgently attend to the organisational culture to create a safe, fair, and supportive environment for staff; and must do more to instil the Institutional values as per their 2030 Strategy.

#### **4.5.6 Performance Management**

- a. The MTT Report stated that "Based on the evidence presented to the MTT, UNISA suffers chronic management failures in many of the key support systems. The performances of departments such as SCM, HR Management, Assurance and Compliance functions, and Finance are seriously compromised and fail the university, putting the entire institution in jeopardy. A simultaneous failure of multiple management systems points to deficiencies at leadership level, as well as a gross neglect of consequence management."
- b. The "chronic disease of lack of consequence management" as was stated by the Chairperson of AERMCoC goes hand in hand with poor performance management.
- c. I noted a number of policies related to performance management and remuneration for the institution. For the purposes of this analysis, I focused on the performance management and bonuses paid to senior manager (P4 -P1).
- d. In 2018 a new **Performance Management Policy for Extended Management and Directors** (P1 – P4) was developed and approved by Council. This policy gives effect to the Integrated

Performance Management System (IPMS) and supports UNISA's aspiration to become a high-performance university. The Policy states that performance management will be used primarily to enhance, monitor and evaluate the ability of extended management and directors to achieve the strategic, functional and operational objectives of UNISA and their units. The Policy is applicable to all employees on Peromnes grades P1 – P4 who are employed permanently, or on a fixed term contract with full employee benefits, or in an acting or secondment position for not less than twelve consecutive months, or in other words for 1 year. The annual performance cycle covers the period 1 January to 31 December and year-end performance assessments must take place after the end of the annual performance cycle, although the policy caters for compulsory mid-year review. Performance is evaluated on a 5-point rating scale and an overall composite rating score is calculated (CPR).

- e. The Performance Management Policy for Extended Management and Directors (P1 – P4) under point 7.9 states the following:

7.9.1 The IPMS and the Performance Management Policy for Extended Management and Directors entails a constructive approach that should assist Extended Management members and Directors in **achieving their performance expectations** through a process of monitoring, review and improvement. Continuous learning and professional growth and development should underpin performance management.

7.9.2 Performance **that contributes positively to the success of UNISA should be acknowledged and encouraged and should be incentivised** through non-monetary and monetary mechanisms, including performance-based pay which may be influenced by institutional affordability\*. (\*See Remuneration Policy for Senior Management and Directors).

- f. In terms of managing poor performance, the Policy states that poor work performance should be managed strictly in accordance with the relevant provisions of the Labour Relations Act, Schedule 8, and this Policy. More specifically the policy states under point 7:

7.10.2 Due to the seniority of members of Extended Management and Directors, **poor performance at these levels could have a serious negative impact on the overall functioning and performance of UNISA and could lead to reputational damage**. Poor work performance of employees at these levels should therefore be dealt with proactively, speedily and decisively as soon as it occurs. This includes a proper diagnosis of the actual causes of the poor work performance and instituting appropriate corrective measures such as training, mentoring, clarification of standards and other support systems.

7.10.3 **Documented evidence of poor work performance is crucial for establishing a case of poor performance**. Line managers should keep adequate records and evidence during the

performance cycle to justify below standard performance ratings that they give Extended Management members or Directors during performance assessments.

- g. In general, the Performance Management Policy for Extended Management and Directors (P1 – P4) is adequate and comprehensive. If this policy is applied consistently and complied with, it should ensure efficient management information on performance of senior staff.
- h. I also considered the **Remuneration Policy for Extended Management and Directors**, approved by Council in 2018. It is specifically stated that this Policy must be read together with the Performance Management Policy for Extended Management and Directors. The policy explains different forms of remuneration such as the General Cost-to-Company package, pay progression, as well as performance bonuses. In terms of policy implementation, it is stated that:
- Giving proper effect to the provisions contained in this Remuneration Policy for P1-P4 requires all three types of **performance assessment provided for in the Performance Management Policy for Extended Management and Directors to have been fully developed and implemented**. As this may take some time a staggered implementation framework for this remuneration policy is presented in Annexure 5 [of the policy]
  - The principles regarding remuneration, as described in this policy, cannot be deviated from prior to amendments to this policy having been approved by Council.
  - The provisions of this policy must be reviewed after 3 years of being implemented, or sooner if necessary, and a review report in this regard submitted to Council's REMCoM.
- i. The **Remuneration Policy for Extended Management and Directors**, states that performance bonuses are based on the CPR2 score (see below). This CPR2 score is calculated from Organisational and Institutional performance year-end ratings as per performance management policy.

The table below sets out the weightings for the three types of performance assessment leading to two types of composite performance rating.

**Composite performance rating 1**

	Individual performance rating(IPR1)	Organisational unit performance rating (OUPR)	Institutional performance rating(IPR2)	Composite performance rating 1 (CPR1)
P1	10%	-	90%	$CPR1 = .1 \times IPR1 + .9 \times IPR2$
P2	20%	30%	50%	$CPR1 = .2 \times IPR1 + .3 \times OUPR + .5 \times IPR2$
P3	30%	40%	30%	$CPR1 = .3 \times IPR1 + .4 \times OUPR + .3 \times IPR2$
P4	40%	50%	10%	$CPR1 = .4 \times IPR1 + .5 \times OUPR + .1 \times IPR2$

**Composite performance rating 2**

	Individual performance rating(IPR1)	Organisational unit performance rating (OUPR)	Institutional performance rating(IPR2)	Composite performance rating 2(CPR2)
P1	-	-	100%	$CPR2 = 1 \times IPR2$
P2	-	30%	70%	$CPR2 = .3 \times OUPR + .7 \times IPR2$
P3	-	40%	60%	$CPR2 = .4 \times OUPR + .6 \times IPR2$
P4	-	60%	40%	$CPR2 = .6 \times OUPR + .4 \times IPR2$

- j. The official **Performance Management Procedure** document (approved by Council 2018) elaborates on the principle of performance evaluation, stating that ratings or scores should **reflect the incumbent's agreed-upon objectives and targets for the entire cycle**, including amended objectives and targets. Incumbents should not be assessed against objectives, targets or standards that became obsolete or that changed during the course of the year. Furthermore, it is stated that an incumbents' **year-end ratings** should not be a mechanistic summation of their mid-year ratings and their ratings for the last six months of the cycle, **but should be allocated afresh for the full cycle**, taking into account any reprioritisations and amendments of targets and standards that were approved during the mid-year review, year-end ratings should also factor in improvements in incumbents' performance after the mid-year review.
- k. Having considered the above policies and procedure documents, I found a contradiction in terms of application of the two policies. Both policies indicate that performance management scoring and ratings are based on an entire cycle or full year. Under the section on Performance Bonuses in the **Remuneration Policy for Extended Management and Directors**, point 5.2 emphasises that the CPR2 score is based on a full year, however, point 5.3 states that employees must have been in the position on which performance is assessed for at least 6 months (see below) and in point 5.5 that they qualify for a *pro rata* bonus.

## 5. PERFORMANCE BONUSES

Subject to budgeted funds being available and the Council being of the view that the University is able to fund performance bonus awards, performance bonuses may be paid to employees on P1-P4 as recognition for their contribution to achieving the strategic objectives and the functional objectives of UNISA as measured by their Composite Performance Rating 2 (CPR2) through the multi-dimensional performance assessment system.

The following specific points of departure apply to decisions on the payment of performance bonuses:

- 5.1 The following employee categories on P1-P4 are eligible for the payment of performance bonuses:
  - a) All fixed term contract employees appointed with full employee benefits; and
  - b) All employees appointed in an acting or seconded capacity at the level of P1-P4.
  - c) All employees on P3-P4 who are appointed on a permanent basis.

P1-P4 employees employed on a fixed term contract basis with limited benefits will not qualify for any performance bonus payments;
- 5.2 The Composite Performance Rating 2 (CPR2) for the period covering 1 January to 31 December of the year in question forms the basis for quantifying any performance bonuses according to the provisions set out in **Annexure 4**;
- 5.3 P1-P4 employees must have been in the position on which their performance is assessed for at least 6 months and must still be in the employ of UNISA at the time of the payment of performance bonuses provided that P1-P4 employees who are retiring or whose employment contracts end within the last 6 months of the year in which they reach retirement age, may be paid a *pro rata* performance bonus;
- 5.4 Despite the provisions set out in **Annexure 4** Council, on recommendation of its Remunerations Committee and funds permitting, may make special performance bonus awards in excess of the provisions in Annexure 4 for members of extended management and directors who have shown sustained excellence in performance as measured by their CPR1 and CPR2 ratings over a period of at least 3 consecutive years;
- 5.5 Qualifying P1-P4 employees who have not served a full 12 months in the position for which they are being assessed will receive a *pro rata* performance bonus subject to them having served at least 6 months in that position.

- l. It is therefore not clear to me, in cases where performance bonuses are awarded to employees that are in their positions of less than a full year, on what basis the bonuses are awarded. UNISA must consider how these policies are interpreted and needs to clarify any uncertainty in this regard, as it creates opportunity for misinterpretation and possible exploitation in certain instances.
- m. During my interviews, some staff indicated that the performance management system does not reflect the actual state of affairs at UNISA. I considered the data on performance bonus allocations that was provided to me by HR, as well as the remuneration information contained in the 2021 UNISA Annual Report. I found it concerning that performance bonuses were awarded to staff even when there are clear indications of non or underperformance in certain areas. **This report, highlight the dysfunctions in several departments at UNISA, yet staff and executives are getting bonuses.** Surely, performance scores, according to the performance management policy,

should reflect some of the dysfunctions through lower ratings and that in return should affect the CPR2 scores which would result in no performance bonus. This does not seem to be the case at UNISA.

- n. One staff member, stated that performance scores are adjusted to whatever is needed to qualify for a bonus, saying that "if we change the qualifying criteria for bonuses from 3.1 to 3.5, you will see an upward movement in the Bell curve." The person further confirmed my suspicion saying "*I think 95% of staff received performance bonuses. With the levels of service delivery and the unhappiness of students and our image going down the drain, if you connect all the dots the staff probably don't deserve those performance bonuses.*"
- o. A senior member of staff at the level of ED, explained his concern related to performance management and payments of bonuses as follows: "*I said to them once, that they complain about problems in the institution, but Exco and Remco approve performance, and the average performance was 3.8, where 3 is the baseline. This means that you cannot complain about the institutional performance, but you don't raise concerns about performance. How did you guys at Council approve that – if management gave those scores to people, you should have questioned them. You approved it and gave bonuses, what does that say about your ability to assess the situation and give you the right results.*"
- h. A submission made to me alleged that during January 2021 and again during December 2021 the VC demanded a bonus payment for herself, although such a payment was not provided for in the terms of her appointment. According to the submission:  
  
"At a meeting held with the newly appointed Principal & Vice-Chancellor held on the 7th of January 2021, she claimed that at a meeting where an offer of employment was made to her, (t)he employer had agreed to pay her a performance bonus like the one paid to the outgoing Principal & Vice-Chancellor, Prof Mandla Makhanya for the 2019 financial year. The discussions on the offer of employment took place on the 10th of November 2020. The previous Chairperson of Council, Mr Sakhi Simelane was present in the meeting, and he led the discussions. The issue of performance bonus and what had been paid to Prof Makhanya arose within the context of the full Employee Value Proposition whereupon it was clearly indicated that performance bonus is governed by the Performance Management Policy..... She insisted that bonus payment was due to her".
- i. The same submission alleged that the VC sent an e-mail to HR during December 2021 demanding that the bonus payment should reflect in her bank account by 15 December 2021.
- p. On or about 12/13/14 December 2021 Prof LenkaBula sent me an email demanding payment of bonus which had to be into her bank account by 12:00 on the 15th of December 2021. The author

further explained that early in the year, the VC has been advised to consider structuring her remuneration package to allow for the 13th cheque but she changed her mind after the Payroll Division had implemented the provision for the 13th cheque. She was refunded the amount deducted from her salary, and the 13<sup>th</sup> cheque arrangement was discontinued.

- q. When I asked for proof of this request, the person stated that the emails in this regard “disappeared” from his email inbox.
- r. In fact, there were a number of instances where staff reported that emails vanished and that they didn't know what happened to them. A former executive said “*You definitely knew that you received an email, with a document, on a specific date, and when you look for it, you simply cannot find it. I approached IT, and the staff members there were probably in cahoots – ‘Oh, it disappeared, we will look for it’ – but there were no results.*”
- s. When I probed the issue about disappearing emails further, I came across the Interception & Monitoring Policy (approved 2013) that “*aims to balance the rights to privacy of employees with the security and risk management obligations of UNISA by providing strict rules and limitations on the interception and monitoring of communication*”. The policy states that it applies to all employees of UNISA, any service provider or any person authorised by the VC or the chairperson of Council to assist UNISA in the intercepting and monitoring of employee communications. Further it states that the interception of the indirect communication may only be intercepted with the express or implied consent of the principal. Basically, the policy allows for the VC to give instruction to intercept indirect communications such as emails, if he/she may have reason to intercept. See below, extracted from the policy point 5.3.4.

5.3.4 interception and/or monitoring of indirect communication is conducted for the purposes and in accordance with the process detailed in section 6 of RICA:

- a) the employee abuses/misuses communication facilities of the university. The university provides access to the communication facilities for purposes of conducting university business.<sup>11</sup> The interception of the indirect communication may only be intercepted with the express or implied consent of the Principal<sup>12</sup>:
  - i) for the purposes of<sup>13</sup> monitoring or keeping a record of indirect communications,
    - aa) to establish the existence of facts<sup>14</sup>
    - bb) to investigate or detect the unauthorized use of the communication facilities<sup>15</sup>
    - cc) where monitoring is undertaken in order to secure or as an inherent part of the effective operation of the communication facility<sup>16</sup>
    - dd) monitoring indirect communications made to a confidential voice-telephony counselling or support service operated in such a manner that users or employees thereof may remain anonymous if they so choose.<sup>17</sup>
  - ii) if the communication facilities are provided for use wholly or partly in connection with the business of the university,<sup>18</sup>
  - iii) if the Principal has made all reasonable efforts to inform in advance, the employee or person who intends to use the communication facilities, that indirect communications transmitted by means thereof may be intercepted or with the implied or express consent of the employee or person who uses that communication facilities.<sup>19</sup>

5.3.5 the interception or monitoring is incidental to the installation or maintenance of the communication facilities<sup>20</sup>

- t. I must state that I did not investigate the allegation of the performance bonus request from the VC further, and neither did I explore the interception of indirect communication any further. The policy is clear as to what can be authorised and by whom. This can, however, add to the pervasive culture of fear and intimidation that is alluded to, elsewhere in this report.

#### ***4.5.7 Staff Suspensions and Dismissals***

- a. The terms of reference require that I conduct an analysis of the circumstances and reasons for the significant number of staff suspensions, disciplinary cases and dismissals at the University since 2018.
- b. To get a sense of the number of staff suspensions, disciplinary case and dismissals at the University, I requested the Management for this information. The Report I received on 29 September 2022 gives the following summary over the five-year period:

	2018	2019	2020	2021	2022
<b>No. of cases</b>	<b>9</b>	<b>12</b>	<b>2</b>	<b>2</b>	<b>14</b>
<b>Suspension lifted</b>	6	4		2	
<b>Pending</b>	-	4			9
<b>Final Written Warning</b>	1	1			
<b>Resignation</b>			1		
<b>Dismissal</b>	1	2	1		5
<b>Settlement</b>	1	1			

- c. The report provided gave details of what the grievances were, or the alleged offences. In the main, the disciplinary cases feature charges that include breach of contract & failure to fulfil contractual obligations; breach of policies and procedures in relation to salary adjustments and abuse of power; breach of policies and procedures, terms of suspension & court order, involved in illegal strike, disruption of graduations, intimidation; breach of policy on issuing Certificates for qualification and gross negligence; break-in; gross dishonesty; confidentiality breach; abuse of office; contravention of UNISA Code of Ethics and Embezzlement of UNISA funds; removal of UNISA property without permission; gross insolence and abuse of resources; Intimidation, contravention of court order, breach of policies, procedures & OHSA, damage to UNISA property, disruption of graduations etc; negligence in performance of duties; intimidation, hate Speech, defamation of character; sexual harassment and rape; soliciting bribes for interviewees in exchange of employment; unlawfully accessing reports, misrepresentation; victimization, bullying and sexual harassment.
- d. From 2018 to 2022, there were 39 cases. Most of the grievances emanated from the non-academic domain, with only 4 reported in colleges over the 5-year period. In each year, very few cases resulted in the suspensions being set aside at the CCMA. Of the 39 cases over the 5-year period, only 9 ended in dismissals while 13 were pending. Whether the number of cases can be regarded as high, cannot be said without some benchmarking against other universities, which I did not do. However, given the size of UNISA, I would not regard these as significant. Only three cases involved members of the executive, namely:
- The former VP: Teaching and Learning, where the suspension was uplifted in August 2019.
  - The former CFO, where the incumbent was found guilty and dismissed.
  - The former Registrar, where the outcome was not stated.
- e. Majority of the 2022 cases were linked to the suspensions and dismissals of the NEHAWU members, 5 of whom were dismissed in May 2022. Eight employees have been on suspension for more than 8 months and the disciplinary process has not been concluded.

- f. Of note were also two suspensions of two EDs in 2022, both of whom I interviewed. The two of them had been on a suspension for a very long time. This could be attributed to the Disciplinary Code which sets no time limit set within which an investigation into the alleged misconduct should be concluded, thus allowing for extensive periods before charges are formulated against a suspended employee. The employee remains on paid suspension with full benefits. They both complained that UNISA drags its feet to a point where some of the employment contracts expire before the conclusion of the cases.
- g. The Disciplinary Code of the UNISA states that upon written recommendation of the Directorate or the Employee Disciplinary Committee, the Principal, may if he or she has reason to believe that it would be in the interest of the University or its employees for an employee to be suspended immediately from some or all of his/her duties and to be restricted from entering some or any premises under the control of the University for a period of up to ninety calendar days. Despite the provision of the period of suspension of up to ninety (90) calendar days, the Code provides for the suspension of an employee to continue until the disciplinary appeals committee makes a finding and ruling or until the Principal lifts the decision to suspend. This is impractical and lends itself to inefficiencies. Moreover, The University runs the risk of having waived its right to take disciplinary action in instances where the delays in convening disciplinary processes cannot be justified and exceed the time limits prescribed in the Disciplinary Code.
- h. On the prolonged suspensions, a case was presented to me of an employee who was placed on suspension and waited for 8 months for charges to be formulated. To date there was only one charge proffered against him. No details of what gave rise to this extensive period of suspension or delay has been forthcoming. The employee was forced to make an application to the Labour Court on an urgent basis to compel the University to correct the irregular step in the exercise of discipline. Despite the obvious error and/or breach of the employee's contract of employment, the University opposed the application at the Labour Court incurring unnecessary and wasteful legal costs as an order was granted in favour of the employee.
- i. I learnt of another case of a senior employee who was suspended for approximately two and a half years under very mysterious circumstances by the VP: Institutional Development. The employee was reinstated after a CCMA arbitration process after an employee incurred huge expenses in legal fees for which the university has not taken responsibility. During the absence of the senior employee, a former member of Council was appointed in her department after the MTT Report was issued to the university Council. I asked the VP to explain the circumstances. He informed me that 'someone' in Council complained about that Department and how it was not handling the negative publicity in the media and that the ED be 'suspended'. He further informed

me that the VC instructed him to appoint that individual. He could not provide written evidence, and simply said the VC does not write such instructions down.

- j. I also noted that as per the Disciplinary Code, the process to kick-start a disciplinary process is managed by the Directorate Employee Relations who compiles the charges and represent the University in the hearing, alternatively must nominate a suitably qualified employee of the university. The latter is **an anomaly** as discipline is a line management function and the Directorate should avail itself to both the university and the employee to ensure procedural fairness is affected. This accords with the principles of fair labour practices.
- k. I put the question of the delays in the disciplinary cases of senior managers to the VC, and she attributed it to the arbitration clause in their employment contracts. She had this to say "*At UNISA you cannot terminate a contract without going through arbitration. Both parties have to agree on the arbitrator, which draws out the process. We realised that the arbitration clause is a major challenge that may require a policy review and a change to our contracts for positions at P4 to P1. The legal processes are beyond my determination – I would have preferred to speed up the process. I have followed up and had a look at the process, and also considered the proposal that the CCMA should be used rather than independent arbitrators.*".
- l. I requested for a senior manager employment contract, which contained the following clauses:  
*12.4 Misconduct will be dealt with in terms of the arbitration clause provided for in clause 13 hereunder.*

### **13 Arbitration**

*13.1 Any dispute which arises regarding:*

*13.1.1 the interpretation or application of this agreement*

*13.1.2 any of the parties' rights and obligations arising from this Agreement; or*

*13.1.3 the termination or purported termination or for arising from the termination of this Agreement; or*

*13.1.4 the rectification of proposed rectification of this Agreement, or out of or pursuant to this Agreement, shall be submitted to and decided by arbitration.*

*13.2 The arbitration shall be held at Pretoria.*

*13.3 It is the intention that the arbitration shall, where possible, be held and concluded in 21 working days after it has been demanded. The parties shall use their best endeavours to procure the expeditious completion of the arbitration.*

*13.4 The arbitration shall be subject to the arbitration legislation for the time being in force in the Republic of South Africa.*

*13.5 The arbitrator shall be a practising attorney or advocate of not less than ten (10) years standing appointed by the parties or failing agreement by the parties within 10 days after*

*the arbitration has been demanded shall be nominated the President for the time being of the Law Society of the Northern Provinces.*

*13.6 If there is any clause other clause in this Agreement providing for a difference method of determination of a particular dispute, that clause shall prevail over this clause.*

*13.7 The parties shall keep the evidence in the arbitration proceedings and any order made by any arbitrator confidential unless otherwise contemplated herein.*

*13.8 The decision of the arbitrator shall be final and neither party will have any further recourse including but not limited to recourse at the CCMA, Labour Court, High Court etcetera.*

*13.9 The provisions of this clause are severable for the rest of this agreement and shall remain in effect even if this agreement is terminated for any reason.*

- m. Given the VC's view that the provisions of the arbitration clause in the employment contracts of senior managers is an impediment in the implementation of disciplinary processes, the University should consider reviewing the clause.

#### **4.5.8 Organised Labour Matters**

The Statute provides for "representative employees' organisation" as any organisation of employees that has representation which is sufficient as determined by council. UNISA has two recognised unions, namely NEHAWU and APSA, as is also confirmed in the 2021 Annual Report.

##### **4.5.8.1 Recognition and Procedural Agreements**

- a. During the assessment, I became a recipient of several correspondence between NASA and the University Management, where NASA was challenging APSA recognition.
- b. According to a letter from NASA to the University of 2 November 2022, UNISA recognised NEHAWU, APSA, National Union of Tertiary Employees of South Africa (NUTESA) and South African Parastatal and Tertiary Institutions Union (SAPTU) when none of them have attained the majority status even if they had acted jointly or collectively. Secondly, a 2019 Internal Audit verification of membership representation affirmed that only NEHAWU qualified on two of the three threshold requirements specified in the UBF constitution; and that APSA did not meet all requirements, yet the University failed to invoke clause 5.2.4.5 of the Recognition and Procedural Agreement (RPA). They accused the University Management of recognising APSA outside of the legal prescripts, RPA and UBF constitution; and deemed this to be a gross irregularity. Another issue at the centre of this dispute was the UBF Constitution which was apparently only signed by NEHAWU; and the constitution is in line with section 18 (Right to establish threshold of representativeness) of the Labour Relations Act 66 as amended.

- c. The VP: Institutional Development responded in a letter dated 16 November 2022, which was shared with me by the Employee Relations Department. The response read:
- i. *We confirm that only NEHAWU and the employer signed the collective agreement (named UBF Constitution) in 2005. We deny the notion that at the time of signing the UBF Constitution none of the recognised trade unions did not constitute/ command a majority of members. The signed recognition agreement between APSA and the employer confirm that APSA is a party to the UBF Constitution and will honour same.*
  - ii. *We are satisfied that the UBF Constitution complies with Section 18 of the Labour Relations Act, as amended. This observation is based on the fact that the membership figures of both NEHAWU and APSA constitute more than 60% of total staff complement.*
  - iii. *It is common cause that during the UBF meeting held in August 2019, the employer conducted verification of APSA membership and established that the union was not complying with the Bargaining Forum threshold. The verification process was also supported by the Internal Audit report dated 1 October 2019.*
  - iv. *On 31 October 2019, APSA was given notice to demonstrate that it complies with the threshold. It was anticipated that the matter will be discussed at the UBF Special Meeting or AGM to be held in the first quarter of the following year as espoused in the UBF Constitution. However, due to the advent of Covid-19 and the subsequent National Lockdown, this meeting did not materialise.*
  - v. *The position of the employer is that it has not permitted APSA recognition outside of the legal prescripts. During the UBF Special Meeting held on 28 March 2022, the employer presented a report on the verification of membership figures of recognised unions. The verification process revealed that APSA was not complying with the required threshold. To this end, APSA was given notice in April 2022 to increase its membership. We are satisfied that as at 30 September 2022, APSA has increased its membership.*
- d. According to information from the Employee Relation (ER) and Wellness which was based on the letter from the ED:HR communicated to APSA on 31 March 2022, “*the calculation of APSA membership in terms of all employees within the bargaining unit including 162 union members with dual membership as of 28 February 2022 was 19.9% or 1399 members, which is below 25% threshold requirement. The membership figures further revealed that APSA had a total of 599 academic members which represented 26.3% of the total academics, which is below 40% threshold required for recognition*”. APSA was requested to provide evidence of its membership not determinable by the deduction list as processed by the Directorate Payroll, failure to which the employer would invoke Clause 5.2.4.5 of the RPA to give APSA three months’ notice to

increase its membership. It was further indicated that the membership figures had increased from 1399 to 1732 as of 30 September 2022; but still APSA had a shortfall of 26 members to satisfy 25% or 1758 of all employees within the bargaining unit.

- e. In fact, APSA had, in accordance with a letter dated 28 April 2022 from the HR Department to APSA, disputed the accuracy of the membership figures determined on the basis of membership subscriptions processed by the UNISA Directorate Payroll; and requested that the membership figures and the total number of staff in UNISA be audited in order to determine the accuracy of the membership figures. In the letter, the University committed to make an application to the CCMA requesting the Commission to perform a membership verification to resolve the dispute.
- f. I was also made aware of complaints brought to the ER & Wellness Directorate from various members of staff about the breach of POPI Act by APSA. The Directorate reportedly conducted its own investigation and established that APSA may have used privilege and confidential information shared with the parties at the UBF to drive its recruitment campaigns.
- g. UNISA must ensure compliance with the recognition and procedural agreements with organised labour. In cases where the membership is below the threshold requirements as provided for in the Agreement, the University should terminate the recognition of the respective trade unions and its participation at the UBF. The trade unions may still enjoy the organisational rights indicated in the LRA (section 12&13). And perhaps, the University should consider renegotiating the Constitution of the UBF and ensure that the University normalises the power imbalance presently prevalent within the university.

#### 4.5.8.2 *The UNISA Bargaining Forum (UBF)*

- a. The employer, UNISA together with the recognised unions, form the UBF which has an independent chairperson. Matters of mutual interest (employer and employee) are referred to the UBF for either consultation or negotiation, as prescribed by the Labour Relations Act 66 of 1995, as amended. The current UBF Constitution is dated November 2005 and is signed by the University as the Employer on the one hand, and only NEHAWU as a trade union on the other. There is no evidence to support that APSA is a signatory to the agreement or any of the other trade unions listed in the constitution. This is an important factor to take into account as any rights and obligations flowing from the agreement has an impact on the enforceability of those rights and obligations in relation to the signatories and/or the non-signatories flowing from the constitution.
- b. In terms of clause 3 of the UBF Constitution, one of the objectives of the UBF is to serve as the sole bargaining forum for the University and its employees as provided for in the recognition and

procedural agreements of the APSA and NEHAWU. There is an imbalance of the number of representatives for each stakeholder for example management holds not more than 6 seats in the UBF whilst the trade unions hold a maximum of 12 seats. The voting powers of the constituents in the UBF are skewed when matters of procedure are deliberated upon in the UBF as the majority decision holds.

- c. In terms of the Labour Relations Act there is a clear distinction drawn between matters of mutual interest and rights issues. It is only in instances of the former that negotiations are embarked upon, and the remainder of the matters are only for consultation that require a joint consensus seeking approach but does not necessarily mean that it should result in an agreement. The latter process may be facilitated swiftly provided that the management has the necessary approvals and mandates pertaining to the issue at hand.
- d. I interviewed the UBF Chairperson, who is a senior CCMA commissioner; and chairs many other bargaining forums. He indicated that he was on his fifth and last year as the Chair of the UBF in terms of the Constitution. He expresses some of the limitations he has noted and challenges that he has experienced in the role, which include:
  - i. The powers of the UBF Chairperson are limited, as his role is simply that of a facilitator of the meetings. As a result, the chairperson is not empowered to ensure that issues are dealt with more speedily within the Forum.
  - ii. The UBF Constitution is an outdated document and does not provide for the right to consult. Any conditions of employment or policies must be negotiated; and felt that the revision of the Constitution would be difficult as it appears to suit the unions well.
  - iii. The issue of the prolonged suspension of the ED:HR who was the Chief negotiator on behalf of the University. Following his suspension in April 2022, there was no clear strategy on the way forward regarding the participation of the Employer in the UBF or the timeous appointment of an alternative replacement.
  - iv. Unnecessarily prolonged meetings due to certain unproductive conduct by some members of the trade unions, compulsive talking by some members, convoluted agenda, ill-preparedness to deal with the items and lack of mandate and/or strategy on collective bargaining issues results in matters not being finalised but being deferred continuously. He gave an example of approximately 40 outstanding issues, some of which have been on the agenda for 6 years.
  - v. Lack of quorum for meetings. For an example, in the early months of 2022, NEHAWU did not attend the UBF meetings and advised that it would not attend until the strike was over; and with the subsequent suspensions and dismissals of NEHAWU members and no alternative

representatives being identified, meetings could not be held for a period of three months. The minutes of the UBF confirmed this.

- e. In the latest Report of the UBF Chair covering the period of 01 June 2021 to 31 May 2022, he outlined a number of non-policy issues that are still pending:
- i. Implementation of Ad Hominem Promotions for 2019.
  - ii. Standardization of Administrative jobs in the Colleges.
  - iii. Withdrawal from pension funds.
  - iv. Payment for Security Officials who worked on Sundays.
  - v. HR matters affecting staff members at the Directorate: Student Assessment Administration – Assignment (DSAA) - employees seconded to the Examination Section, and employees appointed as Examination Packers.
  - vi. Terms of Reference for Talent Review Committee.
  - vii. Unilateral implementation of the Business Enterprises.
  - viii. Unilateral changes to ICT systems / ODeL projects.
  - ix. Procurement of ICT Laptops by staff members.
  - x. Tender on Information on an Enterprise Content Management Solutions (Electronic Document and Records Management System and/or Web Content Management System)
  - xi. Finalized structures at the UBF.
  - xii. Unilateral implementation of salary increments to academic staff and others.
- f. The salary adjustments of academic staff and the subsequent agreement concerning support staff created a parallel substantive agreement regarding terms and conditions outside of the annual substantive negotiations. This is inconsistent with collective bargaining for salary increases in the workplace and may set a precedent for the future for mutual interest issues between the employer and the trade union acting on behalf of its members. The rationale to effect the salary adjustment did not achieve the results it sought as the salary discrepancies between academic and other categories of staff remain.

#### 4.5.8.3 *Management and Organised Labour*

- a. UNISA has always been described as a highly unionised environment. The perception that the unions, in particular, NEHAWU had “too much power” and was unduly influencing a lot of decisions, including appointments. A union leader was candid enough in an interview to admit that the “union plays an influencing role” in most appointments at the University even though they should play an observer role in interviews. I was told of several executives who would have been suspended or had their employment terminated due to the influence of the unions. Even

performance management processes are influenced, because managers say they are threatened and attacked by the unions if their members' scores are marked down on their evaluations.

- b. In an interview a senior manager explained the frustrations experienced with unionised staff: “ *it felt that the unions co-managed the institution, if you defied the union, they would tell you in your face that if you continue with this mentality, in six months you will no longer be here*”. Another said, “ *we end up co-managing with the unions which makes consequence management difficult to implement*”. Many managers also described an environment that is difficult, and rendering them unable to do their jobs, particularly in managing performance of the employees under them. This situation has continued unabated and has eroded the management decision-making powers, as managers err on the side of caution to avoid conflict with the unions.
- c. It was no surprise that many applauded the courage of the VC in the suspension and dismissal of the NEHAWU shop stewards, given the history of undue influence by the unions at the University.
- d. A NEHAWU office-bearer indicated that the relationship with the VC was good at first, but things took a turn for the worst during the salary negotiations. They accused the VC and management of unwillingness to engage with organised labour. The suspension and dismissal of the NEHAWU Shop stewards and members has seemingly fractured the relations further. The Management was also accused of not complying with the provisions of the UBF Constitution nor the recognition agreement when the office bearers were dismissed or when the shop-stewards were suspended.
- e. When asked about the conflict with NEHAWU, the VC said:

*“I joined UNISA on 5 January 2021. I tried to settle into my office as the new VC, and my first encounter with NEHAWU was in an HR workshop for all knowledge communities – including the unions and student organisations. I use the terms ‘knowledge communities’ so that these communities should understand their role in universities. My relationship with NEHAWU has been professional, appreciating their role within and outside of the university. I do not want to create gradations of different unions, but I do understand the historic development of NEHAWU in the institution. I have never been opposed to NEHAWU; I have been supporting of their mandate. When NEHAWU leaders were protesting and unwilling to work, I requested a meeting to discuss the dissonances in our engagements.*

*There was a Council meeting in which a request for a R 100 million fleet contract was discussed and I refused to sign because it was presented to me two days before the Council meeting. I experienced disdain from the NEHAWU members in Council. Before they disrupted the graduation ceremony, they requested permission to picket during lunch times, which we granted. At my initiative, I requested an engagement between ManCom and NEHAWU to agree on*

*processes. It is quite sad because even when NEHAWU was contending with the salary adjustment, I said it is good that they raised it and we would attempt to find a solution. We even listened to some of their propositions. My proposition was that we should reverse the adjustment of staff who received an increase outside the law. They requested a once-off payment because people would have already spent the money. Because we are a collective, we negotiated and went to Council to request condonation and to allow us to have formal processes in place.*

*After the solution for that process was reached, they continued with the protest, and I was baffled about what the protest was about. I called another meeting to say I don't understand what the protest was about, and they tabled another list of demands. When they disrupted the graduation, I was not officiating that graduation. They called me into ZK Matthews to engage, and I agreed to address the executive and the members, but I requested that the graduation should continue because it affected not only the university but outsiders. I wrote to them and asked that we must engage, and I emphasised that they also have a legal duty and that disrupting the academic project, something as sacrosanct as the graduations, would not be allowed. I created spaces for engagement, but it was not followed through. I also went to the national structure of NEHAWU, because I believed that if we cannot find one another perhaps they could mediate some of the positions that the leadership of NEHAWU was taking here. I think my relationship is professional and allows engagement."*

- f. NEHAWU made a submission which provided their testimony to the allegations of disruptions of graduation ceremonies and the subsequent disciplinary actions. Below is their narrative of the events:
  - i. On 25 September 2021, the University implemented a selective salary adjustment to Academics Staff, and the portion of Support staff from (P5-P6) and left out other support staff members from (P7-P16) without following consultation and/or negotiation at the bargaining forum.
  - ii. NEHAWU raised concerns about selective implementation of salary adjustments which resulted in a collective agreement entered into by UNISA and organised labour.
  - iii. Parties agreed that the payment/adjustment would be extended to all support staff who were left out during the implementation in September 2021, and it was agreed that the adjustment would be effected on 15 February or alternatively on 25 February 2022.
  - iv. The employer did not honour the collective agreement in February 2022, instead the employer amended or changed salary notches of support staff to reflect new salary notches, and at the eleventh hour the employer reversed the already captured salary notches which resulted in a widespread anger from workers.
  - v. NEHAWU raised disappointment [at] the conduct of the employer, subsequent to that several special bilateral and bargaining forum meetings we(re) held in order to resolve the

- matter and calm down angry workers. Parties at UBF agreed that the payment would be made on 15 March 2022.
- vi. NEHAWU learnt through its members on 11 March 2022 that payment (*would*) not be effected on 15 March 2022, and members were angered by the conduct of the employer. They summoned the Branch Office Bearers (BOB's) to call for an urgent special mass meeting to deal with substantive negotiations (salary increase for 2022) (*and*) payments of salary adjustments.
  - vii. As per the instruction and/or mandate from workers, a venue was booked for 15 March 2022 for a mass meeting, upon arrival it was discovered that the employer double booked the venue for the NEHAWU Mass Meeting and Graduations.
- g. I analysed the supporting documents that were submitted by NEHAWU. According to the agreement signed 17 January 2022, "*P7 to P17 employees who were in the service of the University on the 1<sup>st</sup> of September 2021 who did not receive the adjustment would receive such an adjustment on the same dispensation that was applicable to those who received the adjustment at that stage and the adjustment (i.e., back pay) will be effective from the 1<sup>st</sup> of September 2021*".
- h. A memorandum from VP: Institutional Development to APSA of 21 March 2022 indicated that, the Council approved the request by Management to fund the collective agreement on salary adjustments through the disestablishment of a portion of funded vacancies which have been vacant for a number of years which HR has determined to be outside the new fit for purpose organisational structures which were agreed with portfolio heads and line managers. The memo went further to say that the salary adjustments will be paid to all qualifying staff on the 30th of March 2022. I noted that the memorandum did not bear the signature of the VP.
- i. I then traced the decision of the Council on the matter and noted the following:
- i. At the Council meeting of 25 November 2021, the CFO presented the budget which was said to address the concerns of the Council and the FIECoC about where the money for the salary increase effected in September 2021 would come from. FIECoC had been assured that the money would come from the current budgeted vacant posts that would be abolished. The Minutes further state that the escalating human resources costs were also of concern. previous salary increases over ten years had been analysed and the average was above 2,1%. The implication was that the human resources costs had been growing at a faster rate than the revenue. To address the spiralling human resources costs, the Institution should either contain the growth of the human resources costs or accelerate the growth of third- and fourth-stream income. Council resolved that the MTEF be not approved but be referred to management and FIECoC to address the concerns raised before

it was resubmitted for approval at the next meeting. However, Council approved the recommendation of the FIECoC to transfer R21 912 626 within the 2021 operational budget to fund the additional 0,5% salary increase.

- ii. According to the minutes of the 14 December 2021 meeting, the Council was requested to approve the Medium-term Expenditure Framework (budget) for 2022. The CFO presented the report, where he indicated that the FIECoC had approved the budget on condition that a task team is constituted to address the escalating human resources budget. It was also mentioned that FIECoC had requested the VC to provide it with a report on consequence management in respect of the individuals who had not followed procedures, which had led to expenditure outside Council approval. The VC indicated that a preliminary report on consequence management was available and would be shared with the FIECoC members before it was submitted to the Council. FIECoC had made it clear that, in future, it would not approve the budget with escalating human resources costs. The Council therefore resolved that, to address the escalating human resources costs, the budget with Scenario 2 as reflected below be approved: "Same as for Scenario 1, but with positions to an amount of R176 million abolished on the support side. This amount is calculated to be equivalent to the value of recent as well as still-to-be-determined additional 2021 salary increases to staff within the bargaining unit. This would result in a projected surplus to R186 million."
- iii. The Minutes of the Council meeting of 19 April 2022 note that at its meeting of 30 March 2022 Council noted that the Interim salary adjustment was duly approved by round robin but further noted that the AERMCoC Chair had voted against the motion and formally registered her objection, with a request that the matter be further discussed in Council. Council's position that the matter had already approved the matter but wanted to give her an opportunity to explain why she did not approve the request. The AERMCoC Chair indicated that there was no sufficient information given to allow her to make a decision. There were issues relating to the abolition of positions and that there was no benchmark for the salary adjustments. She said she requested more information on the issues raised but she did not receive it. She was also of the opinion that matters having financial implications needed to be discussed and approved in a formal meeting and not by a round robin process. Her sentiments were shared by the members of the committee and she said Council should provide guidance on what issues should be decided by a round robin process.
- iv. At this meeting of the 19 April 2022, the VC gave a brief overview of what led to Management agree to an interim salary adjustment. She said her assessment of the remuneration of staff when she took office was that there was disparity of remuneration between academics and the support staff. Some support staff who were secretaries were paid more than academics

even though academics were required to have a higher qualification than the secretaries. This situation led to several rated academics leaving the university. Most of the affected academics were on P5 and P6 levels, which are full professors and associate professors respectively. Management had requested HR to do a benchmark on the salaries of academics with other institutions of higher learning. It was indicated that HR did not bring that information to the Management as requested but continued to implement the adjustment. The HR Department did not consult organised labour before they could implement the adjustment. What exacerbated the matter was when the interim salary adjustments were paid to the other non-academic staff at P6 level. This led to the organised labour to demand that the salary adjustment be paid to all the support staff. The management had applied consequence management to the extent that the ED: HR was put on suspension.

- j. The VP: Institutional Development's Memo of 21 March 2022, was followed by the VC Statement of 23 March 2022 to the University community announcing that:

*"the main issue of dispute between UNISA and organised labour, namely, salary adjustment, has been successfully resolved by the appropriate authority, the Council of UNISA. .... In an effort to remedy the situation, Management and I instructed Human Resources to undertake a research and benchmark study regarding salaries for Academics, Administrative and Professional staff due to the complex nature of the problem.*

*It is unfortunate that Human Resources did not comply with Management resolutions on the salary adjustments, including the benchmark study which was never done. Instead, shortcuts were taken, and the university was exposed to operational and strategic risks, including a collision course with organised labour.*

*In August 2021, Management decided to approve the salary adjustment of P6 and P5 Academic and Support Staff salaries as an interim relief, even though the initial intention was to remedy the discrepancies surrounding remuneration for academic staff.*

*The problem arose when Human Resources made the salary adjustments without following the appropriate governance procedures and thus making the salary adjustment irregular and unlawful. Under normal circumstances, salary adjustments should happen in strict observance of Labour Relations laws, UNISA's remuneration policies and the internal bargaining and governance frameworks. This did not happen at the required time. It is this violation of governance protocols that has led to the current instability and impasse which has lasted for over five months now."*

- k. The statement further assured “*all stakeholders concerned that consequence management is underway and will apply to all those who have violated university policies and the laws of the land. UNISA cannot condone lawlessness.*”
- l. According to NEHAWU, the VC Statement was an indication that parties resolved the matter amicably, the union closed the chapter of salary adjustments on 25 March 2022, but “it is unfortunate” that they were not aware of a “plot against them”.
- m. On 7 April 2022, the VC wrote to NEHAWU expressing concerns about the quality of the relationship between the University and NEHAWU. She expressed concern that as someone who “*has a longstanding commitment to the success of the higher education sector, South Africa, and progressive politics*”, she had invited NEHAWU to participate in the VC’s Lekgotla, but they declined the invite. She bemoaned the deteriorating relationship between the University and NEHAWU, reasons of which were unclear to her. She reiterated that “*NEHAWU is an important stakeholder in the university community, as it shoulders the responsibility to not only represent the interests of its members, but to contribute to the overall strategy and transformational goals of the university*”. The letter requested NEHAWU for representations on their “unlawful” labour actions between 15 and 26 March 2022 which disrupted the 2022 Autumn Graduations and were symptomatic of the deterioration of the relations with the University.
- n. NEHAWU responded on 12 April 2022, first stating that her letter is with “*inaccuracies, innuendos, gossip mongering and importantly, [the VC’s] lack of comprehension of how the university functions as well as her role in ensuring that stakeholder engagement and management in the institution takes place*”. The response also stated that “*NEHAWU has always been open for dialogue and/or discussion on any matter that affects the university, this is proven by previous emails sent to your office without response, however, we welcome the so-called open-door policy suggested in your letter, we will utilize that opportunity with the hope of improving stakeholder relations amongst parties.*” They pointed out that the issues raised belong to the UBF. They disputed that that they held an illegal strike, but that NEHAWU held a mass meeting with its members at ZK Matthews Hall, which they booked and asked for permission from relevant structures as per the policies which was granted. And from 16 to 26 March 2022, they held negotiations with the employer, while having lunch time pickets that they applied for through relevant structures. They questioned the rationale for the postponement of graduations by the University.
- o. On 19 April 2022, the VC issued a notice of intention to suspend five shop stewards, two of who were members of Council. The letter, having noted that discipline of a shop steward should not be instituted and/or proceeded with, without first notifying the trade union in writing; further stated that the University is in the process of finalising the Notices of Suspension and Disciplinary

Hearing, which will be served on NEHAWU Regional Office and members of the BOBs in due course.

- p. A Council meeting was scheduled for 19 April 2022 and on the agenda was also the Report on the Cash Advance Payments made to Employees to buy laptops (the Bowmans Report). NEHAWU alleged that the VC informed the meeting that the BOBs must recuse themselves because they were suspended. They believe that the VC suspended them on the day of the meeting in the fear that they would call for her suspension.
- q. According to the formal statements of the University, the NEHAWU protesting members disrupted the graduation ceremonies of 25 March 2022; and 19 April 2022<sup>27</sup>. The scenes described in both statements, is not something that can condoned in an institution of learning.
- r. I find that the relations between the University and NEHAWU has not been healthy; the one described under the previous administration and currently. Previously, Management had abdicated its responsibilities and enabled labour movements and other pressure groups to dictate terms to them, thereby rendering the HR authority over many aspects peripheral. It is acknowledged that the relationship between labour and management tend to be fundamentally adverse in nature. They may get along for periods of time, but then the balance of power shifts and one party takes the conflict route to have an upper hand or improve its position against the other. This is what has been playing out. I am of the view that labour and management should embark upon a relationship building exercise chaired by an independent expert in labour relations and conflict management to confirm and consolidate rules of engagement in the workplace.

#### 4.6 Information and Communication Technology (ICT)

The MTT Report states that technology is central to UNISA delivering on its mission and its strategic objectives. UNISA needs advanced cyber-infrastructure to be a leader in the ODeL space. Also, UNISA needs systems in place to offer efficient and effective administrative service to hundreds of thousands of students. Staff need to be equipped with the necessary technology to play their part, in either the teaching or learning domain or the research domain. All of these are ICT dependent.

Although not specifically identified in the scope of the independent assessment, the pervasive nature of ICTs as a supporting and enabling tool, especially for a distance e-learning institution of this scale, the substantial level of investment, expenditure and procurement practices in this area, and the

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<sup>27</sup> <https://www.unisa.ac.za/sites/myunisa/default/Announcements/Disruption-experienced-during-Unisa-graduations-and-other-operations>

extent to which institutional risk can be connected to the state of certain ICT capabilities, meant that it was necessary to consider ICT in the context of the scope item in the Independent Assessor's Terms of Reference.

#### **4.6.1 ICT Governance**

The purpose of ICT Governance is to inform and align decision-making for ICT planning, policy and operations in order to meet business objectives, ascertain that risks are managed appropriately and verify that resources are being used responsibly and strategically. The following section briefly looks at ICT governance framework at UNISA.

##### **4.6.1.1 Information and Communication Technology Committee of Council (ICTCoC)**

- a. In accordance with its ToR (approved 2019), and as delegated by Council, the ICTCoC carries out Council's responsibility with regard to Information and Communication Technology (ICT) and information governance. The purpose of the ICTCoC is to advise Council on the development and review of the University's ICT systems and services in support of the core business of the University.
- b. The ToR states that ICTCoC must advise Council from a governance point of view on the University's efforts to integrate teaching and learning with a supportive ICT platform and to maintain ICT systems. In addition, it advises Council on any ICT related risks faced by the University and for executing all functions delegated to it by Council in terms of the Council's approved framework for the delegation of decision-making.
- c. The ICTCoC ToR further states that it is responsible for governance matters related to information technology operations, to:
  - i. be a trusted advisor to the Council on ICT governance, security and performance.
  - ii. ensure alignment of ICT strategy to UNISA's strategic objectives.
  - iii. ensure all identified strategic and operation ICT risks are mitigated by considering the ICT audit coverage plan and recommending to the Audit and Enterprise Risk Management Committee of Council.
  - iv. have oversight on the management of information to ensure that it results in the following:
    - that UNISA's intellectual capital are sustained and protected, and
    - that private and personal information are protected.
  - v. promote an ethical ICT governance culture within UNISA.
  - vi. recommend on ICT investments, considering the annual ICT budget and recommending the budget to the Finance, Investment and Estates Committee of Council.
  - vii. ensure institutional compliance with ICT legislation, rules, codes and standards.
  - viii. perform the duties as delegated or assigned by Council.

- ix. submit regular reports to Council regarding ICT matters within its mandate.
- d. In the 2021 UNISA Annual Report, it is explained that Council is responsible for ICT governance, while Management is responsible for the implementation of an ICT governance framework. It summarises the ICTCoC's roles and responsibilities as follows:
  - i. Ensuring the good governance of ICT operations.
  - ii. Performing the duties delegated or assigned by Council.
  - iii. Submitting regular reports to Council regarding ICT matters and operations.
  - iv. Making recommendations to Council on ICT policy issues.
  - v. Monitoring and steering the overall enterprise architecture, which supports and drives ICT in the institution.
- e. The 2021 UNISA Annual Report elaborates on the functional structures related to ICT Governance:
  - i. The Department: ICT Governance within the ICT Portfolio is responsible for ensuring proper ICT governance. Matters relating to the Protection of Personal Information Act 4 of 2013 (POPIA) are dealt with through the Directorate: Institutional Information, which falls within the Department of the Deputy Registrar: Governance.
  - ii. The Department of Internal Audit regularly conducts IT audits with the aim of providing independent assurance on the effectiveness of IT internal controls. The Department of the Deputy Registrar: Governance is kept in the loop when the audit reports on IT audits are issued to the responsible stakeholders.
  - iii. In order to ensure the governance of technology and information, Council has delegated its powers to the ICTCoC to specifically provide oversight in the governance of technology and information. This role entails ensuring the good governance of ICT operations, performing the duties delegated or assigned by Council, submitting regular reports to Council regarding ICT matters and operations, making recommendations to Council on ICT policy issues, and monitoring and steering the overall enterprise architecture which supports and drives ICT in the University. The ICT Portfolio reports quarterly on the governance of technology to the ICTCoC while the Department of the Deputy Registrar: Governance reports quarterly to the Risk Sub-Committees of the AERMCoC on matters relating to POPIA.
  - iv. The Directorate of ICT Governance is responsible for cyber security and processes to protect the University against any potential risk.
  - v. The Information Security section within the Directorate of ICT Governance was established to specifically ensure that information within the University is adequately protected. The

Information Security Section is functional, and its day-to-day function is to implement information security measures. The Directorate of Institutional Information is responsible for ensuring day-to-day compliance with the protection of personal information in terms of POPIA.

- vi. The University has a business continuity and disaster plan in place. Business continuity falls within the purview of the Directorate of Enterprise Risk Management while disaster recovery lies within the ICT Department, which is part of the ICT Portfolio.
- f. I was further informed by institutional stakeholders that the previous Chair of the ICTCoC was a member of Council who had no training and experience in ICT for a number of years until his term expired as a member of Council. In my verification of the allegation, I interviewed the former member of Council, who was at the time an employee of the University, and I also perused his CV. He confirmed that he was trained in Psychology, but that he believed he executed his task with distinction. When I asked how he became the Chairperson of such a highly specialised committee without the requisite training, he said the former Chairperson of Council asked him to. It is therefore not surprising why UNISA faced a myriad of challenges on the health of the ICT for such a long time.
- g. UNISA had experienced some instability in terms of the management and leadership of this environment in the past. However, in March 2022, a new VP: ICT and CIO was appointed following a period with an Acting VP: ICT. The new CIO has only been in the position for a short period of time and she reports to have implemented interventions to manage some serious risks in her domain. She developed a new ICT Digitalisation Strategy, that was, together with the related operating model, approved by Council on 28 November 2022. I remain concerned about the role of the VP: ICT and CIO in the initiation of an MoU signed by her and the VC as alluded to in paragraph 4.4.5.2 (b) – (f) which eventually led to an expenditure of R332 million where other qualifying service providers were excluded.

#### 4.6.1.2 *ICT Policies*

- a. Policies and guidelines serve as tools for implementation of strategies and to ensure good governance. I did not conduct a full review of all ICT policies, but reviewed some policies that were referenced in interviews or submissions.
- b. In general, the policies are not consistently structured and formatted. There is a lack of standardization in the policies layout and format. It also seems like a lack of quality control. For example, only the Data Backup and Recovery Policy has a table of contents. Other than the Data Backup and Recovery Policy, the policies do not explicitly reference one another or other relevant policies (e.g. the ICT Security Policy does not reference a Data Classification or similar policy).

- c. The ICT Acceptable Use Policy states that it was approved by Council on 16 September 2020, but there is no date for next review, only includes that the “policy will be reviewed from time to time in consultation with the UBF, in so far as it affects UBF members.” The policy is a broad one, including the typical elements of acceptable conduct and behaviour, and permitted and prohibits uses, which covers the issue of abuse of privilege and the unauthorised transmission of UNISA data. It covers some aspects that one would typically encounter in other policies (such as emergency changes and failover recovery times), and in some instances provides detail that would be better placed in a Procedure or Standard Operating Procedure so as to avoid frequent updates (e.g. list of staff roles qualifying for certain privileges).
- d. ICT Security Policy states that it was approved by Council on 16 September 2020, and the next date of review is September 2023 (thus 3-year cycle) and states that at the time of review it will be done in consultation with the UBF, in so far as it affects UBF members. This policy is in effect a combination of an ICT Security Policy, a Password Policy and an institutional Information Security Policy. This should be reviewed as part of the ICT Security project, and these elements separated. Item 5.2.7 (requiring ICT to ensure the assignment of access privileges) is in conflict with 5.2.2 (which indicates that access privileges to named systems are the responsibility of the relevant department). Additional security should be considered for privileged accounts (e.g. stronger passwords, more frequent changes, or multi factor authentication – MFA). It is recommended that MFA is not mentioned and should be introduced. Incident management should be expanded to include significant responsibilities and accountabilities, as some should reside with ICT and some at Institutional level (although they may be delegated).
- e. The Data Backup and Recovery Policy states that it was last revised and approved by ICT Committee 19 November 2007, revised and approved by Council 10 June 2017. Date of next review: Not specified. The following is stated: “This policy will be implemented, reviewed and updated in accordance with the policy approval and review process described in the Business Continuity Management Policy.”, and “The Data Backup and Recovery Policy will be reviewed and updated on an annual basis or, if circumstances dictate, more frequently.” The policy is very broad and references applicable industry standards but does not provide clarity on items such as frequency of backups or retention periods, nor reference a Data Classification Policy.
- f. The ICT Service Management and Operations Policy states that it was approved by Council on 16 September 2020, but the date on the bottom of the page is still 2019. The next date of review is September 2023 (thus 3-year cycle) and states that at the time of review it will be done in consultation with the UBF, in so far as it affects UBF members. This a broad policy, which references certain ICT services specifically but does not reference a service catalogue. The content of the policy is in places inconsistent with its stated objectives (providing a technical

change management process, and deploying new or changed services), as it deals substantially with tracking and maintenance of physical assets and software licenses and subscriptions.

#### 4.6.2 Current State of ICT at UNISA

- a. In my many interactions with students and different categories of staff, including management and Executive (Acting Deans), serious ICT challenges were pointed out. Among some of the striking assertions were that their privacy was severely compromised, in that some emails would simply vanish from their inboxes. A senior staff member explained the perception of UNISA's ICT: *...it was a joke in meetings, because we (UNISA) pride ourselves on being online, within reach for anyone, anywhere, yet that very same modality proved to be the Achilles heel for the institution. It did not help that the leadership in ICT had a high turnover. That simply just raised the image that ICT was not performing at the desired level'.*
- b. As a point of departure, I considered the conclusions of the MTT report related to ICT:
  - i. Conclusion 11: The Council approved a strategy that, while credible enough, as far as it goes, does not encompass all aspects of a modern ODeL institution, as elaborated above. It has also failed to prioritise its "focus areas." If attention to the dysfunctional and outdated ICT infrastructure is not the priority, there can be no possibility of implementing the ODeL strategy.
  - ii. Conclusion 17: Council approved the adoption of ODeL and did so in the knowledge that it necessitated a sophisticated digital infrastructure. Infrastructural projects were conceived, and even approved, but not implemented. This can only be construed as an intentional and deliberate failure to implement approved infrastructural projects. In the process, the Council failed to deliver on its basic fiduciary responsibilities with respect to the infrastructures necessary for education delivery, a function vital to the sound functioning of a university. This situation has persisted over several years and is unlikely to change without some drastic intervention. During my independent assessment of UNISA, it was confirmed to me by some members of Council who were part of the decision that approved the strategy, that the implementation of it was simply sabotaged by management, leading to the departure of the former VP responsible for ICT.
  - iii. Conclusion 20: Over several years, UNISA's ICT infrastructure has increasingly become less fit for purpose. ICT management has deliberately frustrated the implementation of its strategic priorities. This is clearly a fundamental dereliction of duty on the part of Council.
  - iv. Conclusion 21: The outdated ICT infrastructure together with the general lack of compliance and culture of impunity identified above, cause the MTT to have serious

misgivings about the security of the information held on the ICT systems and the dangerous opportunities such lack of security presents, all of which compromise the academic project. One such example might be the recent theft of examination papers which resulted in many papers having to be reset and posing even greater burdens on the academic body. The MTT has no evidence that this theft has been investigated. The MTT was told of other serious matters not investigated.

- v. Conclusion 23: The Council has failed to ensure a robust, modern, and secure ICT infrastructure and thereby damaged UNISA's academic standing and administrative competence as a reputable HE institution.
- c. The MTT painted a bleak picture about ICT. However, the Council rebutted some of these findings in its Response to the MTT Report was submitted to the Minister. According to the response:
  - i. The Council approved ICT Master System Plan (Strategy) of 2018 identified the ICT Infrastructure as being reactive and motivated for the enhancement of legacy/current platforms to resolve regulatory and mandatory requirements and maintain expected service levels. This was aimed at stabilizing the ICT environment and "keeping the lights on".
  - ii. The ODeL Enterprise Architecture Blueprint was approved by Council in 2019 also identified gaps in the Technology & Infrastructure As-Is and To-Be architecture reference models. To bridge this gap and transform the ICT Infrastructure, an Infrastructure-as-a-Service (IaaS) project was initiated in May 2021 to modernize the data centers and networks. In terms of progress at the time of the response (April 2022), 42 of 43 sites had been commissioned; and 463 of 596 data & communications hardware installed. The Blueprint recommends a Hybrid ICT Infrastructure On premises /Off premises which would allow the university to scale into the cloud for any additional capacity required particularly during peak periods.
  - iii. To cater for student growth, some services have been unbundled from legacy applications/modules (e.g., MyAdmin and MyModules) and were migrated to the Microsoft Azure cloud. Tender to modernise the ERP systems was awarded in 3rd Quarter 2021. The Moodle LMS was being implemented to replace the SAKAI system and first phase went live at SBL in 2021 and was rolled out to all the colleges in January 2022.
  - iv. Some hardware remains at risk, e.g., the servers that host the Student Information System. This infrastructure was not part of the scope of the IaaS project. The firewalls also pose a risk but will be catered for under Managed Cyber security Infrastructure (MCSI) tender.

- v. In mitigation risk on the information security, a Cybersecurity programme was started in 2018 and staff were assigned to manage cybersecurity issues. The ICT Acceptable Use, ICT Security, and ICT Operations policies was approved by Council in November 2020.
- d. To the MTT's assertions that "Infrastructural projects neglected and delayed over the course of several years" and there is "Slow implementation of the technologies that enable online UNISA opportunities"; Council admitted that "Indeed, there has been delays in the transformation of the ICT Infrastructure", which were "due to the revision of ICT strategy to encompass digitization and 4IR. Council further stated that the "IBM servers that host the Student System reached end of life at the end of 2019 and despite escalations to executive management, nothing happened until the end of 2021 when a tender process was started for the replacement of the hardware".
- e. To get a sense of the state of the ICT, I interviewed the former VP: ICT that was in the position from 2018 to 2021, the interim Acting VP: ICT (who was an academic Dean seconded to the position), and the new VP: ICT who was appointed in March 2022, as well as staff in the ICT Portfolio to better understand the UNISA ICT domain. The following sections provide context to some of the ICT challenges at UNISA as highlighted in submissions and interviews with staff.
- f. The ODeL strategy came to life with the appointment of a new VP: ICT in May 2018. She stated that she was excited to bring about digital transformation at UNISA and offer her services "*to a place where it matters, where we build the country's future through education, more than anything*". During a September 2018 Council meeting, the revised ICT Structure, and the new ICT Strategy: Master System Plan were approved.
- g. During my interviews, it was reported on a few occasions, as well as in the MTT Report, that Council and ICTCoC operated for a period of time with very little knowledge, understanding and expertise in the ICT domain. This was even confirmed by the current Char of the ICTCoC. The MTT also reported how "ICT management has been deliberately frustrated in the implementation of its strategic priorities". I was also told how these frustrations were inflicted on Management rendering them unable to implement the approved strategy. I was told how ICT tenders on the appointment of service providers were expected to be tabled before the ICTCoC, something that was not in line with the ToRs of the Committee. One interviewee recalled "*in the time that I was there only one or two tenders went through the ICT Committee. The rest did not see the light of day, they were blocked at SCM, one passed through ICT Committee to be killed at the Finance Committee*".
- h. In essence, it was explained that although due processes were followed to appoint and procure ICT service providers, none of the companies that tendered qualified as they were disqualified

on administrative requirements such as tax clearance certificates. This halted the execution and implementation of the ICT strategy.

- i. Following the departure of the former VP: ICT in 2021, an Executive Dean was appointed as the Acting VP: ICT. He explained, “*In the first week of June, the VC asked me to step in as the Acting VP: ICT. I knew that ICT was the nemesis of the college because of a number of instances where they did not come to the party. I was not given even one sentence of handover. I’m not an ICT person, I am an applied chemist. I took the challenge because I thought that ICT needed leadership and that there would be people to help me with the technical aspects. The challenge was that I could not rely on the people there, because of the perceived corruption that I had been informed about*”.
- j. From his perspective, ICT was operating in a silo. He stated that, “*they (IT) saw themselves as technocrats meant to make the university function, but they had no idea about how the teaching and learning or research work at the university*”. During his time as Acting VP: ICT he learnt of the challenges with SCM and documents not getting through to the next step. He appointed a consultant to assist him with getting ICT tenders and project approvals through troublesome SCM processes.
- k. From his explanation, it seems that certain decisions were taken, and systems were implemented by the former VP: ICT without the necessary change management or consultation with key stakeholders. He explained, the Learning Management System (Moodle) for example:  
  
“*Things came to a head in June or July, when the UBF called me out of a meeting to say that the examinations would not be happening on this new Moodle system because the user acceptability tests have not been done, and because the users have not been consulted on the new system, and they did not want to risk students doing an exam on a platform that nobody understands. They said that they want to know how this system was procured, and how the choice was actually made*”.
- l. The Acting VP: ICT (June 2021 – February 2022) claimed that he uncovered a lot of decisions that were not “*above board*” and that when he questioned certain contracts and service providers, he was threatened and stated that he was relieved to return to his substantive position because, “*people were not happy with my interference*”.
- m. Some students echoed that certain decisions at UNISA were political. When students themselves, questioned the approval and implementation of Moodle, they were told “*no, don’t mention that, leave it*”. A student leader commented on the Moodle implementation saying that when the system was implemented, they (students) struggled to submit their assignments and even lecturers did not know how to use the system: “*...when it was introduced in January*

*students could not submit their assignments, and even lecturers could not use the system. I don't understand how we transitioned from MyUnisa to MyMoodle without a transitional period, while we were still dealing with supplementary exams and issues of plagiarism, and something called Turnitin..."*

- n. During an interview, a student explained the issues and problems with Moodle as follows:  
*"Number one, how it was introduced. We were not sufficiently engaged, it was imposed on us. It was approved in 2019, and there was no training before it was introduced. A lot of students could not submit their work, it was a mess because there was no training provided, some training was provided during the exams, while students were preparing for their exams. I think that there was no consultation, it was being pushed in a very weird way – it wasn't just students complaining, but also lecturers could not access MyUnisa, and some academics complained that Moodle was not working for them, but somehow Moodle was imposed on us"*
- o. Even with the ICT Strategy approved by Council, one would think that the implementation plan of any new system would be accompanied with full change management, stakeholder engagement and user training. A senior staff member during an interview, confirmed what the students said, and added that even staff were not really consulted in the decision to implement Moodle and not properly trained: *"We did manage to get people from UKZN to train us on using Moodle, to get our study material loaded. It was definitely imposed without consultation. It is a very expensive decision although Moodle is free, it is open source, but they were buying every extra plug-in possible at a cost"*
- p. At this point in time, UNISA had an approved ICT strategy (from 2018) that was somewhat implemented, a lot of frustration from staff and students because of poor stakeholder engagement, poor change management and training, and uncertainties in terms of ICT roles and responsibilities, all of this with known issues related to SCM and the appointment of service providers.
- q. Right then, amid this chaos, the current VP: ICT was appointed in March 2022, and finds herself uncovering the challenges listed above, one by one. The very difficult situation in terms of role clarity, ownership and responsibilities between ICT and Teaching and Learning is highlighted in the excerpt from an email exchange between staff:

*...I did raise the issue with the CIO that the CODEL environment is toxic; I am hoping that the issue will be addressed promptly as it is clear that there is no alignment at the execution levels thus impacting everyone involved. The conversations have certainly deteriorated to positions and ownership rather than delivery and business outcomes, which is the worst position for any team.*

*This is a cry out for amongst other things candid and authentic conversations and decisive leadership, which will lead to clarity of roles and purpose. I believe that everyone has a room to play and contribute to the success of the CODEL programme.*

- r. In her interview with me, the current VP: ICT explained that she experienced the challenges with SCM as alluded to above, when for example, ICT submitted in May 2022 to SCM a Request for Quotation for Managed Print Services because the contract with the current service provider was expiring on the 31 December 2022. In a memorandum to the CIO from a staff member the situation is explained as follows: *Since submitting the RFQ to Finance/SCM in May 2022, there has been a series of unwarranted delays in processing and concluding the RFQ process and appointing the Expert. To date (31 August) after almost 4 months since May 2022, the process is still on, resulting in negative impact on starting the open tender process to find and appoint a new MPS service provider when the current contract with ETG expires on 31 December 2023.*
- s. The CIO stated that she was aware that this position at UNISA would be challenging but had not fully appreciated the scale. In terms of the functional ICT environment, she stated that: *"I found a Learning Management System that is coming from Sakai into Moodle that is unstable. In March we lost over 100 hours of teaching. I found a team that does not manage contracts. Contracts end, there is no consequence management. There is no sense of urgency. I found a team that has lost the ability to care, as long as they get paid at the end of the day".*
- t. Despite these challenges, she prides herself on that she was able to develop a new ICT Digitalisation Strategy, that was, together with the related operating model, approved by Council on 28 November 2022. In her submission, she indicated that she is currently working together with HR on a new ICT organisational structure. During the interview, the VP: ICT was perceived as energised and a stabilising influence, with a clear vision. The senior members of her team, as well as the current Chair of the ICTCoC generally expressed optimism and were positive about her contribution thus far.
- u. The MTT Report state that UNISA Council has failed to ensure a robust, modern, and secure ICT infrastructure and thereby damaged UNISA's academic standing and administrative competence as a reputable HE institution. From my assessment, I would add that the Council also failed to ensure stability in the portfolio. With 3 different persons filling the CIO role in 3 years and Council approving two different strategies within 4 years, the current portfolio is indeed unstable. UNISA ICT's reputation is damaged because of the instability and inability to implement projects successfully. Staff are already despondent, so to successfully implement a new strategy now, would need a lot of stakeholder engagement and change management and effort to get the necessary support from staff and students.

- v. The current Chair of ICTCoC has the requisite skills and knowledge to make a positive contribution. Council and UNISA, must make a concerted effort to focus on ICT and clarify roles and responsibilities between divisions, departments and functions. UNISA must investigate the issues with SCM, as reported under Finance. To implement the new strategy, there must be strong leadership with intense stakeholder engagement and change management efforts, both staff and students need to support the strategy. Without a capable workforce in ICT that is determined to make a positive contribution, all new efforts will unfortunately also fail.

#### **4.6.3 ICT Contract Management**

- a. During interviews with different stakeholders, contract management repeatedly came up as a serious challenge, especially in the ICT environment. This was confirmed by the VP: ICT, who identified lack of contract management skills within the ICT Department, and indicated that some initial measures were taken to address this, including placing explicit accountability at the level of the appropriate Director or ED and providing training to those responsible.
- b. Even with efforts to proactively improve managing the timing of contract reviews or renewals, the lengthy procurement processes and related SCM challenges, result in several contracts reaching a point where they cannot be renewed in time, leading to deviations and contract extensions, often on a month-to-month basis.
- c. This is a management and leadership failure with significant implications for the institution. In an interview with a staff member working in Risk and Compliance, it was explained as follows: *"The firewall contract ended, and we don't have Turnitin, and there is a concern about infrastructure. The initial submission for that contract was approved by Council, but nothing has happened, despite the high risk that this poses to the institution.... The problem is that nobody takes charge, there is a lack of leadership and urgency in approving things".*
- d. Below follows only a few examples of contracts that have been poorly managed by UNISA.

##### **4.6.3.1 Turnitin License**

- a. Poor contract management resulted in UNISA losing its Turnitin license because the contract expired. A submission to the Risk Management Committee stated that Turnitin *"is important to safeguard against plagiarism, copyright, integrity and conduct issues. Unavailability of solution will compromise the quality of accredited programmes. This is a material risk which should be avoided at all costs. It will negatively affect UNISA's reputation, employability of its students in the labour market etc."*

- b. With the Turnitin contract expired, ManCom had to make an urgent decision to deal with the situation while trying to secure another contract. The interim solution approved by ManCom was that in some instances students could submit their work without Turnitin reports. See below:

Exhibit X: Extracted from ManCom Resolution Register April 2022

5.4.2	<p>Turnitin (anti-plagiarism detection software) challenges</p> <p>On a proposal by [REDACTED] the Management Committee resolved to approve the following as an interim solution for the first quarter of 2022 (22 January to 31 March 2022):</p> <ol style="list-style-type: none"> <li>1. That honours research project students may submit their work without Turnitin reports (as a once-off) and that academic departments plan to ensure that the work was processed on Turnitin before the marks were released.</li> <li>2. That master's and doctoral students be allowed to submit their research proposals without Turnitin reports (as a once-off) and that the results be released.</li> <li>3. That the NECs sign off on results (once-off) without the complete similarity index Turnitin report.</li> <li>4. That, particularly in cases where students and supervisors had been progressively submitting their chapters to Turnitin throughout the course of the chapter development process, supervisors support their students' intention to submit, with the understanding that they process the rest of their work as soon as Turnitin was available and that the date of submission be extended until 28 February 2022.</li> <li>5. That [REDACTED] and [REDACTED] lead the engagement with portfolio managers so that a list of licences to be terminated, the yearly and multiyear licences and the licences to remain in use could be submitted on 1 February 2020.</li> </ol>	<p>Approved</p> <p>List of licences due on 2022-02-01</p> <p>[REDACTED]</p>
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- c. During interviews with staff, they expressed their concerns and discontent with the decision. An academic explained:

*"Plagiarism in undergraduate research modules is a big problem, especially since UNISA reckons there is no need to have licenses for programs such as Turnitin. Academics are left to pick up plagiarism manually, which is highly time-consuming. This also means that we do not pick up all cases of plagiarism. UNISA should obtain Turnitin licenses for undergraduate modules to ensure the program's integrity. Ghost-writing is also a huge problem. UNISA is aware that many companies offer solutions to assignments readily available online, but it appears that no action is taken against these parties as this practice continues. This risks the reputation of the institution and the programs it offers".*

- d. According to ICT staff, this Turnitin license contract had to be renewed by the business unit, within Teaching and Learning. Apparently, ICT was historically responsible for all contracts but *"UNISA has since come to the realisation that while everything is IT enabled, business units can also manage their own contracts and software licenses for value added services that enhance teaching and learning. At ManCom, they agreed that business units can and should take responsibility for these things. Where there are contracts for license fees, such as for Turnitin, the process owners should take responsibility"*.
- e. In my opinion, this matter should be further investigated to determine where the responsibility for managing the specific contract lies and then to determine who should be liable for not ensuring that the contract was renewed in time. Whether this is a failure in ICT, or another business unit is not the point, but rather the systemic and institutional failure to ensure contracts are managed and the pervasive culture of no consequence management.

#### 4.6.3.2 *Other Contracts*

- a. It was reported that in terms of Oracle system maintenance, the process to renew the contract was not in place, one month before the expiry date. During my assessment, it was discovered that UNISA was currently receiving cloud hosting services for core systems without a valid contract in place. It was established that this was at least in part due to the responsible ICT Director not having initiated the renewal process in time. The approach to the cloud hosting contract was identified as a contentious area, with SCM recommending contracting directly with the provider, apparently without acknowledging that the contract through a third-party suits UNISA's needs and does not cost more.
- b. ICT contract management appears weak and not effective in ensuring renewals or new appointments are made in time. This is a critical institutional risk, affecting all aspects of its operations. It is inherently indicative of poor leadership, poor management and a lack of accountability that created a carelessness in terms of ensuring operational continuity.
- c. UNISA should audit all existing contracts with service providers and/or suppliers and develop the necessary management information systems to track, monitor and report on contract management. UNISA also needs to establish a central contract management capability that can manage and initiate renewal processes with business owners across the institution. Where contracts have lapsed or expired, it should be investigated by UNISA, and people should be held accountable. Quarterly reports should be provided to the ICTCoC to monitor compliance on contract management, and bi-annually to Council for noting and discussion if necessary.

#### 4.6.4 *Critical ICT Projects*

- a. The MTT Report stated that:

“UNISA has failed to procure the necessary ICT systems to make good on its strategic intent. The current infrastructure is woefully inadequate; there is a general lack of education technology competence, including a lack of ICT expertise on Council. This situation has persisted over several years, with UNISA's ICT infrastructure becoming increasingly obsolete and unfit for purpose. ICT management has been deliberately frustrated in the implementation of its strategic priorities. The result is clearly a fundamental dereliction of duty on the part of Council.

The outdated ICT infrastructure together with the general lack of compliance and culture of impunity identified above, lead the MTT to have serious misgivings about the security of the information held on the ICT systems and the dangerous opportunities such lack of security presents, all of which compromise the academic project.”

- b. The UNISA landscape is relatively complex compared to other higher education institutions, partly because of the scale of the operation, given the staff and student numbers, and partly because of the requirements of distance learning and multiple decentralised campuses. During my assessment, the full ICT landscape was not assessed, however key ICT projects and risks highlighted during interviews, are briefly presented below.

#### 4.6.4.1 Student Information System (SIS)

- a. The SIS is a core system for any higher education institution. UNISA currently runs an in-house developed system that has been in service for several decades. Speaking to the staff working with the SIS it was explained that “*the code has been migrated from a COBOL to a newer generation programming tool (1999)*”, and that the functionality has been incrementally improved but they have a very small team (3 permanent and 2 contractors) to maintain a system of this size and importance. Another issue reported is that the technical components of this system are becoming more difficult to maintain, as support for the hardware required for the application code is no longer readily available, and the development skills are in short supply.
- b. In other words, UNISA’s student information system is managed and maintained by a very small team, supporting an old system that requires certain hardware that is no more readily available or supported and where development skills are scarce. From a risk management perspective, I see this as one of the most critical risks that could potentially threaten all current and historical student data.
- c. Through the assessment, I have been informed about some attempts to replace the SIS, but none have succeeded thus far. Briefly, these included:
- The use of Oracle SCM for Study Materials. The project failed in its first year and UNISA rolled back to the in house developed solution that January (2016)
  - The Tribal system. This was presented to the Executive, reportedly without the involvement or support of ICT. The system went live for study applications in 2019. The processes were very labour intensive and UNISA rolled back to the home-built solution in 2019.
- d. At present, a multi-year process is under way to replace the SIS, with an RFP scheduled for the latter half of 2023, with a phased migration to a replacement starting in 2024. This is a critical project for UNISA that will require involvement and support from a wide cross section of the institution. The Student Study Materials system is currently an in-house system that is still in place and would need to be replaced as part of the SIS project.

#### 4.6.4.2 Learning Management System (LMS)

- a. UNISA migrated from a SAKAI based LMS to the Moodle product. I have referred to this system earlier in the report highlighting implementation problems experienced by staff and students. During some interviews, concerns were raised regarding the implementation partner and the Moodle Service provider. It was said that the appointed service provider is not active in the learning management systems space and had no experience of successfully implementing an LMS before. One staff member stated that:

*"ICT on their own liaised with (the service provider). To be honest, there are some aspects that (the service provider) did not have the competence to address, we had to interact directly with Moodle, although (the service provider) was supposed to adapt Moodle as a learning management system. We brought academics from DUT to help us figure out and understand the system, because (the service provider) could not assist us".*

- b. It was reported that the combination of high volumes and some suboptimal configurations were partly responsible for overspending on cloud hosting during 2022. However, I am not in a position to confirm this. It appears that the system is now more stable, with appreciably lower reported downtimes in the October/November 2022 period compared with the same period in 2021. A senior staff member explained that Moodle is relatively new, but that it is improving:

*"Moving into Moodle in the throes of COVID allowed us to continue providing service to students, and I'm referring to teaching and learning where I am actively involved. In that unfortunate time, we did relatively well, and a large number of students did their exams, and their results were released on time. There were hiccups where the volumes overtook the system, people had not anticipated that if you have 40 000 students writing an exam, the system could collapse. Once we had overcome that, the system was able to deal with the student numbers in a way that represented a significant improvement over the past".*

#### 4.6.5 Cyber Security

- a. Cyber security is probably on the critical risk register of any modern organisation. Institutional and private information is a commodity and worth tons of money. Earlier in the report, I referred to the protection of student data, which is related to this point. From an ICT point of view, it is reported that UNISA is particularly vulnerable in the sense that their firewall technology is at the end of its life and has been unsupported since 2020. During the interview, a senior staff member responded to the question on system security risks saying: *"I would say cyber security is the major risk. We have ageing infrastructure, we understand that, but there are penetrations of the system and we say you cannot close the bucket if you don't know where it is leaking. With the service provider who will be appointed, there is hope that it would be addressed".*

- b. Another staff member informed me that both KPMG and Deloitte conducted system audits three years ago, and to date only some recommendations have been addressed. The person emphasised that *“the firewalls collapsed because they were old, and the cyber security contract must be updated – Council has approved it, but it has not been implemented, because ICT says that the contract is still with Legal, and Legal says that no, it is with ICT. The urgency of this is not considered”*.
- c. In the interview with the VP:ICT she indicated that they are in the process of mitigating the risk by changing authentication processes, but this goes hand in hand with the replacement of the firewalls. She confirmed that a multi-year cyber project was approved by Council in June 2022, but at the time of the assessment there was still no implementation.
- d. An external review of UNISA's information system processing environment, looking specifically at IT general controls and application controls, commenced in May 2022. The review assessed the IT environment and identified risks arising from IT systems. Although the report was still in draft format, and not yet finalised, the report aligns and supports the information I obtained through interviews and submissions from staff about system security, explaining:
  - i. Cyber security controls require urgent improvement because of ageing infrastructure (firewalls) that is no longer supported by the vendor. Because of the ageing infrastructure, penetration testing has not been performed in the environment during the past 12 months.
  - ii. Data Loss Prevention controls are in their infancy stages and there are no formal tools/methods for collating and gathering intelligence from the various logs in the environment.
  - iii. An IT Service Continuity Plan is in place, but not fully implemented or tested.
  - iv. The general conclusion is that UNISA may not be able to recover timeously in the event of a major cyber security incident.
- e. The 2021 UNISA Annual Report, under Governance of Technology (page 17) provides quite an accurate summary of the current state of ICT at UNISA:

*As already highlighted, UNISA faced various ICT challenges in 2021. **There were delays in commencing certain ICT initiatives** that were required to kick-start key ODeL projects. For example, the institution was meant to appoint the new Student Information System (SIS) strategic partner in 2021 to commence with implementation in 2022. The University did not, however, start the **procurement process on time and failed to appoint a strategic partner** for this project.*

*There were also challenges with **protracted Supply Chain Management (SCM) processes to procure strategic partners to implement ODeL solutions**, such as the Smart Campus solution. The ICT and SCM Portfolios are meeting regularly to ensure speedy resolution of the SCM requirements and Management has implemented new controls to reduce the delays during the approval process.*

- f. UNISA's SIS is running on outdated infrastructure that is not readily available or supported anymore. ICT infrastructure had become obsolete deeming UNISA systems not fit for purpose. In terms of the LMS, although it aligned with the ODeL strategy, there are some concerns still related to the support of the system and adequate user training. UNISA has a history of poor system implementation, and need to ensure that this LMS is successful. Cyber security is a major institutional risk that needs urgent attention. There are serious system and data breaches reported due to a lack of security and collapsed firewalls.
- g. It would be important for UNISA to urgently upgrade the SIS as the current outdated system poses business continuity risks. UNISA also needs to ensure that the necessary internal resources and support are available to assist students and staff with LMS problems. Given that it is unlikely that UNISA will recover timeously in the event of a major cyber security incident, it must be a critical priority to upgrade and secure all the systems. UNISA must create an environment that supports ICT initiatives and at this point in time actually give priority to the key projects to ensure business continuity.

## 4.7 Other Matters

The terms of reference required that I investigate any other matters that, in the opinion of the Assessor, may impact on the effective functioning of the University from the analysis of problems relating to governance and management. In this section I discuss matters such as stakeholders and interest groups at UNISA, professorships, the office of the ombuds, leakages of documents etc.

### 4.7.1 The Black Forum (BF)

- a. During my early days at UNISA as I was meeting statutory structures, I received a message through my support team from one of the senior officials assigned to assist us with a soft landing, that the members of the Black Forum and other Forums (Women's Forum and Disability Forum) were threatening to disrupt the assessment process if I was not going to meet them. I was simply taken aback by that kind of unprovoked confrontation that came out of nowhere.
- b. I saw them as a group and was further puzzled by their deafening silence in the meeting. For groups that showed militancy, I was expecting a bit more than simply sitting there and not engaging at all.
- c. Fast forward to the interviews with various individuals and stakeholders, I received another threat and accusations of having seen a particular faction that was 'not recognised' by them as the authentic BF. It was at that stage that it came to my attention that they were factionalized. Part of the statement said:

*"Black Forum UNISA has noted that the Assessor has met with members and representatives of all statutory and other key structures of the University. Black Forum UNISA through its leadership believes that these meetings also included meeting with other illegitimate structures and leadership that is not recognized in the Institution and thereby carry no mandate from its members. This includes the so-called Black-Forum South Africa, which is a registered Non-Profit-Organisation with no legal relevance, mandate or any basis to participate/intervene in the University processes. This has the serious effect of comprising the integrity of the assessment process as it entails that any formation/structures external to the University including other NPOs and political parties are University stakeholders and thereby invited to participate in the assessment process, despite the absence of any formal recognition by the University".*

- d. I had an opportunity to gain insights from some of the academics who started the BF at UNISA. Some are retired, and a few are remaining who completely dissociated themselves with the current BF at UNISA.

*"... We worked tirelessly to focus on transformation and change in the university... One is steeped in the process of transformation in a direct sense, at the coalface. I must mention that there is an organisation in UNISA, the Black Forum, that I know currently is not enjoying that kind of support that we enjoyed at the time, save to say that they are maybe not as steeped in the focus that we had at the time, which was to build scholarship. We wanted to see black excellence – people who wanted to present themselves for promotion would come to us and we would critique what people did, saying if they were not up to scratch, to get lost. We had white people as part of the group, we were not a union, we just debated academic issues. I used to be invited to all faculties to talk about what it was that worried us as black people. People were surprised that I could converse in Afrikaans, and I said that we would not be appointed here if we could not, we lectured in both Afrikaans and English. It was an advantage for us as black folks that we could converse in both languages, because sometimes people would just switch to Afrikaans in meetings. Over the years, as I become part of management, I remember the Minister asking me what the Black Forum was, and he said that he did not think it was still operating in the same way, as an organisation focusing on black academic excellence and leadership. This is an environment of scholarship and people should have the opportunity to grow. There should be that kind of grounding".*

- e. It is also important to report that I heard for the first time from students about the manner in which the BF was 'running the College of Law' and having undue influence in the appointment of black staff members into positions they hardly qualified for, or promotions into professorships. A senior female African academic said,

*"The Black Forum when it was revived became very active in the College of Law, followed by the College of Accounting. That is probably where the special dispensation for professorial appointments came from. White people are fairly uncomfortable, and often don't want black people to refer to the past. I think that what is happening here is what is happening in the country – the experiences are almost the same. There are white people who are comfortable to be here, and there are those who are not. I try to treat everybody as an employee of the College, and not as a person of a specific race. I'm trying to respect people".*

- f. In my many interactions with staff of all ranks I was informed of many instances in which staff was ill-treated by BF members; how some refused to perform their duties because they knew they would be protected by the BF. What was peculiar was the high number of black academics who cited examples of how badly they were treated by the BF. Among the many submissions and interviews I conducted, not only white members of staff shared unpleasant experiences with the BF. A senior African professor expressed her frustration as follows:

*"Yes, they have been enabled, and the unions as well, which created an environment of victimisation where people will receive emails or calls in which they were threatened, and it*

*resulted in people stepping back and doing the bare minimum. The problem is also that HR is not doing anything about the issues that have been identified – bullying is at its peak in the institution. I have had to deal with it and I'm glad that we are doing more things online because it is somewhat easier to deal with bullies if you don't see them face to face. The bullying and victimisation has been part of our culture for a long time.*

*There are people reaching retirement age who feel that they are entitled to continue, so I had to develop guidelines for the process, so that it was not an automatic process. We want the younger ones to develop, and not to be blocked by these people who have retired. If the College feels there is a need, they could get these people back on fixed-term contracts. There are all these things against policy that people have become used to that we have to change, because the people at the top do not appear to care about policy."*

- g. In my interview with the Head of the Law Clinic, who is also the President of the BF on what he believed were the challenges faced by the College of Law, he indicated that,

*"... There are people being held back academically and professionally. Then we said, if you are doing this or that, you will be discarded, and I should join a union to protect me. I realised that unions also have limitations, but that there was an organisation called the Black Forum, established by previous professors. I wrote to the university to resuscitate the Black Forum to address issues like salary discrepancies, and to advance black people.*

*We also said that we should check the policies of the university, because many of them have been unamended for many years. There were policies saying that professors could work from home, but there are also managers struggling to get professors to publish and perform, yet they were running their factories and businesses or farms while being employed at UNISA".*

- h. It further came to my attention from this interview that the membership of the BF is no longer for academics per se, but other categories of staff at UNISA.

*"We have 265, and it recently increased to 343, even though we increased the membership fee. The initial membership fee was R 30. The current official membership fee varies for different post levels – initially there was a R 199 fee for all, but after the security guards and cleaners complained, so we reduced it for them to R 75. There is a different category who pays R 99, and there is a level from P1 to P8 who pays R 199.*

*The Black Forum wants to address issues of fairness and accountability in various professions, including the accounting profession. We are still very new at the national level – we have been invited to UFS and UCT".*

- i. One of the accounts from a senior academic was, "... *To be honest, I am first and foremost a researcher, I ended up in management by default. I have been trying to go back to teaching and my books, but it hasn't happened. Responding to your question, sometimes we step wrongly. My first week at UNISA I was visited by people who said that they lobbied for me, and they wanted to let me know that I was there by their intervention. I was furious, because it was my 23rd year in higher education and I thought I was here because of my credentials and not because a group lobbied for me. A few weeks later, I was told that there is a strategy that I should approve, and I said no, this strategy does not speak to what we are supposed to do. That is where things fell apart for me...*

*At one point, I was invited for a meeting with who I thought was my boss at the time, and I came to the Senate Chamber to be met by the previous Chair of Council, and about 14 Black Forum members. The HR Director was there, among others. It was one of the things that stuck in my mind – it was one and a half hours of being bullied, barely three months into my job. I was asking questions about how this was happening, trying to understand what was going on, and I was told that I refuted that a certain group had brought me here, which I refused to accept. That was the start of my hell, and of course over time... I was removed overnight from overseeing the College of Law. I have all the records.*

*Coming back to your question – with all of that... one of the things that happened was that in the course of these visits by the Black Forum, at one time I was told that I would never be VC. I thought it does connect at a particular time, but I am a researcher, things have to be evidence based'.*

- j. The BF was resuscitated from 2018 at UNISA. Since membership fees were collected, I requested for the financial statements of the Forum so I could assess their finances, but also verify the claims made by some staff members that their membership fees are deducted, and they do not know what their monies are used for. I requested for the AFS numerous times from the leader of the BF and they were not forthcoming since our interview on 29 November 2022.
- k. I requested for the financials from the Finance Department. Only a spreadsheet of all deductions from employee salaries for the BF from Payroll was sent to me, with further information that Finance transfers the money into an account provided by the BF, and they have no further interaction after that. Further the membership fees and utilization does not form part of the university audit. I therefore do not have that information, nor the annual report to members on the activities of the BF and the financial reports for the years since 2018 since it was revived.
- l. In my letter dated 25 January 2023 to the Chairperson of Council and copied to the VC, in which I was drawing his attention to the unacceptable conduct of intimidation of my support staff by

the President of the BF, I further drew his attention to the fact that I had been waiting for the financial statements of the BF in vain for a while.

- m. I have learned that not much happens by coincidence at UNISA. On 9 March 2023 I had my meeting with the EXCO of Council to thank the institution for the support they had me and my team, but also to inform them of my departure from UNISA since the period of my appointment would be coming to an end and I would be submitting my Report to the Minister.
- n. It was odd that the following morning I received a number of emails on the Black Forum. The first was from the VP: Finance attaching a spreadsheet Project Report for the Black Forum RC Code; and an email containing their internal communication following a request by the BF President to the CFO for Finance to “provide a record of how much money is left in Black Forum RC Code”. The second email was from the BF President sending me the same spreadsheet with an apology for “having delayed to send the report”. The third was an internal communication of letters of a cancellation of membership of four members who are part of the BF faction. The fact is that the spreadsheet that was sent was not the financial statements of the BF I asked for. I simply requested to know how the monies were utilized over the years.
- o. In my concluding interview with the VC, I asked her what her understanding of the BF was at the institution. In my view, her response provided hope that the tension that exists within the University could be eased over time, except that she may not be aware that it now comprises members other than academics. Her response was,

*“I don’t understand the Black Forum as a quasi-union, but as a community of academics who had the objective of ensuring transformation in the university. I must be clear that I don’t understand the current Black Forum, because the notions of scholarly engagement with the knowledge communities and opportunities for exposure in the country and outside is not clear. I want to say that the Black Forum that I found I couldn’t understand, and I am still trying to understand. I found a university where the loudest voices were listened to, whether in NEHAWU, the academy and in the Black Forum. Chinua Achebe writes that when communities are infiltrated by those whose ideas do not converge with the groundings and foundations of the community, they are overtaken by the loudest and more active agitators. The Human Rights Commission visited UNISA around 2017/18 and found that there was a culture of machismo, bullying and noise, a culture of who speaks the loudest and insults the most had become institutionalised. I raised this as critical concerns in my engagements with NEHAWU, because this culture had become institutionalised and normalised. If people say that they look to the Black Forum I question that. The College of Accounting Sciences did not have a relationship with SAICA when I arrived at UNISA, it was slated as being a white structure that disadvantaged UNISA students. People were saying that the Black Forum would fight the cause. I said no, that would disadvantage the academic project. I*

*said it is not your role or mandate, it is a management issue that we will resolve through Senate. The boundaries have to be stated and I am not uncomfortable to say when people are overstepping their responsibilities. I have even said in Council that this is a management matter, it is not a Council prerogative. Where I felt that structures usurped other responsibilities and roles, I have said so”.*

#### **4.7.2 The Thabo Mbeki Foundation**

- a. The Thabo Mbeki (TM) Foundation is dedicated to African Renaissance. There is a longstanding relationship with UNISA in one way or the other since 2010 when Prof B Pityana was the VC. In the meeting with the TM Foundation, it said,

*“We are talking as an outside stakeholder in UNISA. There are three pillars to the relationship with UNISA. The first is the Leadership Institute, which has morphed into the Thabo Mbeki African School for Public and International Affairs led by Prof Vil Nkomo. The second programme at UNISA is the Road to Democracy project, which fell under the Southern African Democratic Education Trust. The third is the Thabo Mbeki Presidential Library, which is a flagship programme of the Foundation. These are important projects not only for us, but for the continent. We have now moved from the Leadership Institute into a Graduate School and extended our academic programmes beyond SLPs to include postgraduate programmes. We are in the process of having these programmes accredited by the relevant bodies”.*

- b. In my interaction with the former VC, Prof Makhanya he indicated that he worked in this space since he was Pro Vice Chancellor, and among some of statements he made, was:

*“You know, we established the Thabo Mbeki African Leadership Institute in 2010, when Prof Pityana’s term was coming to an end. I was literally driving this project as the Pro Vice Chancellor, and it started operating in 2011. We already had that institute called IDRA, and during the course of my first term I then established the School of Governance largely as an entity to address the areas of our own local government on governance and ethics – we had a very clearcut agenda for that. These entities were existing and when the Thabo Mbeki Governance Institute was established we needed to move away from the institute and establish a School which could operate at a higher level. As we were scanning the space, we indicated that it would be foolhardy for us to establish a school and leave these other entities that have similar interests, and that is why we thought to combine them into one entity. I pursued discussions with those entities saying what we intended, to avoid any controversy. It happened at the time when I finalised arrangements for the establishment of the School in the second semester of 2020, and Council approved it. I was also retiring at the same time, so I could not oversee the process to the end. I don’t know about the tensions that arose, but the logic was clear. I would have sat down with*

*those members of staff directly if I were here. I always thought that the school would exist with sections dealing with governance, dispute resolution, and a section dealing with African renaissance. I did not assume that it would happen automatically, but that I would help people to understand – any transition that is not managed properly leads to confusion and crisis, which is unnecessary. You spoke about the relationship as well – I had a good working relationship with the TM Foundation, because in establishing the Institute, we were working closely together – we could not establish a school without engaging with the Foundation and President Mbeki to make it clear how the process would unfold. It worked well at the time – we had what is a governance arm between ourselves and the Foundation, meeting on a quarterly basis. I don't know how the relationship has changed, but it was a cordial one."*

- c. It was clear from the discussions with the TM Foundation, that the working relationship with UNISA currently is fragile, and almost non-functional since there have not been meetings or engagements. It was reported that every time they are supposed to meet, meetings are cancelled at short notice, including once in the afternoon of the day before a meeting was scheduled to take place:

*"We feel it is necessary to reflect on our relationship with UNISA. The relationship is meant to be through the Foundation and the Council of the University, which has three working streams for each of the three pillars. Those working streams report directly to the Board, but the person coordinating the working streams would have been a DVC to manage the relationship between the Foundation and the University. Unfortunately, our last meeting with anybody in the University was in September 2021, and we have not been advised why our last Board meeting did not take place. We were meant to meet on the Tuesday, but it was cancelled around 15:00 on the Monday, and this has happened previously with three other meetings".*

- d. There were several areas of serious concern to the Foundation, and they felt disparaged by UNISA since the previous VC and the assigned VP then, left the University. Attempts to engage the current VC appear not to be working. The Foundation said,

*"Let me start with the School. The idea which brought Prof Vil Nkomo here was to have an academic programme that is actually experiential. President Mbeki and ourselves are working a lot on the continent, whether it is on conflict or development issues, or partnership. We just returned from Oman where we spent a few weeks, and the relationship between ourselves and Oman focuses on various issues like water, development, etc., because we think that the school can do a lot of valuable work in these areas. We have also been working in the horn of Africa, in countries like Ethiopia, and we feel that there are opportunities to develop a scholarship of leadership and negotiation, but also to promote the extensive work that the AU has done in all spheres of life, ranging from governance to technological development. I listened to the Egypt*

*meeting, and I realised that many of the things they discussed have been addressed in the work of the AU, but that we need to find a way to take ownership of that knowledge. The absence of strategic conversation or even interest from UNISA makes it impossible for us to proceed in the fashion that we would like”.*

- e. I asked the VC what her view was with regards to the reported relationship issues with the TM Foundation and their inaccessibility to the VC and the library material, to which she said:

*“It is not as optimal as it could be. What did not work was when I joined there were some joint projects that the university and the Foundation took decisions on in 2014 such as the library and the digitisation of material. When I joined, it seemed that the matters presented had been presented previously, but they were presented as new. There was a posture of distance which was not the posture that the patron adopted. When Committee Services scheduled the year’s meetings, they missed out the meetings that we had scheduled, and I thought they were cancelling meetings while they were not informed in time. I followed with the Committee Officer who said that there was no agenda presented, so she thought the meetings were not meant to go ahead.*

*When the new Chair of the Foundation took over there were also handover issues in their transition. When the librarian went to Wits University, there were also handover matters which we promised which had not been delivered. Those are the matters I followed through. Despite those issues, I have a good relationship with the President and Ms Mbeki and some of the people in the foundation, but there is a gap in the implementation which impacted on the foundation and the TM Leadership School, mostly because of the relationship with the CEO of the Foundation. I also learnt that they were offering only short learning programmes, and I found that there were no accreditation processes in place for the qualifications to be offered...*

*I did not realise that there was no access for the library to the Foundation. I think the Library staff felt that they were dealing with people who did not understand the actual importance of the materials, I think it was a professional disjuncture and I have appealed to all of them to work with one another”.*

- f. It is recommended that UNISA and the TM Foundation find each other to honour their Memorandum of Understanding, and more importantly make the desired contribution to the development of the continent in pursuit of the African Renaissance agenda of both organisations.

#### 4.7.2.1 The Thabo Mbeki School of Public and International Affairs

- a. I was appraised of the existence of the TM School and further that it belonged to UNISA. There is a link to 4.7.2 above as enunciated by the TM Foundation. The Director of the TM School, when I asked him about the relationships, said:

*"The Thabo Mbeki African School of Public and International Affairs belongs to UNISA, and President Mbeki is the patron of the School. When I arrived in UNISA, I found this relationship between the School and the Foundation, and I decided to implement joint meetings to ensure that all the parties are moving in the same direction. The TM Foundation has a CEO, and the Board has a Chair, and there is a strong tie between the two. Without the TM Foundation supporting the School, the University will be in a difficult position to keep the School going. If you look at the history of institutes that belonged to the University, they could not evolve beyond their initial conceptualisation. That relationship remains critical. In a nutshell, the School belongs to UNISA".*

- b. Further to this, UNISA took a decision to incorporate other entities within UNISA that existed before the approval of the School. I was further informed that, "... In November 2019, Council took a resolution to merge three schools operating on different campuses into one entity, the Thabo Mbeki African School of Public and International Affairs". This is confirmed in the 2021 Annual Report which states that "The establishment of the TM-School was approved by Council in 2019 (merging the former Thabo Mbeki Leadership Institute (TMLI), the Institute for Dispute Resolution in Africa (IDRA), the School of Governance (SoG) and the Institute of African Renaissance Studies (IARS)). The TM-School was launched virtually in September 2020".
- c. What appears to be a serious challenge are the channels of communication between HR, the TM School about the future of some employees. According to some staff members, there is no communication with them even though there are strategic discussions taking place about the School. Staff members are paid every month and have no meaningful work to do as a result of the failure by the University to implement the decision of Council.
- d. When I enquired about the source of the TM School's budget, I was informed that UNISA allocates the budget. I specifically asked about the model used to fund the TM School, since we understand how Colleges and other divisions of the University are funded. The response was the following:

*"There are two kinds of budgets. The last budget is the one I have which was a couple of months ago. At the inception of the School we had a budget of around R 43 million.... The university contributed that amount. There is another budget, which was supposed to finance the human capital of the school, consolidating the budgets which had been used by IDRA, TMLI, and the*

*African Renaissance Institute. Finance was supposed to have consolidated these budgets and provided it to HR to facilitate these processes."*

*We went to a meeting to start the process of recruiting academics and managed to get 8 of them. We were told that there was a budget that HR was using to finance the recruitment and payment of these individuals. We went on with the business, and a few months ago we heard that there was a deficit in the HR budget of the TM School, and we were shocked, we had no idea how this was possible. My view is that the institution is slow to transition to the next level – it is difficult for the institution to consolidate budgets, solve HR issues, etc. You need to have decisive people, and if you don't, the pain and suffering is prolonged. The slowness of the institution is an issue".*

- e. Listening to the side of the Director of the TM School it was clear that UNISA is dropping the ball in a number of instances such as leaving staff in limbo and a careless attitude towards the School. I am of the opinion that there is no doctrine of common dialogues. Functional and effective institutions need this kind of dialogue. My observation, based on other institutions that I have worked at, is that if there is no alignment between the different layers in the institution and support of the overall vision, you will have a dysfunctional institution.
- f. Without going into the merits or demerits of the HR and staff issues at the TM School of Public and International Affairs, UNISA, together with the TM Foundation should ensure that the programmes offered by the School are accredited, that staff and the appropriate structure and facilities are in place so that the School can generate income and does not need to be cross subsidised by the Colleges who have their own challenges and limitations in terms of budget allocations.

#### **4.7.3 Professorship Criteria at UNISA**

- a. I received numerous allegations about different criteria for professorship at UNISA in line with employment equity targets. Some related complaints were from academics who felt genuinely concerned that the quality and standard of teaching, has been dropping since the 'special dispensation for professorships' was granted to certain Colleges. I further learned that this was mainly implemented for the College of Law and the College of Accounting Sciences, but it appeared to have been extended to the GSBL.
- b. I questioned senior academics on this matter during our interviews. One senior academic responded that:

*"We moved from a requirement that applied to the whole university - to each college having the opportunity to adapt their requirements to meet their purposes. In certain colleges the requirements were then lowered to a level where they were able to appoint people to professor positions so that from an EE perspective, it would look good, and I think that was part of the*

*challenge – the criteria are not consistently applied. ....the colleges took over the process, and Senex approved the requirements. I noticed that every year there is more leniency in the requirements, and at this stage I think the person must have published three papers, from their PhD with their supervisor, a doctorate, and in terms of teaching and learning they must have been teaching for three years, and some community engagement. I would say that the requirements for an independent, established researcher are not being met in all cases. I think **that our professorships and our NRF ratings do not match** – we have increased the number of Associate Professors and Professors, but our NRF ratings have plateaued, and that tells you that something is not working. **We have had situations where professors tell us that they need mentors, and one would say, hang on, you should be mentoring, you cannot be asking for a mentor.** We have a situation where what would be sufficient for a senior lecturer is now acceptable for a professor – we don't look at citations and impact factors, and we seem to have reduced requirements to the absolute minimum to benefit the most people."*

- c. I requested from UNISA the official number of professors, their academic levels and NRF ratings per college. The breakdown is presented below, per college. It is notable and concerning that UNISA does not have any A-rated scientists. The Colleges of Human Sciences (CHS) and of Science, Engineering and Technology (CSET) have 51 and 44 NRF-rated scholars, respectively, with these being mostly C-rated and some B-rated scholars. The College of Law experienced a steep and steady decline in the number of NRF-rated scholars, from 24 in 2018 to only 7 in 2022. The College of Accounting Sciences has only 3 C-rated scholars and the College of Education has 8 NRF-rated scholars. The College of Graduate Studies also experienced a sharp decline in NRF-rated scholars since 2018 with 20 scholars to only one (1) C-rated scholar in 2022. This overall trend of decreasing numbers of NRF-rated scholars, are very concerning.
- d. Taking cognisance of the fact that NRF-ratings are based on research and academic output and having noted the number of NRF-rated scholars declined over the last couple of years, the simultaneous increase in the number of professors in some colleges, are concerning as this may be indicative of awarding professorships without requiring clear academic outputs (as was argued above with the special dispensation for professorships). The GSBL has 22 academic staff, a total of 24 professors in all categories and what appears to have been an abnormal surge of adjunct professors from zero (0) in 2018, to 4 in 2021 and 11 in 2022. The CSET also had an increase in the number of full professors quite significantly the last two years, from 35 in 2020 to 45 in 2021 to 53 in 2022.
- e. Another trend that cannot be overlooked is the overall decrease in the number of professors at some of the colleges. The College of Law had 95 professors (at different levels) in 2018 and only

77 professors in 2022. This high level of attrition is very concerning and could be indicative of underlying issues and problems within the College. I have elsewhere in this report referred this.

College of Agriculture and Environmental Sciences (CAES)					
	2018	2019	2020	2021	2022
Academic Staff	125	140	137	136	142
Full Professors	13	13	12	18	19
Associate Professors	19	18	19	16	19
Adjunct Professors					
NRF-Rated (Permanent)	10	11	13	14	14
A-Rated					
B-Rated					
C-Rated	5	6	7	9	9
P-Rated					
Y-Rated	5	5	6	5	5
NRF-Rated (FTC & IC)	2	1	1	0	1
SARChI Chairs					

College of Accounting Sciences (CAS)					
	2018	2019	2020	2021	2022
Academic Staff	188	183	193	183	173
Full Professors	9	9	10	8	8
Associate Professors	16	14	14	11	9
Adjunct Professors					
NRF-Rated (Permanent)	2	2	2	2	3
A-Rated					
B-Rated					
C-Rated	2	2	2	2	3
P-Rated					
Y-Rated					
NRF-Rated (FTC & IC)			2	1	2
SARChI Chairs					

College of Economic and Management Sciences					
	2018	2019	2020	2021	2022
Academic Staff	334	328	323	329	322
Full Professors	45	38	37	46	46
Associate Professors	46	53	53	45	44
Adjunct Professors					
NRF-Rated (Permanent)	13	14	14	13	15
A-Rated					
B-Rated	1	1	1	1	2
C-Rated	10	11	11	11	12
P-Rated					
Y-Rated	2	2	2	1	1
NRF-Rated (FTC & IC)	3	2	3	3	2
SARChI Chairs					

College of Education (CE)					
	2018	2019	2020	2021	2022
Academic Staff	172	197	190	177	210
Full Professors	40	43	40	45	42
Associate Professors	32	28	28	27	29
Adjunct Professors				5	5
NRF-Rated (Permanent)	4	3	5	6	8
A-Rated					
B-Rated				1	1
C-Rated	4	3	5	5	6
P-Rated					
Y-Rated					1
NRF-Rated (FTC & IC)	5	8	8	5	5
SARChI Chairs					

College of Human Sciences (CHS)					
	2018	2019	2020	2021	2022
Academic Staff	489	483	463	462	465
Full Professors	94	89	85	94	98
Associate Professors	74	81	78	63	67
Adjunct Professors					
NRF-Rated (Permanent)	56	55	59	54	51
A-Rated					
B-Rated	4	4	6	5	3
C-Rated	40	40	41	38	36
P-Rated					
Y-Rated	12	11	12	11	12
NRF-Rated (FTC & IC)	6	10	8	14	18
SARChI Chairs					

College of Law (CLAW)					
	2018	2019	2020	2021	2022
Academic Staff	216	208	195	196	192
Full Professors	43	41	36	34	33
Associate Professors	39	43	39	41	38
Adjunct Professors	13	6	11	6	6
NRF-Rated (Permanent)	24	19	15	8	7
A-Rated					
B-Rated	1	1	1		
C-Rated	17	14	11	8	7
P-Rated					
Y-Rated	6	4	3		
NRF-Rated (FTC & IC)	4	4	4	3	2
SARChI Chairs	1	1			

College of Science, Engineering & Technology (CSET)					
	2018	2019	2020	2021	2022
Academic Staff	204	210	223	241	232
Full Professors	32	34	35	45	53
Associate Professors	35	43	45	41	39
Adjunct Professors					
NRF-Rated (Permanent)	36	39	45	43	44
A-Rated					
B-Rated	3	3	3	3	3
C-Rated	24	27	32	29	33
P-Rated					
Y-Rated	9	9	10	11	8
NRF-Rated (FTC & IC)	8	8	12	8	10
SARChI Chairs	1	1	1	1	1

College of Graduate Studies (CGS)					
	2018	2019	2020	2021	2022
Academic Staff	18	16			
Full Professors	11	10			
Associate Professors	6	5			
Adjunct Professors					
NRF-Rated (Permanent)	20	14	2	1	1
A-Rated					
B-Rated	4	3			
C-Rated	15	11	2	1	1
P-Rated					
Y-Rated	1				
NRF-Rated (FTC & IC)	1	2	2	1	2
SARChI Chairs	2	1	1	1	1

Graduate School of Business and Leadership (GSBL)					
	2018	2019	2020	2021	2022
Academic Staff	28	27	26	24	22
Full Professors	13	12	11	10	8
Associate Professors	5	6	6	5	5
Adjunct Professors				4	11
NRF-Rated (Permanent)	5	5	6	5	4
A-Rated					
B-Rated	1	1	1	1	
C-Rated	4	4	5	4	4
P-Rated					
Y-Rated					
NRF-Rated (FTC & IC)					1
SARChI Chairs		1			

- f. In another interview, I further learned there are serious consequences in Colleges, because it is so very easy to become a professor at UNISA:

*"... I know. UNISA became strongly unionised about 8 years ago, and there is the Black Forum pushing the agenda of blackness – I was a founder of it way back when, when it was needed for transformation, but it must now come to an end because there are blacks in all the positions in the university. We are now dealing with professors who cannot write, teach, research – they cannot do the work of a professor. There are professors coming to my office to ask for money to go to a conference; they (unions and Black Forum) lowered the requirements for promotion, and now we have loads of people who cannot function at the professorial level. You can also not require them to be orientated now, because you will mess them up. The intervention that was intended to transform the institution has come back to bite us in the back, big time".*

- g. There is no doubt that UNISA has scholars of note in their respective fields of specialisations, who are thought leaders in our society, the continent and the world, and that have contributed immensely to knowledge production and innovation in our higher education system. The reality of UNISA is that these outstanding individuals are lumped together with those who were enabled by different criteria which is reportedly part of a transformation agenda that seeks to correct the past wrongs of the Apartheid system. In my view this leads to the new wrong under a democratic dispensation. While the status of the beneficiaries of this "special dispensation for professorships" may be somewhat elevated in the eyes of others, it becomes a serious injustice to a student who is expecting quality education from a reputable university.
- h. UNISA must focus on creating an institution that is broadly representative in terms of colour, gender, and age; while maintaining quality. If an institution wants to excel, it needs to go for the best candidates, and not discriminate on the basis of race, gender, or age. Universities in general have a large proportion of aging workforce, and eventually staff must retire at a certain age, but one must find ways to ensure that capacity is retained, and skills are transferred where necessary.
- i. Still on the subject of professorships, I received a representation from a group of concerned staff members in the GSBL. It had a string of allegations about corruption in a number of areas, among which was an award of a full professorship title to a prominent media personality, who they alleged made statements like, *"I went to UNISA to conduct an interview with the Dean about a magazine, and I left the meeting as a professor"*, ... *"I was offered a Deputy Director position ..."*, etc. they further provided details of the person's monthly payment. Among other allegations, was that he was given a job that full time staff members were appointed to do, and at some point, he issued warnings to full time staff, whereas he was a freelancer at the GSBL. They viewed this as a transgression of UNISA's employment policies. His specific professorship does not carry any teaching or research load. Staff indicated that they have written to the VC and did not get a

response since August 2022, and that they complained about the Dean at the responsible VP who also did not address their concerns.

- j. I asked the Dean if this particular position of the Deputy Director was advertised, and her response was:

*"It was not advertised. It is in the new structure. The new structure was approved by ManCom on 1 March 2022, and this gave me leverage to fill critical positions. There were still other processes that I had to follow before I could advertise positions – it had to go to the UBF for approval, and the HR for costing. I requested my line manager, because of the crisis, to allow me to fill this position. I did not advertise it, because I asked for the deviation which had been granted by the VP".*

- k. In trying to make sense of both the issue of appointment and professorship, the VP's response was the following,

*"It is quite sick, I must say, although it was contextual, but it was unacceptable. Policy does say that if you are on contract you can have work done. In this context, I have asked the VC, because my name is mentioned there and I don't want to be defensive, but I want it to be investigated. I signed the appointment, but it was not for him to work at UNISA – the kind of work that people do can cause the contract to be non-compliant. When I signed the appointment, it was for a specific time and there was no capacity."*

- l. In my interview with the VC, I asked her about the GSBL complaint and the professorship matter and what was done about the complaint. Her response was,

*"I acknowledged their letter and said that I am willing to engage with them, and I requested Internal Audit to conduct an analysis of the issues and determine the depth of the problem. I also asked the LSO to do the same investigation, so we could work with the VP to try and resolve the problems. She has investigated and felt that it might be disaffection or resistance against the CEO, but we will engage with them once the analysis has been completed..."*

*I definitely do not agree with the use of the title Professor for an adjunct professor. I'm glad the CHE is doing work in this regard. There is a culture in SA where people have honorary titles like Doctor and whatever – one cannot avoid that contextuality. I understood him to be like all the other professors from Wits Business School, where they are recognised for their professional standing, but they cannot use the title. I think the actual challenge is that there are deeper seated, structural problems around the SBL which I will look into. I asked the VP to do a substantive investigation into what is happening at SBL, so that we can act based on actual information". The VC thought it was mischievous to use the title in the manner the prominent media personality does.*

- m. I find that the use of a Professorial title at UNISA has been diluted over time. The institution appears unable to extricate itself from the clutches of a practice that compromises the image and reputation of a university that has a footprint in the entire continent. I therefore recommend Senate to urgently look into the matter and ensure that the academic standing of professors at UNISA are not doubtful and perceived as below par within the institution and outside. UNISA should take remedial steps and ensure that it is not subjected to regulatory scrutiny on its professoriate.
- n. Although the decision to introduce a 'special dispensation' was influenced by transformation dynamics that compared what happened in the past at UNISA, in academia, two wrongs don't make a right – that can be left to politicians. The credibility of the institution is paramount, not individual interests.

#### 4.7.4 The Ombudsperson

- a. UNISA has an Office of the Ombudsperson, which, according to the information before me is occupied on a part-time basis by an official that works from home. This arrangement appears to have some shortcomings in that the Ombudsperson is not able to engage optimally and visit offices where necessary. In our conversation with the Ombudsperson, she expressed the following view that could assist the University going forward in this service to the University community,

*"I'm not permanent, I work from home, so I cannot go to the departments to follow up on information. I am looking for software so I have been liaising with IT and the VP that I'm reporting to. I'm supposed to the VC, but I report administratively to the VP, Prof. Ndlovu, and I'm not comfortable with that arrangement either because I could have a case that complains about the VC, so what would I do in that case. I have a two-year consulting contract, and it will end in May 2024. Maybe it is not ideal; in other universities the Ombud is a permanent appointment, and they are on campus so they are able to actually go to the department or college to follow up on a request. Now, I call this person who calls another or I have to write an email, which is not ideal given that UNISA is very big. I hope one of these days there will be a difference about how they deal with my position – they must look at somebody who is still independent, but permanent, to deal with matters decisively, and it would help the Ombud to be proactive as well."*

- b. The office, which had been vacant for a year, was occupied in May 2022; and it reports to the VP: Strategy, Risk and Advisory Services. According to the UNISA Ombudsman Policy, which has a Council approval date of 23 April 2014,

“the Ombudsman receives and investigates claims from any person aggrieved by inadequate service delivery or administrative malpractice on the part of any person acting or professing to act on behalf of the University (par 4.1).

At the conclusion of an investigation the Ombudsman submits a written report to the Principal and Vice Chancellor with any recommendation which the Ombudsman considers appropriate to bring the matter to a satisfactory conclusion (par 4.2)”.

- c. The current arrangements are in contravention of the institutional policy on the reporting line. This appears to have recurred into the current VC’s term. In my interview with the VP, he said, *“The Ombud is supposed to report directly to the VC. In the time of Prof. Makhanya, any report from the Ombud would be referred to me to find a solution”*.
- d. It also turns out that the majority of the cases submitted to the Office of the Ombudsperson are from students. The cases from staff are about their own student cases, not about employment issues. The nature of the cases received dovetails with matters reported in the student services section. According to the Ombudsperson,

*“There is a process of referring matters to the office of the Ombud – it is the last office that must be approached by anybody who is not getting joy with the office where the problem emanates from. If a student or staff member gets no joy, they come to me to mediate and investigate, and to come up with a way forward. There is a form that they can find on the website, to be completed after they have followed all other avenues. I find that whoever is not happy after exploring all internal avenues, they come straight to my office. One of the reasons is that they do not really have faith and hope that their matters would be addressed on time, or at all, and they have been sent from pillar to post, so they forward their complaints to me. I then furnish to them the form, which indicates all the things that must be done before they send their issues to me. Because I was a student myself in various universities, I will also forward the complaint to the relevant department so that there can be a parallel process, and I find that the department then acts swiftly, so one asks yourself why they did not do that in the first place.*

*There are different options – students could bring their complaints straight to me without following due process, or they can complete the form – in either case, I liaise with the relevant department and things are quickly resolved. One asks oneself why these cases occur – whether people don’t know the process, or they don’t have trust in the system.”*

- e. The information I gathered from students themselves points to a perception of a non-caring University that constantly defends itself whenever students do not get satisfactory assistance with the service from Colleges or the Office of the Registrar, e.g. assessment issues.

- f. Sometimes matters can easily get out of hand and draw unnecessary attention to the university as illustrated by the following case:

*"Another matter that just came up relates to the student who failed because he did not follow the exam instructions, so the lecturer marked only five pages and not the rest. The Ombud became involved, and said that she would try to engage the College to try and find a solution. Everyone agrees and goes away, but the student goes away and does not do what was agreed, and then the student asks the Ombud to pronounce on the rule imposed by the College. The Ombud said that she had done what had been agreed, but the student then reports the Ombud to the VC. I investigated the matter on her behalf and made a recommendation that the VC should write to the student and indicate what the outcome is, but she said I should write to the student. Finally, I did write to the student, who then took us to the Public Protector."*

- g. I also observed that there seems to be no credible way of tracking complaints, reporting on them and/or following up on them. Reliance is placed on emails and there is no customised software that would enhance better reporting. It is my view that the Office of the Ombudsperson is casualised as confirmed by the following comment:

*"I rely on what I'm getting through emails, so it might not be a good reflection because I don't have a monitoring tool that would allow me to see at the click of a button – I currently have to do that manually... They call and send emails – every 20 minutes, literally, there is a complaint coming particularly from students. I had one or two from employees, in their capacity as students although they are employees. Very often there is something popping up in my emails – the system that is in place does not reflect what is actually happening, because I believe there are many things falling through the cracks, because everything is coming in through email ... I need a system to get complaints, capture them and direct them to the relevant departments, and get the information that I want ...*

*I think it relates to the institutional culture – people are so used to taking things easy, not doing their work. I write an email or messages late at night, asking for things tomorrow, and they say here she comes again. So, when I get to the committee meeting, it is unfortunately necessary to operationalise to get people to comply, and it is stressful for me to be so forceful. I blame it on the culture – the people say that they have other things to do besides responding to the Ombud's office..."*

- h. In my conversation with the VC, I asked what her understanding of the role of Ombud was, and who she should be reporting to? Her response was,

*"The Ombud must be independent and hold the University to the legal, ethical and leadership mandate. A new Ombud has been recruited and dealt with some recurring student and broader*

*university complaints. I tried to be **supportive without being too involved**. I requested Prof. Ndlovu to be the closest to her to help analyse the recurring issues that the Ombud deals with so they can be incorporated in the university's risk register.*

*I have invited the Ombud for tea to have a conversation, but I think it would be better if she is independent and only deals with Prof. Ndlovu, she should be able to allow us to engage through a different lens. This approach allows her to do her analysis completely independently."*

- i. It is my considered recommendation that UNISA should ensure that the Office of the Ombudsperson is appropriately capacitated and given the authority to perform its duties institution-wide; and should make efforts to enhance the visibility of the Office through appropriate university programs. As matters stand, the office is perceived as a tick-box exercise and there is no meaningful impact that can be demonstrated. A strategic conversation by campus stakeholders, including Council is necessary to determine how to go forward with the office.

#### **4.7.5 Leakage of documents and media reports**

- a. For the past few years, UNISA has been a subject of public embarrassment because of a series of negative media reports. The past two years and a bit has seen an acceleration of this phenomenon.
- b. Although it is not an exception, UNISA experienced numerous protests from students and staff on separate matters that affect them. Students were mostly protesting on registration and service delivery issues, whereas staff were more about remuneration and other benefits.
- c. The period preceding my appointment as Independent Assessor, most of the leakages were directed at the VC. It was more like a carefully orchestrated plan by those who were not happy about her appointment or leadership style.
- d. This culminated into a public spat between the two very senior offices at UNISA, with incumbents holding statutory positions.
- e. In my interview with students, they complained vehemently about the two offices, and some said they did not want to enter into "adult fights", and some are dragged to take sides or face consequences. A most serious concern for students was delivery of services that they, or the state pays for. Some bemoaned what they perceived as an "excessive social media presence by the VC and her responses" that are perceived by some as offensive. One young woman said, "*If I was asked, but I know I'm not. I would advise the VC to stay away from social media arguing with students*". Others felt that the Registrar was out of touch with their needs, and that she hardly visited Regions, and yet was perceived by some as "untouchable and very powerful".

- f. Leakages of confidential documents has negatively affected the health of UNISA that was seen by many as a beacon of hope, and a positive influence in their lives for well over a century. I have noticed how the past few years have wounded the image and reputation of UNISA.
- g. I experienced such leakages myself within a few days of the start of this assessment. Confidential correspondence between my office and the Rectorate was leaked to the media and the DHET. In this entrenched culture, people see it as normal and simply shrug their shoulders that they have no idea where the leakage emanates from.
- h. At the commencement of this assessment, I twice requested the University community to give this process and opportunity, so I could do my work. I am pleased to report that the UNISA community heeded the call and I did not experience challenges in that regard for the better part of the six months of performing this task.
- i. After I announced my imminent departure within a day or so, I saw another negative story, that was brought to my attention breaking out to the media about one of the senior officials. I was disappointed but not surprised. Individuals within UNISA like to upstage one another and create news and negative publicity about the University. It does not occur to these individuals that the University is larger than all of us.
- j. This country fought relentlessly for the freedom of the press. The media has the right to inform the public where they have information about malfeasance and other forms of public interest.
- k. As a person who has a deep passion for higher education which spans just under four decades, my “lover’s complaint” is that we need to build, support and take pride in our universities – they should not be destroyed as a result of the actions of a few in this sector. This nation needs them. Our children, the future of this nation will judge our actions harshly if we do not preserve them as centres of excellence.

## 5. Findings and Recommendations

Throughout this report, I make reference to a number of findings and recommendations in each section in order to focus the reader on matters addressed therein. It is therefore important to read the report in its entirety. The second part of the ToRs required that I advise the Minister on 'measures required to restore good governance and management at the University of South Africa'. I have therefore to make recommendations at two levels, those for the attention of the Minister and those to be instituted at the institutional level.

### 5.1 Recommendations to the Minister

- a. I have reported that UNISA experienced governance challenges since approximately 2016. One of the consequences of this was that the lines of authority between Council and Management were blurred, this has since grown roots and significantly weakened the university. The period following, between 2016 and 2020 was characterised by a series of governance failures, some of which were identified and highlighted in the Ministerial Task Team report (August 2021), which UNISA disqualified later in their response to the Minister. I find that several findings of the MTT are proven as the evidence presented in different sections of this report, shows.
- b. Although it is natural to defend oneself or the institution one belongs to, I have observed a pattern of denial and ignorance from UNISA Council and Management, even in situations where indefensible facts were presented to them. There are numerous examples of this throughout this report. The denial of the persisting problems only serves to continue to ruin the good name and reputation of the University.
- c. Ignoring the advice of the Minister to delay the appointment of the VC, Council went ahead and advertised the position with unreasonable requirements that were open to misinterpretation. As a result, none of the shortlisted candidates actually met the requirements. The whole appointment process led to further destabilisation and fragmentation of the university. Some of the Council members who were part of that decision still serve in Council and it is obvious that they attempt to distance themselves from the decision. Be that as it may, I did not see any record where members recorded their objection to the process or appointment of the current VC.
- d. The period following the appointment of the VC in 2021, up to the conclusion of my Independent Assessment (March 2023), does not show any significant improvements in the governance arrangements of the University. Although some Council members argued that the current Council is still new, I do not agree with the argument as only a few new members were recently appointed, the majority of Council members have served for a couple of years. Therefore, this

does not exonerate the current Council from accountability on the problems facing the University and/or numerous questionable decisions in this regard.

- e. I do not have a good sense that Council has a deep understanding of the higher education enterprise, let alone an Open Distance e-Learning Institution. While I did find that a concentration of the agendas of Council, over time, focussed on financial and compliance matters, it has seemingly made no impact as non-compliance is pervasive, as is evident throughout this report.
- f. Council is failing to fulfil its fiduciary responsibilities. The condonation of financial irregularities by Council and its failure to hold Management accountable is glaring. Council failed to attend to the allegations and complaints related to the 'over'-expenditure of the VC's official residence, with care, diligence, and impartiality. Although comprehensive reports were presented to Council, I believe that they were hoping that this matter would simply disappear. Seems as if Council does not realise that they have the responsibility to '*at all material times, conduct the business of the university with care, competence and integrity*'.
- g. The Registrar and the VC submitted different reports to Council on issues that started with the alleged procurement irregularities with the VC's official residence, to a series of other issues and performance related matters that the VC presented on the Registrar. Neither of the two employees are protected by Council. The matter has dragged out for more than a year. The relationship between the two became so dysfunctional that the delivery of essential services has been suffering. Yet, Council is happy to meet as many times as alluded to under section 4.1.2 on 'Council and its Council Committees' in this report, but Council could not resolve the matter and eventually decided to become mediators on a clear matter of incompatibility of these senior office bearers of the university.
- h. Numerous sections in this report, present examples of a Council that is careless in the execution of its fiduciary duties. The issue around the financial payments to staff members, to procure laptops independently, whereby management could bypass SCM requirements and policies, is only one case in point. However, some Council members informed me that the VC should rather be applauded for saving the university more than R420 million by not leasing laptops. I find this not only unacceptable, but also irresponsible of Council to use an example that should not have happened in the first place, to justify the transgression of the Delegations of Authority and SCM processes, that was approved by Council, without any consequences for management. This is a sign of a weak and divided Council as was confirmed by some members themselves.
- i. Similarly, the upward adjustment of the salaries of academic staff that was done without due cognisance of the consequences it may have had, sends a sign of poor governance and weak

management. The net effect of this irregularity had snowballed and subsequently, an increase had to be given to other categories of staff who were initially not part of the *impromptu* decision. Council failed to exercise its duty of care in that this irregularity became one of the elements of protest action by NEHAWU. Council then had to find a way to deal with the financial implications of the decision and approved a proposal to abolish vacant positions in support services.

- j. According to the Management's memorandum of 21 March 2022, these abolished positions had been vacant for a number of years which HR had determined to be outside the new fit for purpose organisational structures which were agreed with portfolio heads and line managers. I have noted however that Council approved the abolishment of the vacant posts on 14 December 2022. According to the minutes, Council resolved that the abolishment of 332 vacancies within the Professional and Support environment to fund the 2021 interim salary adjustment and the structure of the Office of the VC (R190 500 522), be approved. Moreover, that once the list of vacancies to be abolished is approved by the HRCoC and is approved at the FIECoC, that reengagement with the Portfolio Managers take place to confirm the positions to be abolished.
- k. According to information received, these vacant positions have been used to appoint contract workers in the support service departments. The decision to abolish support services positions (when student service levels are dismal), and push staff out of the job market in a country that has a chronic unemployment situation, all to fund an irregular decision by management, is simply a gross dereliction of duty by Council.
- l. As if the pushing of employees out of UNISA in an attempt to fund an irregular increase in staff salaries was not enough, Council approved an increase in the staff complement in the VC's office amounting to millions of Rands, money that could have been used to rather reskill or train staff. I cannot understand how Council could have approved this proposal in the current UNISA environment and I doubt if Council applied its mind. The decision to populate the office of the VC with positions that are clear duplications of already established departments and functions at UNISA, for a VC that has less than three years left of her term, is mind boggling. I wonder how Council cannot question or interrogate the proposal and question the motive or circumstances. How can Council approve the creation of a small empire in the VC's office? Council does not strike me as understanding the business of higher education, as was confirmed by some of them during our interviews. There are mega-universities that are far larger than UNISA in the world. I did not see benchmarking done with any of those universities, nor did I find a proper motivation or argument for the proposal, to come to a comfortable approval of such a costly decision at the expense of a critical shortage of teaching and support staff.

- m. COVID-19 presented many problems and challenges to universities around the world. UNISA was no exception. UNISA decided to make use of the situation to drive their ODeL strategy and switch completely into an online mode of delivery in 2020. At that point, UNISA had to be aware that it had an ailing ICT system and infrastructure and that it would not be able to optimally fulfil its obligations to students. As a university that was supposed to lead the way given its configuration as a distance e-learning institution, UNISA appeared to have been far behind some other universities who are not experienced in distance or online learning. Instead, I saw a series of failures in the implementation of its ICT strategy, various procurement irregularities, appointment of inexperienced service providers, appointment of unqualified people to lead its oversight responsibilities, high turn-over of IT staff, and the suffering of helpless students, all as a result of a decision that was taken without their involvement as primary stakeholders. UNISA again defended a poor decision with colourful language, blaming students that they do not understand the basic operations and functions of the University. In fact, in the UNISA 2021 Annual Report, under Council Statement on Sustainability (page 91) it is stated:

*“There is also a concern that **students no longer submit an enquiry or make an effort to find information on the University’s website.** Many enquiries are received on information that is, or should be, on the Unisa website. **The impression is that there is a tendency to complain as the first engagement with the institution,** rather than attempting to find the information on the website. This may point to a lack of understanding of the basic operations of a University.”*

- n. Millions of Rands are thrown into a bottomless pit at UNISA Enterprises (Pty) Ltd. It is blatantly clear that the entity has failed to achieve the mandate given to it. Council apparently believes that huge financial injections will resuscitate it from a state of non-delivery, non-compliance and poor health. I find that Council is not only plagued with indecision, but that Council fails the taxpayers of South Africa by revising strategy after strategy without any real impact.
- o. UNISA finalised its Annual Report six months after all public universities submitted their Annual Reports to the Minister in terms of the statutory requirement. The different sides to this situation are covered in this report. In essence, the External Auditors requested more time as circumstances came to the fore that substantially increased the audit risk. I find that Council failed in its duty to ensure good governance over a period of time. While I am aware that some members of UNISA staff worked tirelessly to reach the 'unqualified status' of the report, some saw this as a matter that should be celebrated, disregarding the inordinate delay, the embarrassing circumstances that led to the six month delay in submitting the report, and having to scramble in December 2022 to appoint new External Auditors.
- p. Overall, the efficacy of Council is not proven. Indeed, Council meets, take decisions, defer others, refer others back, make questionable decisions, and attend many meetings, all the while UNISA

remains in a very critical unhealthy state. Council has failed to ensure that the University is well-managed and yet performance bonuses were being paid to the executive management. Overall, Council failed in its duty to protect the good name and reputation of the oldest University in South Africa.

- q. In my narration above, I allude to some management failures which I expand on below. The VC assumed office when UNISA was transitioning from the period 2016 - 2020 that was described as problematic by many. I pointed out earlier in the report that she did not inherit a properly working institution. The VC herself shared the 'As-Is Report' on the state of UNISA in 2021, further focusing on matters raised in the MTT report.
- r. A number of allegations of mismanagement were made against the VC. My investigation into the misconduct and mismanagement by the VC is detailed in the report. The allegation that the VC approved the salary adjustment of staff in her office, from 2007 (15 years) amounting to R2.9 million is proven. The VC as a leader of ManCom, together with her colleagues violated the procurement policy in respect of the laptop scheme, in bypassing the policy to expedite the implementation of the decision. This was done without the approval of the appropriate structures and without consultation with the established staff representatives. Her explanation that this was an HR process rather than a procurement matter, sounds absurd. There are serious financial issues as a result of this decision as explained the relevant section in this report.
- s. The ManCom's decision to implement selective salary adjustments to Academics Staff, and some portion of Support staff is another irregular expenditure. In respect of allegations on Cloghereen, the VC's official residence, I find that the VC had some involvement in the refurbishment of the house in that she herself said she went to some stores with staff, so that they can show her how such exorbitant prices were arrived at. On the contrary, staff that were given instructions confirmed that the VC wanted certain brand (Bosch) appliances, curtains, refrigerator and numerous others. After an expenditure exceeding R3 million, the VC has yet to move into her official residence since her appointment in January 2021. I am not aware that any of the Council members have visited the official residence. Without apportioning blame to the VC on the occupation of the property given the serious safety and security concerns she has, it remains a governance failure on the part of Council to appear care-free on both the safety and security of the VC and the money spent without utilisation of the property.
- t. I found that ManCom is not working as a coherent team. In a number of instances, they are part of the problem themselves. I believe they lack the maturity required to effectively manage a complex university. They do not work in a healthy environment where intellectual debates form the basis of good decisions. As I interviewed all of them individually, I did not understand how some of them were entrusted with such a colossal responsibility to run the institution of this size

and depth. I found that many of them do not command the respect of senior academics and students. ManCom knowingly took irregular financial decisions that had and have far-reaching consequences for the university. There must be consequence management, also at the highest levels in a university, as that is what is required from responsible leadership.

- u. **There is overwhelming evidence that the functioning and efficacy of both Council and Management fall below an expected standard of an effective university that looks after the best interests of its students, staff and resources.** I applied my mind on the options available to remedy the state of decay and dysfunctionality that UNISA finds itself in. Self-interests are pervasive within the Management and Council ranks. Many decisions taken or supported by them, were not in the best interest of UNISA, consequently, students are neglected and the teaching staff is relegated to the periphery.
- v. UNISA experienced poor governance for a long time. The process for the appointment of members of Council should be strengthened. The submission of a CV is not good enough and candidates for membership must be subjected to a rigorous interview and probity checks. To serve on the Council of any public higher education institution, is an honour, but it bears huge responsibility. Council members must understand that the Minister and the public will hold them accountable.
- w. I am cognisant of the fact that the Minister will apply his mind to the report and other circumstances applicable to the institution. I considered possible options provided for by the Act. Section 49B (a) of the Higher Education Act says the Minister may appoint an administrator in the case of "An audit of the financial records of a public higher education institution or the report by an independent assessor or any other report or information reveals financial or other maladministration of a serious nature or serious undermining of the effective functioning of the public higher education institution"; or council requesting such appointment or council resigning.
- x. The resignation of Council is an exercise that only Council can consider but this will be a partial remedy since the Management of UNISA is also responsible for undermining policies of the institution. In addition, an unqualified audit for 2021 financial statements was issued, albeit six months after the deadline for submission of the Annual Report, there are a number of serious matters raised by the audit, as highlighted in this report. My Independent Assessment, found and revealed financial and other maladministration practices of a serious nature at UNISA.
- y. **Hence, the option for full Administration of UNISA where both Council and Management are relieved of their duties, should be considered in line with Section 49F (1),** which states that the administrator appointed in accordance with section 49B must, subject to the provisions of section 49G-

- (a) take over the role, powers, functions and duties of the council concerned;
  - (b) carry out the role, exercise the powers, perform the functions and execute the duties of the council concerned to the extent that such role, powers, functions and duties relate to governance;
  - (c) take over and execute the management of the public higher education institution concerned;
  - (d) identify and initiate processes and initiatives that restore proper governance and management; and
  - (e) ensure that a new council for the higher education institution concerned is appointed and constituted in accordance with the institutional statute as soon as is practicable.
- z. Lastly, I detailed in the report a snapshot of financial irregularities and SCM problems, including fruitless and wasteful expenditure, and so on. **I recommend that the Minister carefully considers the change of legislation for institutions of higher learning to be subjected to the provisions of the Public Finance Management Act.**

## 5.2 Recommendations for UNISA

- a. I believe that it will take UNISA some time to achieve success in its operational and governance functioning, as a myriad of challenges such as, inefficiencies, non-compliances, a toxic culture, and questionable decisions, are all interrelated.
- b. UNISA's enrolment numbers are just under 400 000 students, and it is in fact the largest university on the continent. UNISA grew over many years to its current size and shape. However, it seems like the support functions did not develop in line with the growth in student numbers over the years. Issues around delivery of teaching and learning, credible assessments, support services, seamless registrations, effective communication, qualification audits, etc. are not only serious setbacks, but a strong indicator of management and governance failures. The reality is that UNISA is not able to provide quality services to its key stakeholders, the students. A university should not be asked to care for its students, it is inherent to the purpose of being a university. I find it disheartening that I should ask UNISA to take care for the needs of its students. A measure of success will be when its students are able to declare that UNISA is a caring institution and that students are proud to be associated with it. This unfortunately, has not been evident for some time.

Throughout this report, I made specific recommendations in the respective sections, and these I will not repeat here. The following are high-level operational recommendations for UNISA related to the findings in the various portfolios:

- i. **ICT Environment** – For a mega-university that is dedicated to Open Distance e-Learning mode of delivery, it is non-negotiable that it should have a robust, efficient and effective IT systems. UNISA does not have that. Risks associated with its LMSs, including the assessment of students, IT Infrastructure and Security, expertise in various areas of the ICT environment and non-compliance with procurement policies are huge areas of concern. ICT is supposed to be the lifeblood of an OdeL university. Although Council approved a new ICT Strategy in 2022, after the previous strategy of 2018 was not optimally implemented, this new strategy may also not be successfully implemented if there are not fundamental changes in the governance and administration of UNISA. The risk of ICT systems collapse at UNISA is very real, it's a ticking time bomb, if not urgently attended to. I recommend that the University source competent and dedicated specialists to revive the ICT environment and work closely with Colleges and other Departments to understand their needs.
- ii. **Student Governance** – The Student Governance Model of UNISA should be revised. As it stands currently, most students are not deriving the benefit of adequate representation by student leaders. The student leaders are not only politicised, but they are also factionalised, and this is to the detriment of the majority of UNISA students. A small fraction of politically active students, some of whom stay for an inordinately long time at the UNISA, have dominated the student governance landscape for many years. I recommend that the Constitution of the SRC be reviewed to ensure broader representation in student governance where all voices are heard, and the message is not only politically motivated. Further to this, I recommend that Management ensures that contemporary student leadership training programs are developed and implemented so that students can have a robust training platform to prepare them for the Future of Work.
- iii. **Office of the Registrar** – The report demonstrates a number of systemic and structural challenges that point to the dysfunctionality of the Office, particularly as it relates to student administration. I recommend that the structure of the Registrar's Office be reviewed with the sole intent of making it functional and efficient. The Dean of Students' Office is also dysfunctional and needs to be reviewed to ensure it fulfil its main purpose of serving students optimally.
- iv. **Human Resources Department** – HR is a focal point of frustration for many staff members who made submissions and who were interviewed. Colleges reported several instances where HR is performing poorly. Other support departments also complained profusely about HR's general lack of responsiveness. I recommend that the HR Department undergo intense training on people management. HR must work harmoniously with all campus

stakeholders (Including labour representatives) to put the institution's interests first. All efforts should be made to eradicate the pervasive culture of intimidation and victimisation at UNISA. Measures should be implemented to track and monitor HR performance. In addition, a comprehensive independent organisational climate and culture assessment is recommended so that improvement in climate and culture can be quantified.

- v. **Internal Audit** – I considered the effectiveness and efficiency of the Internal Audit function. A sizeable number of investigations are not followed up by the various departments in the university. I believe that Council is not exercising its fiduciary duty to ensure good practice at UNISA. I have heard a lot about 'consequence management' at UNISA and yet many reported audit findings and recommendations are ignored by management and Council. I **recommend** that Council must be firm and hold management accountable where the implementation of reports are undermined.
- vi. **Operations and Facilities Management** – There are a number of recurring problems in the portfolio. An example is the under-utilisation of the Infrastructure and Efficiency Grant that elicited the Minister's letter to the university, the shocking state of maintenance in some regions, the management of leases, procurement issues, inflation of prices, payment of services that were not rendered, etc. I recommend that UNISA consider decentralising services to the regions where services can be procured promptly and at reasonable prices. I recommend that UNISA automate some of its operations and invest in reskilling and upskilling its staff to perform these duties.
- vii. **Senate** – I recommend that Senate reclaims its status as a custodian of curriculum transformation, high academic standards, robust engagement on teaching and learning, research and innovation, social justice, social entrepreneurship, digital transformation, and a caring culture for students and academic staff. Senate should make a serious effort to eradicate the special dispensation for professorships, including the award of questionable professorships, protect the interests of the deserving professoriate of UNISA, insists on publications in high impact journals, and academics to subject themselves to the rigour of credible rating agencies.

## 6. Conclusion

As per notice in the Government Gazette (No. 46904, Notice No. 2480) of 13 September 2022, I was appointed by the Minister as the Independent Assessor to conduct an investigation into the affairs of UNISA. The overall purpose of the investigation was to advise the Minister on the source and nature of problems; and measures required to restore good governance and management.

The Terms of Reference included, *inter alia*, an assessment of the functioning and efficacy of the governance and management structures; the operations of the Office of the Registrar; the state of policies and procedures of the university pertaining to financial management, supply chain management and procedures; and allegations of financial Irregularities; the state of the human resources policies and practices of the university, particularly In relation to enhancing organisational efficiency and employment relations; a detailed analysis and reasons for the significant number of staff suspensions, disciplinary cases and dismissals at the university since 2018; allegations of misconduct and mismanagement against the Vice Chancellor; and any other matter, in the opinion of the Assessor, that may impact on the functioning of the university from an analysis of problems relating to governance and management.

In this report I provided the Minister the history and background leading to the current state of affairs at UNISA. I explained the methodology and processes used during the Independent Assessment to derive at certain findings, recommendations and conclusions. I attended to each of the areas as per the terms of reference. The report includes different detailed sections with findings and relevant recommendations throughout related to:

- University governance and management structures (sections 4.1 and 4.2)
- Office of the Registrar (section 4.3)
- Finances (section 4.4)
- Human Resources (section 4.5)
- ICT (section 4.6)
- Other Matters (section 4.7)

Given the scope of the Independent Assessment, as per the terms of reference of my appointment, it must be emphasised that the report be read in its entirety as many recommendations and findings are presented throughout the report. In Section 5, of this report, I present only high-level **findings and Recommendations to the Minister** for his consideration, and institutional **Recommendations for UNISA**.

Lastly, I must state that towards the conclusion of the assessment, I observed a frantic move on the side of the University to address issues that were left unattended for the longest time, such as the filling of positions. It appears to me that it is a strategy to ensure that when the report is submitted to the Minister, UNISA would rebut the findings indicating that they have addressed the issues. The problem here is that the haste may result in further short-sighted and/or superficial solutions, which do not lift the University out of the quagmire it finds itself in and without lasting impact.



**Appendix A: List of Documents provided by the Department**

Annexure	Contents
	<b>Correspondence and Complaints Received by the Department on UNISA</b>
<b>A1</b>	Letter dated 9 December 2014 from Langa Attorneys representing Prof Mogege Mosimege (Former Registrar)
<b>A2</b>	Response Letter dated 5 February 2015 from Prof Mandla Makhanya to the allegations made by Langa Attorneys
<b>A3</b>	Memorandum dated 10 November 2015 from the Chair of the Institutional Forum (IF), Prof Puleng LenkaBula to the Chair of Council
<b>A4</b>	Email dated 18 November 2015 from Mr Thapelo Motsepe to the Minister making allegations
<b>A5</b>	Memorandum dated 7 June 2018 from Dr RS Netanda [Unisa Academic and Professional Staff Association of South Africa (APSA)]
<b>A6</b>	Response Letter dated 1 November 2018 from the Minister to Dr RS Netanda
<b>A7</b>	UNISA Ad-hominem Promotions July 2019
<b>A8</b>	Correspondence dated 22 August 2019 from a group calling themselves 'Concerned Academic and Professional Staff of the College of Law'
<b>A9</b>	Memorandum dated 23 August 2019 from the UNISA SRC to the Minister
<b>A10</b>	The Minister's Response dated 25 September 2019 to the UNISA SRC Memorandum
<b>A11</b>	Letter dated 20 June 2020 from the Minister to the Chair of Council on governance and management issues at UNISA
<b>A12</b>	Email correspondence dated 31 July 2020 from Gordon Hay of MacRobert Incorporated Attorneys representing Prof Peter Havenga
<b>A13</b>	Department's Response dated 22 January 2020 to earlier correspondences from MacRobert Incorporated Attorneys
<b>A14</b>	Letter dated 16 July 2020 from Prof Havenga to the Portfolio Committee
<b>A15</b>	Report by retired Judge Yekiso on the investigation into the grievances raised by Professor Havenga - 6 May 2020
<b>A16</b>	Sunday Times Article on the Havenga Matter dated 6 September 2020
<b>A17</b>	Minister's Response Letter dated 20 October 2020 to MacRobert Attorneys
<b>A18</b>	Minister's letter dated 20 October 2020 to the UNISA Chair of Council on the Havenga Matter.
<b>A19</b>	Letter dated 11 November 2020 from the Council Chair to the Minister on the Havenga Matter 11 Nov 2020
<b>A20</b>	Whistle-blower Request for an Investigation against UNISA 6 Sep 2020
<b>A21</b>	UNISA Statement on the suspension by UNISA, of its ED for Legal Services, Advocate Modidima Mannya - 23 April 2021
<b>A22</b>	UNISA Statement in response to the statement by the EFFSC on the appointment of the Principal and Vice Chancellor and the outcomes of the recent National and Regional SRC Elections - 15 May 2021
<b>A23</b>	Email dated 30 May 2021 from Mr Elias Muller requesting the Minister to investigate allegations of purge and irregularities in the recruitment process of the Vice-Chancellor (VC) and Principal and allegations contained in Adv Modidima Mannya's complaints
<b>A24</b>	Letter dated 23 June 2021 from a group of female academics calling on the Minister to intervene into what they deem to be bullying and misogyny that undermines Professor LenkaBula as the UNISA VC.
<b>A25</b>	Sunday Times Article dated 25 April 2021 titled 'Misogyny', 'bullying' and 'abuse' -UNISA row heats up
<b>A26</b>	Sunday Independent News article dated 28 June 2021 titled 'Academics rally behind UNISA VC'

<b>A27</b>	Minister's Letter dated 20 July 2021 to the Chair of Council regarding the allegations
<b>A28</b>	Letter dated 21 Aug 2021 from Adv Modidima Manyi to the Minister
<b>A29</b>	Council Chair's report on the allegations raised by Adv Manyi – 20 September 2021
<b>A30</b>	Email dated 17 October 2021 from Mr Phumlani Zwane, former UNISA VP: Finance
<b>A31</b>	Labour Court Judgement - Zwane v University of South Africa – 22 June 2021
<b>A32</b>	NEHAWU Memorandum of Demands on UNISA 21 April 2022
<b>A33</b>	Forensic Report into forensic investigation into allegations related to advance payments made to employees for the procurement of laptops 23 February 2022 (Bowman Report)
<b>A34</b>	Memorandum dated 17 June 2022 from the Registrar to the Chair of Council
<b>The Appointment of the Ministerial Task Team (MTT) on UNISA</b>	
<b>B1</b>	The Terms of Reference of the MTT – June 2020
<b>B2</b>	The Interim Report of the MTT to the Minister – 9 November 2020
<b>B3</b>	The Final Report of the MTT to the Minister – 31 August 2021
<b>B4</b>	Council Response to the MTT Report 21 April 2022
<b>B5</b>	List of Annexures to the Council Response
<b>B5.1.</b>	2020 External Council Member Profile
<b>B5.2.</b>	2021 External Council Member Profile
<b>B5.3.</b>	Employer Survey Report – February 2018
<b>B5.4.</b>	Deloitte Environmental Scan for UNISA 2030 Strategy Realignment 13 March 2020
<b>B5.5.</b>	UNISA Strategic Plan 2021-25
<b>B5.6.</b>	UNISA Strategy 2030
<b>B5.7.</b>	UNISA Compliance Policy 25 Apr 2018
<b>B5.8.</b>	UNISA Compliance Framework 21 June 2018
<b>B5.9.</b>	UNISA Compliance Universe
<b>B5.10.</b>	Amended Compliance Plan 2020
<b>B5.11.</b>	2021 Q1 UNISA Compliance Report
<b>B5.12.</b>	2021 Q2 UNISA Compliance Report
<b>B5.13.</b>	2021 Q3 UNISA Compliance Report
<b>B5.14.</b>	2021 Q4 UNISA Compliance Report
<b>B5.15.</b>	Environmental Scan Report submitted for Council Approval - 26 November 2020
<b>B5.16.</b>	Strategic Risk Profile Report submitted for Council Approval - 26 November 2020
<b>B5.17.</b>	2021 Revised Risk Appetite and Tolerance Framework submitted for Council Approval – 26 November 2020
<b>B5.18.</b>	Institutional Ethics Execution Directive 20 February 2018
<b>B5.19.</b>	Minutes of Council Exco Special Meeting held on 10 December 2018
<b>B5.20.</b>	Minutes of Council Meeting held on 23 November 2017
<b>B5.21.</b>	Minutes of the Finance, Investment and Estates Committee of Council (FIECoC) Meeting held on 21 February 2020

<b>B5.22.</b>	Minutes of the Audit, Enterprise and Risk Management Committee of Council ( <i>AERMCoC</i> ) Meeting held on 24 October 2019
<b>B5.23.</b>	Minutes of Council Meeting held on 25 April 2018
<b>B5.24.</b>	2020 External Council Member Skills Matrix
<b>B5.25.</b>	2022 External Council Member Skills Matrix
<b>B5.26.</b>	Correspondence dated 30 March 2021 from the Office of the Registrar on documents requested by the MTT - 2019 and 2020 Minutes of ICT Governance Committee of Council
<b>B5.27.</b>	<i>AERMCoC</i> Membership List 5 November 2019
<b>B5.28.</b>	Correspondence dated 15 February 2021 from the Office of the Registrar on documents requested by the MTT – 2020 <i>AERMCoC</i> Minutes and External Audit Reports for the university
<b>B5.29.</b>	Correspondence dated 24 March 2021 from the Office of the Registrar on documents requested by the MTT – Further information on Audit and Risk
<b>B5.30.</b>	Minutes of the <i>AERMCoC</i> Meeting held on 11 March 2020
<b>B5.31.</b>	Minutes of the <i>AERMCoC</i> Meeting held on 28 August 2020
<b>B5.32.</b>	Minutes of the <i>AERMCoC</i> Meeting held on 21 May 2020
<b>B5.33.</b>	Minutes of the <i>FIECoC</i> Meeting held on 03 June 2021
<b>B5.34.</b>	Minutes of the <i>FIECoC</i> Meeting held on 6 November 2020
<b>B5.35.</b>	Minutes of the <i>FIECoC</i> Meeting held on 18 August 2021
<b>B5.36.</b>	Minutes of the <i>AERMCoC</i> Meeting held on 3 June 2019
<b>B5.37.</b>	Minutes of the <i>AERMCoC</i> Meeting held on 11 March 2020
<b>B5.38.</b>	Minutes of the <i>AERMCoC</i> Meeting held on 13 November 2020
<b>B5.39.</b>	Minutes of the <i>AERMCoC</i> Meeting held on 20 August 2021
<b>B5.40.</b>	Terms of reference for the Academic and Student Affairs Committee of Council ( <i>ASACoC</i> ) 21 June 2018
<b>B5.41.</b>	Correspondence dated 03 February 2021 from the Office of the Registrar on documents requested by the MTT – <i>UNISA</i> Council Membership
<b>B5.42.</b>	Correspondence dated 24 March 2021 from the Office of the Registrar on documents requested by the MTT – <i>UNISA</i> Council Membership
<b>B5.43.</b>	Correspondence dated 24 March 2021 from the Office of the Registrar on documents requested by the MTT – <i>AERCoC</i> Resolution Register
<b>B5.44.</b>	2020 External Council Members: Competencies and Composition of Council committees
<b>B5.45.</b>	PowerPoint presentation titled “ <i>ODEL/ICT</i> Key Projects Status Report”
<b>B5.46.</b>	Student Relationship Management Report 26 August 2019
<b>B5.47.</b>	2021 <i>ManCom</i> Resolution Register
<b>B5.48.</b>	Minutes of the <i>SECoC</i> Meeting held on 7 June 2021
<b>B5.49.</b>	Minutes of the <i>SECoC</i> Meeting held on 11 November 2021
<b>B5.50.</b>	Minutes of the <i>AERMCoC</i> Meeting held on 20 August 2020
<b>B5.51.</b>	PowerPoint presentation titled “ <i>ODEL/ICT</i> Key Projects Status Report” also referenced as B5.45
<b>B5.52.</b>	CV of Ms R Mladzi
<b>B5.53.</b>	CV of Mr L Tlhabanelo

<b>B5.54.</b>	CV of Ms B Bekwa
<b>B5.55.</b>	CV of Mr PR Mogale
<b>B5.56.</b>	CV of Mr L Mogashoa
<b>B5.57.</b>	Status of ODeL Initiatives
	<b>UNISA Annual Reports</b>
<b>C1</b>	2017 Annual Report
<b>C1.1</b>	2017 External Auditor Report on Factual Findings
<b>C1.2</b>	2017 Supplementary Financial Data
<b>C2</b>	2018 Annual Report
<b>C3</b>	2019 Annual Report
<b>C3.1</b>	2017 External Auditor Report on Consolidated AFS
<b>C3.2</b>	2019 Consolidated Annual Financial Statements
<b>C4</b>	2020 Annual Report
<b>C5</b>	Letter dated 23 June 2022 from External Auditors re audit risks
	<b>Council Self-assessments in terms of the DHET Governance Scorecard</b>
<b>D1</b>	2017 UNISA Council Self-Assessment
<b>D2</b>	2018 UNISA Council Self-Assessment
<b>D3</b>	2019 UNISA Council Self-Assessment
<b>D4</b>	2020 UNISA Council Self-Assessment
<b>D5</b>	2021 UNISA Council Self-Assessment
	<b>Documents relating to Enrolment</b>
<b>E1</b>	Minister's Letter dated 28 December 2020 to UNISA Chair of Council regarding enrolments
<b>E2</b>	EFF Application to the High Court on the Minister's Directive to UNISA
<b>E3</b>	Judgement on the Matter

## Appendix B: Schedule of Introductory Meetings with Structures of the University

Date	Structure	Members or Persons Present
<b>26 September 2022</b>	Members of the University Council	11 (Present) 6 (Virtual)
	Members of the Executive Management (UNISA ManCom)	6 and the Director: Executive Support in the Office of the VC (Present) 2 (Virtual)
	Members of the Extended Management (UNISA EMC)	23 (Present)
<b>28 September 2022</b>	Members of the National SRC	6 (Present)
	Members of APSA	5 (Present)
	Members of NEHAWU	5
<b>29 September 2022</b>	Executive Committee Members of Non-Statutory Forums (Disability Forum, Women's Forum and Black Forum)	5
	Members of the SENATE Executive Committee (SENEX)	26 (Present)
	Members of the Institutional Forum	7 (Present)
	Members of the Convocation Exco (excluding ex-officio members)	No members available
<b>30 September 2022</b>	Meeting with Managers of Regional Offices	43 (Virtual)
	Meeting with Members of the Regional SRCs	49 (Virtual)

## Appendix C: Summary of Interviews held by the Independent Assessors

Interviews	Persons Interviewed	Interviews Held
Interviews with Authors of Submissions	30	24
Interviews with Persons regarding Submissions	2	2
Interviews with Members of the National SRC	9	9
Interviews with Members of the Regional SRCs	35	35
Interviews with Other Students	2	2
Interviews with Labour Unions and Representatives	10	10
Interviews with External Members of Council	10	10
Interviews with Members of the Executive Management	9	12
Interviews with Executive Directors	15	19
Interviews with College Management and Staff	23	22
Interview with Ordinary Members of Senate & the Institutional Forum	4	4
Interviews with Former Executives Managers	5	5
Interviews with Former Members of Council	2	2
Interview with Staff in the Registrar's Portfolio	19	21
Interviews with Staff in Finance, SCM and Audit Environment	10	21
Interview with Staff in the Human Resources Portfolio	6	6
Interview with Staff in the Operations and Facilities Portfolio	7	7
Interview with Staff in the ICT Portfolio	7	7
Interview with Staff in other Portfolios (Legal Services, T&L & Public Relations)	4	4
Interviews with Regional Directors & Managers	3	3
Interviews with other key office-bearers	2	2
Interviews with Other Key Stakeholders	2	1
Interviews with Entities with a Business Relationship to UNISA	2	2
Interview with Members of the MTT	3	1
<b>TOTAL</b>	<b>221</b>	<b>231</b>

**Appendix D: The UNISA Council Composition at the time of the assessment**

Constituency/ Portfolio	Name	Term of Office
Principal and Vice-Chancellor	Prof Puleng LenkaBula	Jan 2021 – Dec 2025
Pro Vice-Chancellor	Vacant	
Two (2) permanent academic employees who are members of Senate	Prof Zethu Cakata	Sep 2022 – Sep 2024
	Prof Olaotse John Kole	Sep 2022 – Sep 2024
Two (2) permanent academic employees who are not members of Senate, elected by the permanent academic employees	Prof Itumeleng Mothoagae	Sep 2021 – Sep 2023
	Mr Johannes Jonker	Sep 2021 – Sep 2023
Two (2) permanent employees other than academic employees, elected by such employees	Vacant	
	Vacant	
Two (2) students, elected by the Students' Representative Council	Ms Samkelisiwe Ndlovu	June 2022 – Mar 2023
	Ms Shatadi Phoshoko	Mar 2021 – Mar 2023
Five (5) Persons appointed by the Minister	Vacant	
	Vacant	
	Mr Dan Mosia (Deputy Chair)	July 2020 – July 2024
	Ms Charlotte Mampane	July 2020 – July 2024
	Prof Sarah Motsoetsa	Oct 2021 – Oct 2025
One (1) nationally recognised local government sector representative	Vacant	
One (1) Representative of the UNISA Foundation Trust	Vacant	
Two (2) Members of the Convocation, one of whom must be the President	Vacant	
	Mr Mothupi Modiba	Nov 2016 – Nov 2020 Nov 2020 – Nov 2024
Chairperson of the Board of the Graduate School of Leadership	Vacant	
Ten members with a broad spectrum of competencies in fields such as education, business, finance, law, marketing, information technology and human resource management nominated and elected by Council	Ms Babalwa Bekwa	Mar 2021 – Mar 2025
	Ms Sedzani Faith Mudau	Sep 2019 – Sep 2023
	Mr Sakhile Isaac Mlazi	Feb 2020 – Feb 2024
	Dr Wiseman Magasela	Nov 2019 – Nov 2023
	Ms Belinda Linda Mapongwana	Oct 2019 – Oct 2023
	Mr James Maboja (Chairperson)	Feb 2020 – Feb 2024 Feb 2016 – Feb 2020
	Ms Therina Ida Maria Wentzel	April 2019 – April 2023 Apr 2015 – Apr 2019
	Mr Ian Lesego Tlhabanelo	Nov 2018 – Nov 2022 Sep 2014 – Sep 2018
	Prof Gessler Muxe Nkondo	Nov 2019 – Nov 2023 Nov 2015 – Nov 2019
	Dr Dovhani Colbert Mamphiswana	Nov 2018 – Nov 2022

**Appendix E: The UNISA Council Committees at the time of the assessment**

<b>Name of Committee</b>		<b>Name</b>	<b>Role</b>
Executive Committee of Council (Exco)	1	Mr MJ Maboja	Chairperson
	2	Mr DD Mosia	Deputy Chairperson
	3	Prof Mosoetsa	Chairperson of the BCCoC
	4	Ms T Mampane	Chairperson of the HRCoC
	5	Dr WK Magasela	Chairperson of the ASACoC
	6	Ms SF Mudau	Chairperson of the AERMCoC
	7	Mr SI Mlazi	Chairperson of the ICTCoC
	8	Ms B Mapongwana	Chairperson of the SECoC
	9	Prof P LenkaBula	VC and Principal (Ex-officio)
Nominations and Governance Committee of Council (NGoC)	1	Mr MJ Maboja	Chairperson
	2	Mr DD Mosia	Deputy Chairperson
	3	Mr M Modiba	External Member of Council
	4	Ms T Wenzel- duToit	External Member of Council
	5	Ms SF Mudau	Chairperson of the AERMCoC
	6	Mr SI Mlazi	External Member of Council
	7	Prof P LenkaBula	VC and Principal (Ex-officio)
Remuneration Committee of Council (REMCOC)	1	Mr MJ Maboja	Chairperson
	2	Mr DD Mosia	Deputy Chairperson
	3	Ms T Mampane	Chairperson of the HRCoC
	4	Ms SF Mudau	Chairperson of the AERMCoC
	5	Ms B Mapongwana	Chairperson of the SECoC
Information and Communications Committee (ICTCoC)	1	Mr SI Mlazi	Chairperson
	2	Ms B Bekwa	Deputy Chairperson
	3	Prof P LenkaBula	VC and Principal
	4	Ms TCC Mampane	Council Member
	5	Mr M Modiba	Council Member
	6	Mr P Mogale	Co-opted Member
	7	Ms SFN Ndlovu	NSRC President
	8	Mr L Tlhabanelo	Council Member

Finance, Investments and Estates Committee of Council (FIECoC)	1	Mr DD Mosia	Chairperson
	2	Mr MP Modiba	Deputy Chairperson
	3	Mr L Tlhabanelo	Council Appointee
	4	Dr WK Magasela	Council Appointee
	5	Ms B Bekwa	Council Appointee
	6	Prof P LenkaBula	VC and Principal (Ex officio)
	7	Prof I Mothoagae	Academic staff - (non-Senate)
	8	Ms SFN Ndlovu	SRC President
	9	Vacant	Support staff
	10	Vacant	Academic staff (non-Senate)
Audit And Enterprise Risk Management Committee of Council (AERMCoC)	1	Ms SF Mudau	Chairperson
	2	Ms BL Mapongwana	Deputy Chairperson
	3	Mr LFV Mosupye	Co-opted member
	4	Ms TYM Wentzel-du Toit	Council Appointee
	5	Ms B Bekwa	Council Appointee
	6	Mr SI Mlazi	Council Appointee
	7	Prof S Mosoetsa	Ministerial appointee
Human Resources Committee of Council (HRCoC)	1	Ms TCC Mampane	Chairperson
	2	Mr L Tlhabanelo	Deputy Chairperson
	3	Dr MC Kganakga	Co-opted Member
	4	Prof P LenkaBula	VC and Principal
	5	Prof S Mosoetsa	External Council Member
	6	Ms TT Ngcobo	Co-opted Member
	7	Ms SE Phoshoko	SRC Secretary -General
	8	Ms T Wentzel - Du Toit	External Council Member
Social and Ethics Committee of Council (SECoC)	1	Ms BL Mapongwana	Chairperson
	2	Prof GM Nkondo	Deputy Chairperson
	3	Mr L Tlhabanelo	Council Member and member of HRCoC
	4	Prof P LenkaBula	VC and Principal
	5	Mr JJ Jonker	Non-Senate Academic employee
	6	Ms SFN Ndlovu	Student representative (President of SRC)

Academic and Student Affairs Committee (ASACoC)	1	Dr WK Magasela	Chairperson
	2	Ms TYM Wentzel-du Toit	Deputy Chairperson
	3	Prof GM Nkondo	Appointed by Council Broad spectrum of competencies
	4	Prof P LenkaBula	VC and Principal
	5	Prof ID Mothoagae	Non-Senate Academic employee
	6	Ms SE Phoshoko	SRC representative
Brand and Communications Committee (BCCoC)	1	Prof S Mosoetsa	Chairperson
	2	Dr EP Mokgobu	VP: Institutional Development
	3	Dr WK Magasela	Appointed by Council - Broad Competencies
	4	Ms NT Mosala	Co-opted member
	5	Ms SFN Ndlovu	SRC Representative (President)
	6	MS SE Phoshoko	SRC Representative

CONTINUES ON PAGE 386 OF BOOK 4

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID AFRIKA

Vol. 695

26

May  
Mei

2023

No. 48660

**PART 4 OF 4**

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845



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## DEPARTMENT OF HOME AFFAIRS

NO. 3462

26 May 2023

**ALTERATION OF FORENAMES IN TERMS OF SECTION 24 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)**

The Director-General has authorized the following persons to assume the forename printed in *italics*:

Notice is hereby given of Government Gazette No. **48429** which, was published in Government Notice No. **3306** dated **14 April 2023**, is hereby rectified to read as follow

1. Frank Latrobe Geiger Kelly - 940614 5080 \*\*\* - 76 Marborough Avenue, CRAIGHALL PARK, 2196 - *Frank Latrobe*
2. Percevierance Manabile - 881208 5751 \*\*\* - 286/26 Block 77, SOSHANGUVE, 0152 - *Kamogelo Percevierance*
3. Fabian Vercuiel - 861002 1427 \*\*\* - 4 Boucher Crescent, DURBANVILLE, 7550 - *Fey*
4. Ngwato Kgotso Phahlamohlaka - 030211 5273 \*\*\* - C24 Chris Hani Flats, CULLINANA, 1000 - *Kgotso Samson*
5. Marothi Anggie Ramolefo - 020415 0208 \*\*\* - 54 Smith Avenue, Edenglen, EDENVALE, 1609 - *Angie Dimpho*
6. Keanu Alridge Petersen - 960307 5396 \*\*\* - 17b Liberator Location, Rocklands, MITCHELLS PLAIN, 7785 - *Nazeer*
7. Dick Mahwiti Tjao - 020729 6081 \*\*\* - 8677 Lalata Street, Extension 6, LANGAVILEE, 1550 - *Mahwiti*
8. Themba Suprise Nkosi - 900201 5584 \*\*\* - 19 Hummingbird Location, KOMATI, 1095 - *Themba Sthandwa Suprise*
9. Novakele Mlengane - 040721 1270 \*\*\* - Nkungwini Area, MOUNT FRERE, 5090 - *Ivakele*
10. Solomzi Malebo - 941231 5391 \*\*\* - 798 Eloff Street, Slovo Park, NANCEFIELD INDUSTRIAL, 1811 - *Solomzi Kamati*
11. Howard Makhothi - 730819 5381 \*\*\* - 6863 A Zone 6, Mohale Street, DIEPKLOOF, 1864 - *Howard Phillemon Ramanonyane*
12. Pheagane Solly Mokoena - 900727 5718 \*\*\* - Ledibeng Ecco Estate, 4 Tanmbotte Street, LEPHALALE, 0555 - *Pheagane Serero*
13. Warren Brain Matthee - 010212 5125 \*\*\* - 222-B Bonteheuwel Avenue, BONTEHEUWEL, 7764 - *Waseem*
14. Ramahlape Kabelo Rantji - 041210 5906 \*\*\* - 53 Rev Conradie Street, Far East Bank, ALEXANDRA, 2090 - *Kabelo*
15. Lesibana Clinton Rantji - 000309 5088 \*\*\* - 53 Rev Conradie Street, Far East Bank, ALEXANDRA, 2090 - *Lesiba Clinton*
16. Tutuse Somana - 031212 5632 \*\*\* - Qokolweni Area, MTHATHA, 5099 - *Abongile Tutuse*
17. Pamela Melokuhle Cyndrella Nkala - 031024 0822 \*\*\* - D 1017 Swayimana Location, Nomnganga Road, WARTBURG, 3233 - *Pamela Melokuhle Nomfundo*
18. Masethunya Berlina Tafani - 040103 1113 \*\*\* - 34850 R flaagte Location, Chris Hani, BLOEMFONTEIN, 9301 - *Pulane Akeelah*
19. Keesha Britney Goliath - 030306 0080 \*\*\* - 24 D Riogrand Street, MANENBERG, 7764 - *Amrah*
20. Racheal Mercie Mabuza - 740621 0233 \*\*\* - House No. 2796, Extension 9, BARBERTON, 1300 - *Busisiwe Racheal Mercie*
21. Zwanani Msimanga - 970926 5451 \*\*\* - 8 Mispel Ave, THE ORCHARDS, 0182 - *Zwanani Omphemetse*
22. Rahab Mabudiba Mudau - 021128 1171 \*\*\* - House No.886, Thohoyandou P East, THOHOYANDOU, 0950 - *Rae Mabodiba*
23. Jamé Lee Petersen - 910726 0248 \*\*\* - 134 H Bramle Way, Bonteheawel, CAPE TOWN, 7764 - *Jamie-Lee*
24. Kedibone Mafora - 020618 0904 \*\*\* - 11244 Extension 11, 56th Avenue, SUNRISE, 0300 - *Lelomo*

25. Thandolwethu Aphiwe Nene - 021219 5153 \*\*\* - Mbangatiya Area, ULUNDI, 3838 - *Thandolwethu Gamelihle Aphiwe*
26. Madintsi Phediny Masete - 040730 0736 \*\*\* - 6484 Zone 2, Winnie Mandela, TEMBISA, 1632 - *Boitumelo Petney*
27. Magrietha Merichen Jeniva Diergaardt - 920726 0033 \*\*\* - 34 Wankie Street, AGGENEYS, 8893 - *Merichen Jeniva*
28. Gibson Zondi Semenya - 750517 5584 \*\*\* - 652 Block Bb, SOSHANGUVE, 0152 - *Gibson Moruti*
29. Kelebogile Lucia Tsimane - 791230 0418 \*\*\* - 43 Mac Dougal Street, El Toro, KIMBERLEY, 8301 - *Blessings Puleng*
30. Sinenhlanhla Ritta Sithole - 931002 0346 \*\*\* - 25 Swanridge Street, KRIEL, 2271 - *Zanokuhle Ritta*

Notice is hereby given of Government Gazette No. **48483** which, was published in Government Notice No. **3381** dated **28 April 2023**, is hereby rectified to read as follow

1. Nkosingiphile Sibande - 040127 5048 \*\*\* - 422 William Nicol Street, FURWAYS, 2191 - *Sibusiso Nkosingiphile*
2. Zandile Masangwana - 680505 1440 \*\*\* - 62146 Luli Street, KWAZAKHELE, 6205 - *Zandile Beauty*
3. Morongoa Seopa - 020621 0423 \*\*\* - 526 Fulvous Duck Street, Block XX, SOSHANGUVE EAST, 0152 - *Bonolo Cleo*

## DEPARTMENT OF HOME AFFAIRS

NO. 3463

26 May 2023

## ALTERATION OF FORENAMES IN TERMS OF SECTION 24 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

The Director-General has authorized the following persons to assume the forename printed in *italics*:

1. Nomaphelo Julia Ndlela - 911101 0734 \*\*\* - W 400, UMLAZI, 4031 - *Nomaphelo Julia Zandile*
2. Nosinhle Brigdetta Mtsetfwa - 940110 0139 \*\*\* - Stand No 100A, DRIEKOPPIES TRUST, 1331 - *Siphesinhle Bridgette*
3. Delicia Rencia Moosa - 701031 0134 \*\*\* - 36/33 Lobombo Street, DELFT, 7100 - *Aneesa*
4. Elizabeth Mathilda Nel - 860917 0008 \*\*\* - 256 Murrayhill Road, Pyramid, PRETORIA, 0121 - *Rachel*
5. Magdalena Marie Hanna Loff - 860713 0098 \*\*\* - Kardouw, CITRUSDAL, 7340 - *Mariana*
6. Davidene Sainobia Wynkwardt - 890427 0231 \*\*\* - Ga-Marass, BOCHUM, 0790 - *Davidean Sherbrula Sainobia*
7. Vivian Rosalind Wallace - 810911 0244 \*\*\* - 10 Avocado Close, Westridge, MITCHELLS PLAIN, 7785 - *Kauthar*
8. Monique Salisa Hector - 810601 0179 \*\*\* - 90 Cornflower Street, Bridgetown, ATHLONE, 7764 - *Monique Nuha*
9. Malerole Joke Mosaei - 990909 1093 \*\*\* - 12450 Stilte Park, Meloding, VIRGINIA, 9430 - *Malerole Joyce*
10. Patricia Mmannini Mokobane - 770125 0494 \*\*\* - 232 Old Stand, KLIPGAT, 0190 - *Patricia Mmannini Menge*
11. Bokamoso Makoma Mphahlele - 030205 0596 \*\*\* - 17 Tenth Avenue, Lambton, GERMISTON, 1401 - *Bokamoso*
12. Carol Mpho Mahlambi - 020821 0818 \*\*\* - 28 Amanda Avenue, Glenanda North, JOHANNESBURG, 2091 - *Carol Bongiwe Mpho*
13. Onkgopotse Ethel Molapo - 001128 0158 \*\*\* - 10 Willem Botha Street, Extension 24, THE ORCHARDS, 0186 - *Onkgopotse*
14. Bonile Lilian Mogoane - 010219 0122 \*\*\* - 1853 Sekhutlong Street, Etwatwa, Extension 2, DAVEYTON, 1619 - *Bontle Lilian*
15. Mmamolamo Alicia Maifo - 030826 0571 \*\*\* - Stand No 124, SENOTLELO, 0465 - *Meme Alicia*
16. Raylin Gail Lakay - 030626 0135 \*\*\* - 44 Olifantshoek, TAFELSIG, 7789 - *Aafiyah*
17. Rude Henriette Laas - 851121 0031 \*\*\* - Plot 276, KAMEELDRIFT WEST, 0030 - *Rudé Henriëtte*
18. Vivienne Zanele Makhanya - 940715 0059 \*\*\* - 11884 Ngetweni Street, Interland, KWA THEMA, 1575 - *Zanele Vivienne*
19. Timae Reece Puckree - 041206 0720 \*\*\* - 31 Olive Crescent, 286 Quorn Drive, NORTHRIDING, 2169 - *T'Mae Reece*
20. Maria Matseko Mokubung - 870101 1153 \*\*\* - 22428 Xaba Street, Railway Houses, Etwatwa, DAVEYTON, 1520 - *Lebohang Maria Matseko*
21. Nomcebo Nokwanda Mabaso - 000330 1046 \*\*\* - Roosboom Street, LADYSMITH, 3370 - *Mbali Promise*
22. Babalwa Michell Nonkevu - 000503 1400 \*\*\* - 1412 Compacta Street, STANFORD, 7210 - *Mercedes*
23. Julia Ntebaleng Mokoena - 870712 0305 \*\*\* - 617 Lakeside Estate, DEDEUR, 1984 - *Mamorunyana Julia*
24. Zundiswa Constance Sibidla - 881209 1087 \*\*\* - House No 16529 Extension 9 Drieziek ORANGE FARM 1841 -

28. Thabo John Thokolo - 990718 1258 \*\*\* - Witten, BOCHUM, 0790 - *Thabo Pheaha*
29. Thandeka Michelle Kompe - 980517 0486 \*\*\* - 43 Hector Peterson Street, IKAGENG, 2531 - *Onthatile Michelle*
30. Osato Hanwmn Langelihle Ngceke - 040630 0690 \*\*\* - Hlabathi Area, NTABANKULU, 5130 - *Langelihle*
31. Kgothatso Makanyane Mohlala - 040203 0524 \*\*\* - No 20043, MAKGERU, 1124 - *Kgothatso Madinoge*
32. Siphesihle Lungile Mnguni - 010426 0260 \*\*\* - 51 Macleroy Street, Nothorn Park, PIETERMARITZBURG, 3201 - *Yamanguni Siphesihle Lwandle*
33. Mmampotlo Gladness Montshosi - 830103 0600 \*\*\* - Dinokana Village, Ratsara Section, LEHURUTSHE, 2868 - *Lerato Mampotlo Gladness*
34. Sylvia Mannyana Modise - 820612 0447 \*\*\* - 31 Clapper Lark Street, Elandspoort, PRETORIA, 0183 - *Sylvia Mannyana Mpho*
35. Elizabeth Nyanese Baloyi - 530112 0370 \*\*\* - 5063 Block F3, EERSTERUST, 0407 - *Queen Elizabeth Nyanese*
36. Zamathongo Zandile Lungwase - 901107 0758 \*\*\* - Kwaqiko, Vulindlela Area, UMKOMAAS, 4170 - *Zama Zandile*
37. Nonhlanhla Fortunate Mhlanga - 010101 1358 \*\*\* - Wilder Valley Store, Ward 9, UMZINTO, 4220 - *Fortunate*
38. Windy Shaku - 951009 0608 \*\*\* - Ga-Nchabeleng, LEFALANE, 0741 - *Windy Kutumpane*
39. Astrid Adams - 971111 0153 \*\*\* - 26 Fontenay, 26 Sienna Drive, Burgundy Estate, MILNERTON, 7441 - *Avangeline*
40. Ziphozenkosi Ndlela - 040309 0404 \*\*\* - 4 Carnation Street, Boltonia, KRUGERSDORP WES, 1739 - *Sinethemba Ziphozenkosi*
41. Anam Solani - 040304 0397 \*\*\* - 24493 Qhagquwa Street, MISSIONVALE, 6059 - *Anam Mbalentle*
42. Ulenda Mashiloane - 010818 1218 \*\*\* - Mataffin Area, MATAFFIN, 1205 - *Ulenda Nomcebo*
43. Keitumetse Mbonani - 980525 1398 \*\*\* - 1847 Bervely Hills Street, HEBRON, 0193 - *Eunice Nonhlanhla Keitumetse*
44. Lesedi Mashiane - 030901 1110 \*\*\* - 41 Lemonwood Street, ECO PARK, 0157 - *Boitumelo Lesedi*
45. Johanna Masiane - 911018 0502 \*\*\* - 460 Mokwena Street, TLHABANE, 0299 - *Joy*
46. Sinovuyo Mabutya - 991226 0761 \*\*\* - 36 Perseverance Road, Grange, PIETERMARITZBURG, 3201 - *Sinovuyo Agape*
47. Asante Sambo - 930809 0630 \*\*\* - 34 Rooikraans Road, Bloubosrand, RANDBURG, 2194 - *Athenkosi*
48. Mary Molekwa - 840525 0834 \*\*\* - 199 Zone 16, GA-RANKUWA, 0208 - *Dimakatso*
49. Josemary Mtshweni - 920402 1479 \*\*\* - 1683 Campbell Road, Eldo Lake Estate, ELDOREIGNE, 0157 - *Malindi Angel*
50. Sithati Mahloane - 041006 1227 \*\*\* - 160 West Side, VILLIERSDORP, 6848 - *Seithati Priscilla*
51. Nomandithini Ndudumo - 850712 0976 \*\*\* - 513 Goniwe Park, VILLIERSDORP, 6848 - *Nomandithini Nosiviwe*
52. Elam Manevu - 020911 0544 \*\*\* - 5065 Ngabarha Street, PAARL, 7626 - *Elamithemba*
53. Andiswa Ndiswa Ngubane - 041018 0703 \*\*\* - Kwa-Mnyandu Location, PIETERMARITZBURG, 3201 - *Andiswa Neliswa*
54. Mzamo Yvonne Witbooi - 040208 0365 \*\*\* - 26 Thembeni Street, MOLTENO, 5500 - *Nomzamo*
55. Modiehi Anna Madikgetla - 001205 1371 \*\*\* - Mokwena, THABANCHU, 9780 - *Rebecca Thato*
56. Bridget Moganedi - 020519 0653 \*\*\* - Maandagshoek, Sehlaaku, DRIEKOP, 1129 - *Kelello Matshidiso Bridget*
57. Linle Mpoyo - 050209 0440 \*\*\* - 575 Mandela Village, Zone 9, Thembaletu, GEORGE, 6529 - *Lihle*

58. Zange Mbangi - 940917 0908 \*\*\* - 7068 Ocean View Drive, OCEAN VIEW, 6330 - *Zanga*
59. Promise Mahlase - 041024 0320 \*\*\* - Stand No 113, Mangwanyane, GA-MARISHANE, 1059 - *Mamating Promise*
60. Mamathabo Ratema - 031113 0118 \*\*\* - 31 Oakdene Gardens, 2 South Street, JOHANNESBURG, 2190 - *Mamathabo Tšhegofatšo*
61. Safiya Alcock - 850906 0177 \*\*\* - 4 Toad Tree Close, Eikenhosch, KUILSRIVER, 7580 - *Jodie-Ann*
62. Sherzana Carvelo - 971128 0306 \*\*\* - 10 Fitzpatrick Street, CROSBY, 2092 - *Sherzana Irina*
63. Megan Findlay - 001115 0048 \*\*\* - 671 – 28th Avenue, Villieria, PRETORIA, 0186 - *Skyler*
64. Gloria Netshiongolwe - 040927 1307 \*\*\* - 278 Xubeni Section, MAKONDE, 0984 - *Witness Thanzi*
65. Mari-Jaun Botha - 020822 0056 \*\*\* - 55 Minuet Crescent, Olievenhoutbosch Extension 4, OLIEVENHOUTBOSCH, 0157 - *Ariana Mari-Jaun*
66. Musta-Eena Koopman - 750503 0262 \*\*\* - 20 Sonneblom Street, DANIELSKUIL, 8405 - *Rochelle*
67. Fausta Novaso - 881207 0543 \*\*\* - Huis Nommer 386, AUGRABIES, 8874 - *Fausta Alakhe*
68. Carmen Bosch - 770805 1247 \*\*\* - 52 First Avenue, Sherwood Park, MANENBERG, 7764 - *Saajidah*
69. Keletlhokile Khunou - 860528 0758 \*\*\* - 2189 Unit 8, MMABATHO, 2735 - *Keletlhokile Lillian*
70. Zikona Booi - 920309 0798 \*\*\* - Embeveni Location, NQAMAKWE, 4990 - *Zikhona*
71. Nonkululeko Sithole - 000427 0451 \*\*\* - 4975 Thusi Village, Extenson 4, ERMELO, 2350 - *Nonkululeko Zanciah Valencia*
72. Liesel Jonathan - 830313 0229 \*\*\* - 18A chapel Road, Lavender Hill, RETREAT, 7945 - *Nadira*
73. Nontando Ngqeza - 880905 0839 \*\*\* - 859 Nu 16, MDANTSANE, 5219 - *Nontando Ntando*
74. Devina Singh - 861223 0164 \*\*\* - 17 Orissa Place, Queensburgh, DURBAN, 4093 - *Devina Maistry*
75. Chandre Davids - 890127 0208 \*\*\* - 11 Oumakappie Close, Roosendal, DELFT, 7100 - *Shameerah*
76. Govindamma Sheik - 810921 0076 \*\*\* - 242 Florence Nightingale Drive, WESTCLIFF, 4092 - *Faheema*
77. Ogan Nkganya Mphahlele - 960415 5852 \*\*\* - Seteteng, MAMAHLELE, 0737 - *Ngwanaorwele Tšhegofatso*
78. Lucain Ethan Uithaler - 041220 5244 \*\*\* - 126 Starling Street, Pescodia, KIMBERLEY, 8301 - *Lucian Ethan*
79. Carl Denzil English - 941202 5073 \*\*\* - 37 Kunene Way, Portlands, MITCHELLS PLAIN, 7785 - *Mu'izz*
80. Setswalo Eric Mosaoka - 980907 5499 \*\*\* - A117 Maheng Village, MOROKWENG, 8614 - *Olebogeng Eric*
81. Lefifi Vincent Molebatsi - 971109 5277 \*\*\* - 20067 Wyk 1, SELEKA, 0609 - *Katlego Vincent*
82. Lebogang John Nyakala - 020620 5312 \*\*\* - 7389 Mongana Crescent, SOSHANGUVE EAST, 0152 - *Lebogang Mogale*
83. Snethemba Sbusiso Nkosinathi Ngcobo - 030903 5377 \*\*\* - 12901 Phamphela Road, ST WENDOLINS, 1290 - *Nkosinathi Sbusiso*
84. Manfred Neville Geofferies - 031024 5101 \*\*\* - 14 Hyde Road, PARKWOOD, 7941 - *Marwaan*
85. Mogale Collins Ntjana - 020616 6027 \*\*\* - Madibong, JANE FURSE, 1085 - *Bauba Collins*
86. Ngoakoana Rebecca Maela - 990923 5561 \*\*\* - Gedion, BOCHUM, 0790 - *Ngoakoana Robert*
87. Eric Lawrence Pheeha - 730610 5922 \*\*\* - 7269/10 Tshega Street, Block VV, Extension 6, SOSHANGUVE EAST, 0152 - *Maubelwane*
88. Abel Manyane Mabusela - 870527 5565 \*\*\* - 3783 Vlakfontein Street, Extension 3, KIASHA PARK, 1827 - *Kabelo*

89. Alfonso Anthony Malgas - 850413 5130 \*\*\* - 414 Villa Italia, CENTURY CITY, 7441 - *Arxon Alfonso Hicks*
90. Shaun Franklin Snyders - 860728 5127 \*\*\* - 55 Begonia Street, MALMESBURY, 7300 - *Safwaan*
91. Ashley Brett Wakefield - 820704 5079 \*\*\* - 146 Loerie Road, BRIDGETOWN, 7764 - *Ameer*
92. Hinrique Claud Tobias - 780319 5021 \*\*\* - 238 Bird Street, STELLENBOSCH, 7600 - *Faghrie*
93. Morné Paul Bothma - 760908 5137 \*\*\* - 1 Bridal Close, Tygerfalls Villas, TYGERVALLEY, 7530 - *Melanie Paige*
94. Tatenda Sir Christwell Ndlopfu - 050210 5294 \*\*\* - No 10280, Phola Park, MOKOPANE, 0600 - *Sir Christwell Mphiwe*
95. Sakhiwo Nolearn Mkwedana - 931114 5578 \*\*\* - Qhankqu Area, LIBODE, 5160 - *Sakhiwo Nollen*
96. Mosebetsi Mamello Rakhosi - 010105 5244 \*\*\* - 883 J Section, BOTSHABELO, 9781 - *Mamello*
97. Siboniso Leeroy Xaba - 781121 5581 \*\*\* - Unit 113, 35 Rubidge Avenue, Sundown Village, ROODEPOORT, 1724 - *Siboniso Lindani*
98. Moraka Jack Mathe - 670312 5816 \*\*\* - 75 Taai Bosch, Ga Mamadi, RADITSHABA, 0718 - *Seretse Moraka Jack*
99. Moosa Eugene Meva - 781010 5726 \*\*\* - 2956 Jr Maelane Street, Extension 5, Kwaguqa, EMALAHLENI, 1039 - *Musa Eugene*
100. Kwalepe Tony Mokabane - 810729 5518 \*\*\* - Stand 1049/1, Extension 3, EMPUMELELWENI, 1034 - *Phaishi Levy*
101. Siphamandla Simphiwe Stunner Dumakude - 930831 5419 \*\*\* - House No 186824, INANDA, 4310 - *Siphamandla Simphiwe*
102. Moraswi Derick Rankweteke - 890721 5839 \*\*\* - 186 Ben Viljoen Street, PRETORIA NORTH, 0186 - *Leshala Derick*
103. Davin Lance Williams - 931209 5186 \*\*\* - 10 Stockton Street, Victoria Park, SOMERSET WEST, 7130 - *Daiyaan*
104. Letjeka Clen Ramonetha - 041201 5578 \*\*\* - 522 Maphosa Street, BOTLOKWA, 0812 - *Katlego Clen*
105. Siphephelo Millicent Ntuli - 860228 5759 \*\*\* - Lot 180, Tintown Area, Intchanga, PINETOWN, 3670 - *Siphephelo Mveziwokuhle*
106. Papi Lehlohonolo Moloi - 840823 5698 \*\*\* - 147A Kgarebe Street, NALEDI, 1868 - *Lehlohonolo Otsile*
107. Irish Mambote Mambote - 030907 5118 \*\*\* - 26 Chaim Street, MONTANA, 7490 - *Irish*
108. Zwamandla Siphesihle Thabede - 030324 5341 \*\*\* - Mcitsheni, LADYSMITH, 3370 - *Mzwamandla Siphesihle*
109. Fiile Nsevu Ndevu - 640602 6018 \*\*\* - 883 Seraleng Street, RUSTENBURG, 0308 - *Fikile*
110. Daniel Rodriguez Pereira - 880524 5253 \*\*\* - 42 Bottle Brush Bend, RICHARDS BAY, 3900 - *Daniel Rodrigues*
111. Solomon Rantwane Dikobe - 710913 5813 \*\*\* - 6165 Extension 6, SOSHANGUVE EAST, 0152 - *Jonas Mofo*
112. Lere Monwabisi Lisette Mosieane - 740818 5339 \*\*\* - 2542 Pimpinella Crescent, Valley View Estate, ROOIHUISKRAAL, 0187 - *Lere Monwabisi*
113. Nkululeko Freedom Njapha - 870719 5292 \*\*\* - 67 Morcom Road, Prestbury, PIETERMARITZBURG, 3201 - *Nkululeko*
114. Utlwanang Howard Marumo - 891107 5066 \*\*\* - House No 414, Maruping Village, KURUMAN, 8460 - *Utlwanang Othibeng*
115. Isaac Mokobodi - 030421 5049 \*\*\* - No 2052, Zone 2, SESHEGO, 0742 - *Isaac Edgar*
116. Klenkie Rapolai - 960902 5838 \*\*\* - 30 Wolmarans Street, ONVERWACHT, 0557 - *Tshelane Klenkie*
117. Luxolo Mhatu - 631012 5774 \*\*\* - Dick Location, LUSIKISIKI, 4820 - *Luxolo Vuyani*
118. Zikhona Ntlombe - 020214 6489 \*\*\* - Ntsundwana Area, LIBODE, 5160 - *Mzikhona*

119. Thato Motebang - 030407 5178 \*\*\* - 16814 Kekana Street, DAVEYTON, 1502 - *Thato James*
120. Siphon Ntmane - 750106 5690 \*\*\* - 08 Tevot Drive, Three Rivers, VEREENIGING, 1929 - *Siphon Mncedisi*
121. Mlindelwa Msani - 861206 5648 \*\*\* - Dudu Ward 19, UMZINTO, 4200 - *Mlindo Timothy*
122. Koketso Ntota - 040420 5772 \*\*\* - Stand 96, Portion 7, Danie Small Street, KOOKRUS, 1961 - *Koketso Naledi*
123. Yonwaba Ndululisa - 010614 1472 \*\*\* - 804 Penzance, 31 Prince Street, DURBAN, 4001 - *Yolandé*
124. Monwabisi Mhlauli - 840621 5288 \*\*\* - 10 Olive Schreiner Street, Campher Park, DESPATCH, 6000 - *Matshawe monwabisi*
125. Bongakonke Mdletshe - 920127 6377 \*\*\* - Manzamandi, MTUBATUBA, 3935 - *Sbongakonke*
126. Romeo Amadi - 040817 6423 \*\*\* - Stand No 1716, MOKOPANE, 0601 - *Kelechi Romeo*
127. Humbulani Rakheila - 840714 5524 \*\*\* - 10657 Thatch Hill Security Estate, Lekhitlane Street, OLIVENHOUTBOSCH, 0187 - *Humbulani Prince*
128. Ichabod Manana - 910625 5193 \*\*\* - 5869 Bayleaf Street, BRAAMFISCHERVILLE, 1875 - *Ichabod Gift*
129. Andrea Cloete - 741009 5119 \*\*\* - Swartstraat 69, CAROLUSBERG, 8247 - *André*
130. Thabang Mathebe - 010128 5456 \*\*\* - 22411 Mphirane Street, Extension 4, Mamelodi East, PRETORIA, 0122 - *Thabang Kalane*
131. Mduduzi Xaba - 020606 5894 \*\*\* - Delomei, UMZIMKULU, 3297 - *Mlondi*
132. Edwin Pangeni - 031219 5518 \*\*\* - 1705 Beethoven Street, DELFT, 7100 - *Edwin Athenkosi*
133. Rakesh Mohanlall - 680908 5145 \*\*\* - 51 Morningside Village, Morningside, SANDTON, 2196 - *Rakesh Bradley*
134. Khanyo Thomas - 020104 6127 \*\*\* - 13 Liverpool Close, WELTEVREDEN VALLEY, 7785 - *Mzamokhanyo Khulani*
135. Mongezi Robby Mahlaola-Lehobye - 920222 5345 \*\*\* - 2381 Hosea Street, Section 03, MASHEMONG, 4031 - *Mongezi Robby Christopher*
136. Cadley Bradley Smith - 920426 5294 \*\*\* - 41C Scheldt Walk, MANENBERG, 7764 - *Abdulmued*
137. Brandon Lee-Errol Arendse - 961223 5334 \*\*\* - 89 Vishcount Cressent, The Hague, DELFT, 7100 - *Rameez*
138. Xhanti Loyiso Kabelo Mziyati - 920112 5235 \*\*\* - 38 Edison Crescent, Sunninghill, JOHANNESBURG, 2191 - *Loyiso Seriri*
139. Gert Petrus Jacobus Niemand - 940312 5076 \*\*\* - 8 Aloe Ridge, Sugarbush Estate, Noordhewel, KRUGERSDOEP, 1739 - *Jaco*
140. Thabo Percy Ramahalane - 920418 5381 \*\*\* - 9937 Grasland, BLOEMFONTEIN, 9323 - *Thato Blue*
141. Antonio-Israel Katlego Frederick Nhlane - 870603 5748 \*\*\* - 654 Unit C, Mankweng, SOVENGA, 0727 - *Katlego Molepo Frederick*
142. Caswell Makopo Nkgudi - 820925 5324 \*\*\* - 463 Mamphokao Street, MOGANYAKA, 0459 - *Mokgale Caswell*
143. Moeketsana Lebitsa - 900509 5833 \*\*\* - 45 Queens Avenue, Windsor East, RANDBURG, 2125 - *George Moeketsana*
144. Thapelo Mokoena - 860320 5734 \*\*\* - 7 Ferngate, Gateside Road, DAINFERN, 2191 - *Thapelo Koena*
145. Njabulo Mkhize - 930914 5601 \*\*\* - Chibini Location, BULWER, 2244 - *Njabulo Gabriel*
146. Ontshegeditse Mathoko - 851109 5563 \*\*\* - 51373 Mabodisa Section, MORULENG, 0300 - *Ontshe Geditse Oratious*
147. Lonwabo Kona - 880306 5422 \*\*\* - 8 Lemaitre Street, Brackenhurst, ALBERTON, 1448 - *Sulaimaan Mujahid Lonwabo Ngangolwandle*
148. Liyabona Matole - 030820 5168 \*\*\* - Ny 4 – 9 A, GUGULETHU, 7750 - *Liyabona Sabela*

149. Anele Dingiswayo - 010228 5260 \*\*\* - 209 Sihlahla Road, LAMONTVILLE, 4027 - *Kwanele*
150. Gabaikangwe Kerileng Veronica Maele - 810517 0537 \*\*\* - 4844 Botihoko Street, Rocklands, BLOEMFONTEIN, 9325 - *Kerileng Veronica*
151. Dimakatso Anna Mphahlele - 010922 0314 \*\*\* - 12 Flamingo Street, Difateng Section, TEMBISA, 1632 - *Gontse Dimakatso Anna*
152. Mccaylin Anastacia Abrahams - 980203 0448 \*\*\* - 30 Kei Street, Manenberg, ATHLONE, 7764 - *Aa-Isha*
153. Kgantshe Malekana Maswenyaneng - 041016 5621 \*\*\* - Mphanampe Location, SEKHUKHUNE, 1124 - *Kgantshe Sefenyane*
154. Natalie Lusanda Magadana - 870726 0401 \*\*\* - 797 Lekoa Street, Chiawelo Extension 3, SOWETO, 1818 - *Nathalie*
155. Mimi Alinah Magadhela - 911207 0418 \*\*\* - 20597 Tortoise Street, Lion Pride Estate, Extension 33, COSMO CITY, 2188 - *Mimi Nomvula Alinah*
156. Katlego Fredie-Anne Lesejane - 880512 0896 \*\*\* - B 1256 Unit 7, MMABATHO, 2735 - *Nompumelelo Katlego Fredie-Anne*
157. Hlengiwe Patience Molelekeng - 790915 0362 \*\*\* - 31 Striga Street, DOORNPOORT, 0186 - *Thulisile Hlengiwe*
158. Ethan Mbofholowo Tlangelani Rametsi - 040427 0412 \*\*\* - 2962 Mthombeni Street, Chiawelo Extension 2, SOWETO, 1818 - *Ethan Nkhetheni*
159. Thato Mishaal Monkge - 040705 0338 \*\*\* - No 3391, Zone 6, LETLABILE, 0264 - *Thato Michelle*
160. Mariette Wilhelmina Damon - 910509 0126 \*\*\* - 339 Hoog Street, Bella Vista, CERES, 6835 - *Mariette Prenevine*
161. Sarah Stompana Skosana - 830115 0278 \*\*\* - 355 Ella Street, GEZINA, 0083 - *Liefie Ncane*
162. Chwayita Tshepo Judge - 980729 0240 \*\*\* - 369 Panorama Road, The Reeds, CENTURION, 0016 - *Chwayita Zenande*
163. Mokgadi Princess Maunatlala - 780722 0377 \*\*\* - 16 Bompas Road, DUNKELD WEST, 2196 - *Mokgadi Adonai*
164. Ephlinah Katsedi Lengwati - 780317 0425 \*\*\* - 90 Belvedere, 215 Cathrine Drive, LA MONTAGNE, 0184 - *Julia*
165. Rosie Nonhlanhla Madlala - 030616 1102 \*\*\* - Ntokozweni Location, IMPENDLE, 3227 - *Mbali Nonhlanhla*
166. Neo Masebatli Mpharoane - 980111 0212 \*\*\* - 15 Mauser Street, Vaalpark, SASOLBURG, 1947 - *Thabile Neo*
167. Sesi Theodorah Mdluli - 940324 0994 \*\*\* - 9319 Somersport, ZAMDELA, 1949 - *Pamela Sesi*
168. Lerato Cleopatra Maisela - 780331 0341 \*\*\* - 61 Schaafma Street, Extension 24, THE ORCHARDS, 0182 - *Sindisiwe Lerato*
169. Nhlakanipho Lukhele - 011120 0516 \*\*\* - 13 Protea Street, PIET RETIEF, 2380 - *Pamela Nhlakanipho*
170. Mokgadi Monama - 930725 0444 \*\*\* - 87 Cobalt Street, Proclamation Hill, PRETORIA WEST, 0183 - *Mokgadi Renaulda*
171. Fundiwe Godla - 860828 0588 \*\*\* - B 15 B, Site C, KHAYELITSHA, 7784 - *Mikhitha*
172. Dimakatso Maphetho - 991111 0792 \*\*\* - Seieteng, MPHAHLELE, 0736 - *Dimakatso Sandra*
173. Confidence Mosikare - 971026 0247 \*\*\* - 56 Nondala Street, Kwanonqaba, MOSSEL BAY, 6500 - *Dimakatso Confidence*
174. Nonhlanhla Sosibo - 870424 0697 \*\*\* - 16 Hedgerow, 12 New Scotland Road, PELHAM, 3201 - *Nonhlanhla Snenhlanhla*
175. Pogiso Kwati - 910524 5759 \*\*\* - 91 Ntswaletsoku, LEHURUTSHE, 2891 - *Pogiso Mashaba Shakes*
176. Chokwadi Mlimi - 010713 1019 \*\*\* - Stand No 252, Kabokweni, MALEKUTU, 1245 - *Chokwadi Precious*

177. Magdaline Motana - 770607 0559 \*\*\* - 713 Stanza Bopape Street, 307 Karino, ARCADIA, 0007 - *Tlou Magdaline*
178. Samkela Bolintaba - 000701 0717 \*\*\* - 191 Cape Stand, Lusaka, MIDDELBURG, 5900 - *Wisakhanya Samkela*
179. Varishka Naidoo - 970922 0340 \*\*\* - 23 High Street, 13 Filia Court, TONGAAT, 4399 - *Varishka Anandan*
180. Amahle Ngcobo - 040324 0160 \*\*\* - 92 On New Apartment, New Road, CARLSWALD, 1684 - *Amahle Thalia*
181. Lirato Mhlalela - 040420 0852 \*\*\* - 198 Baca Avenue, Site B, KHAYELITSHA, 7484 - *Lrato*
182. Nosiymbonga Ngxambuza - 990217 0476 \*\*\* - 35834 Block 4, Doornkop, ROODEPOORT, 1723 - *Sinokhanyo*
183. Tshogofatso Nkgudi - 021216 0230 \*\*\* - 1172 Phiri Street, Kanana, ORKNEY, 2619 - *Tshogofatso Jedadiah*
184. Vasti Hancox - 030717 0386 \*\*\* - Fisanthoekfarm Erf ID 9, Harkerville, PLETTENBERG BAY, 6600 - *Naomi Vasti*
185. Otlotleng Tiro - 010409 0951 \*\*\* - Moswei Village, Matshetuwane, LEHURUTSHE, 3880 - *Otlotleng Mamotsatsi*
186. Kokeletso Masehela - 910418 0540 \*\*\* - 58 Taaibos Street, Rooistinkhout, Extension 141, ANNLIN, 0182 - *Opeleng Kokeletso*
187. Dinah Ngwana - 850212 0475 \*\*\* - 643 Ngwana Stand, WINTERVELDT, 0198 - *Dinah Kamogelo*
188. Nhokazi Luvulweni - 020709 0714 \*\*\* - 25 Ruby Park, KRAAIFONTEIN, 7570 - *Nhokazi Precious*
189. Raisibe G Manamela - 580808 1132 \*\*\* - 41 Maka Street, Mahube Valley, MAMELODI EAST, 0122 - *Raisibe Gittrop*
190. Thanduxolo Conspicuos Thengwa - 810401 1236 \*\*\* - Nkosana Village, MATATIELE, 4730 - *Qhawekazi Thandokazi*
191. Shillah Mbombeleni Mbhombhi - 910210 0302 \*\*\* - 34 Molema Street, Moretele View, MAMELODI WEST, 0122 - *Sheila Nkateko Mbombeleni*
192. Mbali Promise Mabaso - 970127 1099 \*\*\* - Roosboom Street, LADYSMITH, 3370 - *Nocebo Noxolo*
193. Tebello Sebongile Sekhejane - 020801 1003 \*\*\* - 10630 Nare Street, MAHIKENG, 2745 - *Tebello*
194. Cornelia Elena Engelbrecht - 000606 0108 \*\*\* - Dunvegan Farm, KOPPIES, 9540 - *Menické*
195. Mamotaung Emily Mahlangu - 030803 0404 \*\*\* - No 2561, Extension 1, Kanana, ORKNEY, 2619 - *Mpho Emily*
196. Ntsietseng Suzan Moloi - 911208 0380 \*\*\* - House 8149, Tiaele Street, PHUTHADITJHABA, 9866 - *Kananelo Suzan*
197. Dipuo Patience Thebe - 970727 0520 \*\*\* - 7 Jennifer Court, Navalsig, BLOEMFONTEIN, 9301 - *Amogelang Patience*
198. Elsa Mamake Motloung - 021123 0459 \*\*\* - 2339 Bala Shaik Street, Kaalfontein, MIDRAND, 1682 - *Dikeledi Elsa*
199. Khanyisile Chantelle Mashilo - 000521 0081 \*\*\* - 1866 Heron Crescent, Eye of Africa, ELKENHOF, 1872 - *Kaycee Chantelle Khanyisile*
200. Angela Tyrese Nkanyana - 031214 5703 \*\*\* - Mbokota Location, MAKHADO, 0920 - *Ntokoto*
201. Bushi Morutse Mananyetsho - 920325 5921 \*\*\* - 1286 Mamphokgo Street, MOGANYAKA, 0459 - *Bushy Mafiri*
202. Kaleka Boyboy Nkgodi - 810627 5564 \*\*\* - Stand No 5043, Manapyane Village, MOGANYAKA, 0459 - *Kaleka Morwaswi*
203. Asipe Thando Gontshi - 911203 5551 \*\*\* - 12 Turner Street, Rowllan Park, PORT ELIZABETH, 6025 - *Thando Yandisa*
204. Karabo Edward Mokoena - 020719 5477 \*\*\* - House No 093, Chris Hani Park, WITSIESHOEK, 9870 - *Karabo*
205. Siyabonga Neluduzo Hadebe - 020820 6033 \*\*\* - 4478 Thusi Village, ERMELO, 2350 - *Siyabonga Nduduzo*
206. Maje Thomas Mokone - 820114 5332 \*\*\* - 582 Lesolang Street, Mahube Valley, Extension 2, MAMELODI EAST, 0122 - *Thomas Leope*

207. Thulebona Owen Milazi - 910816 5939 \*\*\* - House No C 1786, OSIZWENI, 2952 - *Thulebona Owen Cassim*
208. Diau Johannes Mphuthi - 870318 5740 \*\*\* - 252 C Vincent Road, Meadowlands, SOWETO, 1852 - *Diau Jonas*
209. Cyril Ashton Fredericks - 020521 5052 \*\*\* - 4 Tindall Street, Idas Valley, STELLENBOSCH, 7609 - *Ashton Cyril*
210. Phetolo Johannes Mashilo - 940711 5316 \*\*\* - House No 261, Extension 11, MAMELODI EAST, 0122 - *Speelman*
211. Kgotlelelo Pholoto - 041116 5150 \*\*\* - Stand No 215, Mmotwaneng Village, GA-RAKGOADI, 1068 - *Tholo Kgotlelelo*
212. Cizeltankiso Mafaesa - 020511 5330 \*\*\* - 9992 Old Cemetery Road, Phase 2, BRAAMFISCHERVILLE, 1724 - *Cizel Tankiso*
213. Stenly Motlanthe - 900507 5864 \*\*\* - Stand Number 231, Nobody, GAMOTHIBA, 0726 - *Stanley Buno*
214. Bulungisa Gcali - 030829 5401 \*\*\* - 1492 Pokela Road, Masiphumelele, FISHHOEK, 7975 - *Iviwe Bulungisa*
215. Gift Nzama - 770303 6198 \*\*\* - 145 President and Brand Road, Rynfield, BENONI, 1501 - *Gift Bongani*
216. Mohau Madibana - 010826 5180 \*\*\* - 2129 Bloodfin Street, Kaalfontein Extension 4, MIDRAND, 1685 - *Matome Mohau*
217. Semakaleng Madibana - 990617 0248 \*\*\* - 2129 Bloodfin Street, Kaalfontein Extension 4, MIDRAND, 1685 - *Semakaleng Amogelang*
218. Dinah Makhosazana Mahlangu - 791111 0370 \*\*\* - 187 Entokoqweni, KWAMHLANGA, 1022 - *Dinah Makhosazana Namkoneni*
219. Priscilla Malebogo Mofokeng - 850301 0736 \*\*\* - Andrica Place 12, Lever Road, MIDRAND, 0185 - *Priscilla Lebo*
220. Sithandekile Princes Mzizi - 041001 1263 \*\*\* - 13 Ring Road, GROOTVLEI, 2420 - *Cassandra Sithandekile*
221. Tumeka Anita Matandabuzo - 881023 0898 \*\*\* - 10 – 20th Avenue, Broadland Village, STRAND, 7140 - *Anita*
222. Paul Samuel Rebese - 820823 0720 \*\*\* - 84 Phase 1, ALEXANDRA, 2090 - *Neo Lisa*
223. Andiswa Phillipa Mba - 830404 1165 \*\*\* - 712 Lundi Street, GINSBERG, 5605 - *Andiswa*
224. Siphwe Bridgette Masemola - 960606 0565 \*\*\* - 30991 Majimisi Avenue, Mamelodi East, PRETORIA, 0122 - *Seth Albertina Bridgette*
225. Vuyelwa Esther Mgcya - 920921 0373 \*\*\* - 2099 Vukuzenzele, Phahameng, BULTFONTEIN, 9670 - *Vuyelwa Mavy Esther*
226. Nomathemba Ubuhle Sibisi - 990208 0919 \*\*\* - Jolivet Location, HIGHFLATS, 3306 - *Ubuhle Nomathemba*
227. Shannon Crystal Cohen - 020830 1303 \*\*\* - 1 Illanga Street, The Willows, PRETORIA, 0041 - *Violette Crystal*
228. Daffodil Namhle Ndomile - 810730 0633 \*\*\* - G63 – 9, GUGULETU, 7750 - *Daffodil Namhla*
229. Caylon Michealla Newton - 010730 0067 \*\*\* - 16 De Klerk Avenue, Burgersdorp, LICHTENBURG, 2740 - *Caylon Michaela*
230. Maledile Augusta Mogashoa - 880605 0332 \*\*\* - 08 Parkville Place, Buccleuch, SANDTON, 2090 - *Meldy Lerato*
231. Chelsey Mercedes Adams - 000207 0085 \*\*\* - 34 metropolitan Street, BEACON VALLEY, 7785 - *Durrani*
232. Lara Isabella Granig - 040624 0088 \*\*\* - 19 North Road, DUNKELD WEST, 2196 - *Julien Daniel*
233. Shodangani Mtshali - 990908 1117 \*\*\* - Hlazakazi Aaea, NQUTU, 3135 - *Shodangani Mbali*
234. Christie De Wet - 980314 0231 \*\*\* - 18 Groenkop, BLOEMFONTEIN, 9300 - *Camila Daniëlla*
235. Quinette Fernandez - 940102 0190 \*\*\* - 84 Redberry Street, BONTEHEUWEL, 7764 - *Emaan*
236. Cornelia Loubser - 930427 0423 \*\*\* - 04 Golf Street, AGULHAS, 7287 - *Gabriel*

237. Matlala Motatsa - 930107 0858 \*\*\* - 2142 Extension 3, Blydeville, LICHTENBURG, 2740 - *Matlala Nthabiseng Pretty*
238. Puseletso Ngobeni - 980527 0576 \*\*\* - 409 Park Mansions, Cnr Van Dar Merwe and Edith Cavel Street, HILLBROW, 2001 - *Puseletso Emily*
239. Tshepisho Kgashe Sefala - 850914 5482 \*\*\* - R60 Pola Section, GANYESA, 8613 - *Tshepisho Mashianoke*
240. Josiah Boy Masemola - 860702 5478 \*\*\* - 834 Imbumba Street, SOSHANGUVE, 0152 - *Lehlogonolo*
241. Kweni Gilbert Selolo - 750327 5944 \*\*\* - 2463 Gold Fish Street, Kalfontain, Extension 5, MIDRAND, 1500 - *Modisha Johannes*
242. Vusi Jim Mahlangu - 820619 5549 \*\*\* - 950 Block X, SOSHANGUVE, 0152 - *Vusi Mali*
243. Modisaotsile George Moeng - 040203 6076 \*\*\* - 633 Gwele Street, KIMBERLEY, 8301 - *Modisaotsile Junior*
244. Hans Nappes - 740122 5362 \*\*\* - 2124 Mgwali Street, STEYTLERVILLE, 6280 - *Fuzile Jonathan Hans*
245. Riaan Wright - 850313 5251 \*\*\* - 20 Lily Avenue, Northcliff, JOHANNESBURG, 2195 - *Irian*
246. Zwakele Buthelezi - 850829 5854 \*\*\* - Mphondi Area, NQUTU, 3135 - *Zwakele Prince*
247. Mkhawuleni Khumalo - 020815 6076 \*\*\* - No 2613, Sinqobile C, DAGGAKRAAL, 2492 - *Sphiwe Mkhawuleni*
248. Revol Dollie - 861022 5076 \*\*\* - 18 Sterblom Single, Progress, UPINGTON, 8801 - *Uwais*
249. Sehlabane Sehlabane - 040414 5391 \*\*\* - 492 Moroka Swallows Street, Mohlakeng Extension 7, RANDFONTEIN
250. , 1759 - *Kutlwano Owen*
251. Cavin Masedi - 010919 6504 \*\*\* - 8425 Moloko Street, Olievenhoutbosch, Extension 36, CENTURION, 0175 - *Tebogo Cavin*
252. Lefalamang Letsela - 990222 6445 \*\*\* - 778 Boiketlo Street, IVORY PARK, 1685 - *Lefa Tlotliso*
253. Lungile Buyeye - 870811 5867 \*\*\* - 36 Voortrekker Street, ZASTRON, 9950 - *Lungile Gucci*
254. Pietrus Modisaemang - 770722 5576 \*\*\* - 1364 Thami Section, Agisanang Location, SANNIESHOF, 2760 - *Kgosi*
255. Cleviness Ngobeni - 001125 5842 \*\*\* - 2934 Nxumalo Street, Chiawelo, Extension 2, SOWETO, 1818 - *Cleviness Ntokoto*
256. Onkgopotse Modirwa Itholeng - 040202 5428 \*\*\* - House 22 Barrage Road, Randwater, VEREENIGING, 1939 - *Onkgopotse Tlhalefo*
257. Karabo Mokgaditsi - 030711 5785 \*\*\* - Stand No 20229, Makhutso, MARBLE HALL, 0450 - *Nthaki Karabo*
258. Deszel Ronaldo Koensie - 040903 5210 \*\*\* - 37 Sandpiper Road, GRASSY PARK, 7941 - *Riyaad*
259. Itebogeng Clement Ntsoane - 030904 5037 \*\*\* - Lekurung, GA MRHAHLELE, 0736 - *Itebogeng Segogoiwane*
260. Mnelisi Mzwandile Khumalo - 040315 5223 \*\*\* - Loskop Location, ESTCOURT, 3310 - *Ziyanda Mzwandile*
261. Avhathani Joseph Manthwa - 680723 5789 \*\*\* - Takhlani Street, TSHIDIMBINI, 0971 - *Avhaphani Joseph*
262. Bekamaswazi Goodman Shabalala - 681128 5438 \*\*\* - 48 Witsering Avenue, KEMPTON PARK, 1619 - *Bhekamaswazi Goodman*
263. Thamaga Simon Mello - 720527 5496 \*\*\* - House No 1175, Section D, EKANGALA, 1021 - *Phoko Simon*
264. Mpho Dennis Motshekg - 000314 5987 \*\*\* - 333 Nana Sita Street, PRETORIA CENTRAL, 0002 - *Mpho Sean*
265. Jostina Ramatsobane Mokoka - 541012 5264 \*\*\* - House Number 10069, MATLALA, 0748 - *Madimetja Edward*
266. Ntandoyenkosi Protas Shinga - 940305 5652 \*\*\* - V 1022 Thubelihle Khumalo Road, UMLAZI, 4031 - *Ntandoyenkosi Lungisani*
267. Mfanawempi Amos Mabila - 830603 5648 \*\*\* - Stand No 1215, MAAS, 1341 - *Lovers Amos*

268. Kgomotso Mthethwa - 990502 5865 \*\*\* - Hlathidam Area, NQUTU, 3135 - *Kgomotso Lungisani*
269. Shiba Mokoenyama - 041004 5283 \*\*\* - 70 1212 Mosodi Village, MOKOPANE, 0600 - *Lesiba Shiba*
270. Ganisile Maxenziba - 950505 6866 \*\*\* - Ncitsane Area, MJIKA, 5170 - *Ganisile Thando*
271. Moses Malata - 921113 5522 \*\*\* - Stand No 75342, Ga Molepane Village, JANE FURSE, 1085 - *Tšhitši Dittakas Tshipi*
272. Edward Baloyi - 530517 5654 \*\*\* - 270 Suid Street, Flora Park, POLOKWANE, 0699 - *Mshimane Edward*
273. Petrus Mathelele - 950715 5894 \*\*\* - 15846 Maseko Street, MAMELODI EAST, 0122 - *Theophilus*
274. Idnitious Maila - 910117 5715 \*\*\* - 178 Walter Sizulu Street, Lotus Gardens, PRETORIA, 0008 - *Idnitious Mmofele*
275. Lita Nongciki - 980313 5691 \*\*\* - Silverton, UMTATA, 5099 - *Lita Sinethemba*
276. Avuya Jaxa - 971015 5941 \*\*\* - 35 Smith Street, KING WILLIAMS TOWN, 5600 - *Justice*
277. Gladness Ngaketse Phasha - 900809 5284 \*\*\* - Magobaping, ATOK, 0737 - *Matjebela Gladness*
278. Phonyokgo Brenden Mabudusha - 980311 5695 \*\*\* - Hweleshaneng, MPHAHLELE, 0736 - *Phonyokgo Pawpaw*
279. Thakane Kamohelo Mphuthi - 930429 5729 \*\*\* - 1204 Rammulotsi Street, VILJOENSKROON, 9520 - *Boitelo*
280. Tumelo Edwin Khubu - 020203 5530 \*\*\* - House No 487, MARUPING, 8460 - *Tumelo Tlabuane*
281. Siphesihle Mngobi Dan Mazibuko - 030923 5182 \*\*\* - 4968 Mpangele Drive, Kwandengezi, PINETOWN, 3610 - *Siphesihle Mngobi Dan*
282. Sinethemba Recardo Peters - 941231 5224 \*\*\* - 35c Black Bird Avenue, PARKWOOD, 7941 - *Recardo*
283. Rory Hlistair McArthur - 950512 5201 \*\*\* - 25 Golfview Drive, Thornhill, MODDERFONTEIN, 1609 - *Rory Alistair*
284. Preston Paxton Kistna - 000921 5211 \*\*\* - 112 Marian Hill Road, Ashley, PINETOWN, 3610 - *Kerstin*
285. Menzi Percival Nhlabathi - 890915 5640 \*\*\* - Vulindlela Road, TONGAAT, 4399 - *Menziwezinto*
286. Christopher Sinki Mothapo - 871015 5343 \*\*\* - House No 362, Paledi Village, Ga-Thoka, GA-MOTHAPO, 0727 - *Mmamohlaume Christopher*
287. Thekelo Erence Rachidi - 901003 5751 \*\*\* - 507 Mapungbwe Apartments, 50 Marshall Street, Marshall Town, JOHANNESBURG, 2001 - *Thekelo Kujichagulia*
288. Ntungufhadzeni Robert Silidi - 810115 5946 \*\*\* - Calderwood, BENONI, 1501 - *Ntungufhadzeni Ramaphagela*
289. Piet Motsamai Sepeko - 831216 5482 \*\*\* - House No 10050, Kgomola Section, ITSOSENG, 2744 - *Zidane Motsamai*
290. Tshogofatso Obed Ramashia - 880105 5814 \*\*\* - 36 Greystone Street, Mooikloof Ridge, PRETORIA, 0131 - *Tshogofatso*
291. Rapula Rain Molefe - 841015 5561 \*\*\* - House No 30328, Tlhaole Section, BORAKALALA, 2872 - *Rapula Andrew*
292. Qaphela Shiyakubuswa Hadebe - 000207 6265 \*\*\* - Mangwaneni Location, BULWER, 3244 - *Qaphela Thabiso*
293. Abraham Johannes Hendrik Pieterse - 790701 5174 \*\*\* - Unit 107, Brooklyn Stone, BROOKLYN, 0011 - *Joe*
294. Charles Mkhonto - 930921 5544 \*\*\* - House No 07, Mabutho Extension, HONEYDEW, 2040 - *Boitumelo*
295. Nazi Giwu - 040302 5574 \*\*\* - Mzamba, BIZANA, 0084 - *Nazi Lucas*
296. Tekano Mashaba - 030227 5168 \*\*\* - House No 486, Soutpan, SOSHANGUVE, 0152 - *Jordan Tekano*
297. Andile Johnson - 860320 5455 \*\*\* - B3281 Rononkel Street, Parkridge, EAST LONDON, 5200 - *Andile Innocent*
298. Oarabile Mpudi - 910704 5582 \*\*\* - House No 1154, Berut Section, THEKWANA, 0300 - *Oarabile Mogwera Ishmael*

299. Asande Ndwandwe - 040204 6588 \*\*\* - House No 667, Sakhile Section, MPANGENI, 1400 - *Asande Lulama*
300. Nkosikhona Ntanjana - 890611 5940 \*\*\* - Khiba Village, STERKSPRUIT, 9762 - *Nkosikhona Sivuyile*
301. Jikephi Alice Nxumalo - 860728 0481 \*\*\* - 110 Denvare Street, JOHANNESBURG, 2094 - *Ntombizodwa Sthabile*
302. Prudence Nontuthuzelo Buyeye - 000718 0320 \*\*\* - Fort Cox College, MIDDLEDRIFT, 5685 - *Anelisa*
303. Nono Maria Mokonyana Matsaung - 850105 1069 \*\*\* - No 3 Valsbaai Street, Unit 4 Silverleaf, ELANDSHAVEN, 1401 - *Mottalepula Maria*
304. Mamawesizwe Metjie Sibusisekile Simelane - 030827 0159 \*\*\* - 2009 Koali Street, WITBANK, 1039 - *Sibusisekile Metjie Angel*
305. Priscilla Kamogelo Mokoto - 920314 0280 \*\*\* - House No 12478, Phase 2, Braamfisherville, ROODEPOORT, 1724 - *Kamogelo*
306. Jessica Stacy Rogers - 970719 0125 \*\*\* - 10 High Street, West Bank, EAST LONDON, 5200 - *Kai*
307. Mavis Sizeni Sibiya - 830505 1138 \*\*\* - Mabedlane Area, ULUNDI, 3838 - *Mayvis Sizakele*
308. Ngobisani Florinda Ndhlovu - 770512 0189 \*\*\* - 973 Lemba Street, DAVEYTON, 1520 - *Qobisani Florence*
309. Patricia Dimpho Molakeng - 930611 0683 \*\*\* - 3B Sheila Cussons Street, Langenhoven Park, BLOEMFONTEIN, 9301 - *Dimpho*
310. Sarah Maboko Hlengani - 930321 0024 \*\*\* - 8 Ginko and Barbit Street, Crystal Park, BENONI, 1515 - *Sarah Nosipho*
311. Ashley Bridget Joseph - 940228 0153 \*\*\* - 16 Trentham Road, PLUMSTEAD, 7801 - *Ashley Wilton*
312. Moenyana Bontle Tshetlanyane - 010329 0408 \*\*\* - 971 Botsi Street, Dobsonville, SOWETO, 1863 - *Wame Moenyana Bontle*
313. Paseka Shirley Sebola - 990328 0713 \*\*\* - 153 – 9th Avenue, ALEXANDRA, 2090 - *Prisca Milano*
314. Kwena Mable Mathibela - 810213 0697 \*\*\* - 93 Krombek Street, Birchacres, Extension 3, KEMPTON PARK, 1620 - *Marbela*
315. Linzey Kim Blankenberg - 930725 0506 \*\*\* - 04 Hamlet Close, Booyesen Park, PORT ELIZABETH, 6059 - *Lameez*
316. Chavonne Melanie Quanson - 930624 0117 \*\*\* - 32 Magdalena Street, Kamma Park, PORT ELIZABETH, 6000 - *Imaan*
317. Masegotla Ntsiki Diago - 980924 0374 \*\*\* - 4182 Iphuphuma Street, Birchacres, KEMPTON PARK, 1619 - *Khutso Amani*
318. Ivy Mmachego Seimela - 830328 0949 \*\*\* - Mahlatsane, MASEFE, 0738 - *Ivy Matchego*
319. Silindile Friedah Mbatha - 910204 0885 \*\*\* - 2096 Welbedatch, CHATSWORTH, 4092 - *Silindile*
320. Mmathithi Emma Moloantsoa - 030705 0210 \*\*\* - House No 10161, REABETSHE, 0555 - *Mmathathi Emma*
321. Maphari Whitney Mokhoto - 910321 0685 \*\*\* - House No 1426, SPRINGS, 0812 - *Maphari Pabala*
322. Mmanko Pauline Letlape - 631007 0151 \*\*\* - 34 – 10th Avenue, ALEXANDRA, 2000 - *Mmamokhutlo Mmanko Pauline*
323. Nomqwethu Rebecca Mkrola - 730311 0513 \*\*\* - House No 14950, Phase 6, BLOEMFONTEIN, 9323 - *Nomawethu Rebecca*
324. Nonsindiso Simangele Makhanya - 910428 0530 \*\*\* - 2005 – 2nd Street, Lindelani, Sibongile Township, DUNDEE, 3000 - *Minenhle Nonsindiso*
325. Gošetšeng Mahlodi Mahlare - 970723 0474 \*\*\* - Ga-Mabintwane, NEBO, 1059 - *Gošetšeng*
326. Antolizia Navashnee Minnies - 940207 0257 \*\*\* - 14 Lobelia Street, Lenteguur, MITCHELLS PLAIN, 7785 - *Nafeesah*

327. Brunique Esther Brood - 950721 0075 \*\*\* - 14 Nightingale Street, Mountainview, UITENHAGE, 6229 - *Zainab*
328. Melissa Andrade Da Silva-Figueira - 950204 0180 \*\*\* - 37 Plantasie Weg, JAN KEMPDORP, 8550 - *Melissa*
329. Happyness Nkandi - 900612 0801 \*\*\* - House No 12061, Sweetwaters at Nqabeni Location, PIETERMARITZBURG, 3200 - *Nqobile*
330. Jodie Baron - 950720 0121 \*\*\* - 13 Hector Avenue, OTTERY, 7800 - *Zainab*
331. Xolelwa Mnqubeni - 991204 0380 \*\*\* - 57829 Solomon Mahlangu Street, Nompumelelo, BEACON BAY, 5241 - *Mbaliyothando*
332. Valencia Sogoni-Konongo - 750502 0771 \*\*\* - 28 Mbulelo Street, Soweto-On-Sea, PORT ELIZABETH, 6201 - *Babalwa Valencia*
333. Seitebaleng Nkashe - 830701 0227 \*\*\* - House No 10528, Verdwaal No 1, ITSOSENG, 2744 - *Phatsimo*
334. Daphney Molwantwa - 870715 0359 \*\*\* - Stand No 60130, Steve Biko, SHONGOANE, 0555 - *Morongoa Daphney*
335. Olga Mtembu - 810929 0896 \*\*\* - House No 3585, Extension 6, BOPHELONG, 1913 - *Nomakhosi Olga*
336. California Maphopha - 880322 0779 \*\*\* - Stand No 28, RAMOGWERANE, 0491 - *Mafolo California*
337. Mbulahiseni Sikhivhilu - 840218 0414 \*\*\* - 1597 Mountanderson Street, Extension 12, KIRKNEY VILLAGE, 0183 - *Mbulahiseni Prudence*
338. Nontembiso Ngubemhlophe - 920916 0933 \*\*\* - 102 Moondust Walk, IKWEZI PARK, 7784 - *Sinoxolo*
339. Ge-Nade Hanson - 010902 0213 \*\*\* - 11 Springbok Street, MOORREESBURG, 7310 - *Genayde*
340. Nontsebenzo Harimbere - 841017 0564 \*\*\* - 45 Vesting Street, NATVRENA, 2095 - *Nontsebenzo Nosipho*
341. Daphney Mukhesi - 881219 0852 \*\*\* - 240 Southrand Road, Linmeyer, JOHANNESBURG, 2190 - *Daphney Rifumo*
342. Candice Maistry - 960206 0443 \*\*\* - 94 Van Der Linde Street, BEDFORDVIEW, 2008 - *Candy*
343. Amanda Fokazi - 900814 0676 \*\*\* - D-304 Matanzima Street, Mau-Mau, NYANGA, 7755 - *Amanda Neliswa*
344. Nasiphi Zinyane - 990923 0682 \*\*\* - 446 Stofile Street, Ngangelizwe Location, MTHATHA, 5099 - *Nasiphi Hlumela*
345. Oddette Engle - 890324 0400 \*\*\* - 4 Dunboyne Avenue, CROSBY, 2092 - *Salma*
346. Sophie Mzalazala - 990411 0747 \*\*\* - House No 4746 Block 1, Doornkop, SNAKEPARK, 1723 - *Matebogo Sophie*
347. Pearly Groener - 710503 0584 \*\*\* - 95 Jenneker Street, Arcadia, PORT ELIZABETH, 6059 - *Wardah*
348. Confidence Modisetse - 960820 0932 \*\*\* - 3490 Zora Lecoge, VRYBURG, 8601 - *Aobakwe Confidence*
349. Liza Gie - 791114 0160 \*\*\* - 50 Duncan Street, PARWO, 7500 - *Liiza*
350. Ifhani Mphephu - 001228 1294 \*\*\* - 14th Road, Midview Village, Noordwyk, MIDRAND, 1683 - *Ifhani Neyani*
351. Leonorah Ntsimane - 911118 0532 \*\*\* - Acacia Place, Raceway Park, BLOEMFONTEIN, 9301 - *Bongeka Leonorah*
352. Florence Mbatha - 040304 1288 \*\*\* - Marathoni Informal Settlement, GERMISON, 1401 - *Sphelele Florence*
353. Mancuku Mohlokonya - 600108 0187 \*\*\* - 38540 Nkabene Street, TSAKANE, 1500 - *Makutlwano*
354. Mohlatso Phoshoko - 940309 0728 \*\*\* - Stand No 2260, MADIBENG, 0837 - *Motlatso Virginia*
355. Penisha Rampirith - 930607 0293 \*\*\* - 40 Circle Drive, Wyebank, KLOOF, 3610 - *Penny*
356. Gugulethu Mema - 870718 0733 \*\*\* - 1 Kings Avenue, Windsor West, RANDBURG, 2194 - *Nerissa Luyolo*
357. Tebogo Tlhape - 820701 5421 \*\*\* - 117 – 10<sup>th</sup> Street, Unit 35, Hyde Park, SANDTON, 2100 - *Tebogo Maeko*

## DEPARTMENT OF HOME AFFAIRS

NO. 3464

26 May 2023

**ALTERATION OF SURNAMES IN TERMS OF SECTION 26 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)**

The Director-General has authorized the following persons to assume the surnames printed in *italics*:

Notice is hereby given of Government Gazette No. **48483** which, was published in Government Gazette Notice No. **3352** dated **28 April 2023**, is hereby rectified to read as follows

1. Thabo Edwin Mogane - 960104 5037 \*\*\* - 46 Otto Street, Renstown, HAMMANSKRAAL, 0400 - *Makhubedu*
2. Tagishi Isaac Mohlala - 040328 5427 \*\*\* - 63 Mountain View Street, MOTSEPHIRI, 0470 - *Rakgalakane*
3. Zizipho Ngubo - 030404 1583 \*\*\* - Delamsi, UMZIMKHULU, 3297 - *Jaca*
4. Nomcebo Princess Manana - 031225 1321 \*\*\* - E 514, Mayflower Gate, ERMELO, 2350 - *Selepe*
5. Precious Kwenadi Selapa - 030713 0178 \*\*\* - 1104 Nobody, GA MOTHIBA, 0726 - *Motloutsi*
6. Sisanda Sisonke Ngcamu - 040707 0894 \*\*\* - Mimosdale, ESTCOURT, 3310 - *Njoko*
7. Sam Sibusiso Mndaweni - 040601 5284 \*\*\* - No 1927, Zomba Avenue, Slovo, SPRINGS, 1559 - *Ntshangase*
8. Segwape Suprise Selala - 860919 5736 \*\*\* - Maratapelo Area, CHUENEPOORT, 0745 - *Tjale*
9. Sithulile Londiwe Portia Mthembu - 860109 0491 \*\*\* - 49 Ellon Street, The Reeds, HAMMARSDALE, 0158 - *Mhlongo*
10. Suprise Moagi - 021208 5815 \*\*\* - 16533 Movhale Street, Ext12, SOSHANGUVE SOUTH, 0152 - *Maleka*
11. Shela Patvictory Kwakwa - 021107 0411 \*\*\* - 503 Kgonthe Street, Extension 37, OLIEVENHOUTBOSH, 0175 - *Kgobe*

Notice is hereby given of Government Gazette No. **48429** which, was published in Government Gazette Notice No. **3307** dated **14 April 2023**, is hereby rectified to read as follows

1. Siphamandla Siyanda Keith Mzathu - 871013 5241 \*\*\* - Stand No 27227, Extention 26, EMBALENHLE, 2285 - *Majola*
2. Letsoalo Johannes Ramogale - 030901 6296 \*\*\* - Stand No 970, Paledi Street, MANKWENG, 0727 - *Masokwameng*
3. Frank Latrobe Geiger Kelly - 940614 5080 \*\*\* - 76 Marborough Avenue, CRAIGHALL PARK, 2196 - *Geifer*
4. Percevierance Manabile - 881208 5751 \*\*\* - 286/26 Block 77, SOSHANGUVE, 0152 - *Lamola*
5. Stanley Ben - 820607 5455 \*\*\* - your wife - Zikhona Ben - 871029 1195 \*\*\* - 820607 5455 084 - 45904 Braelyn, Lillian Ngoyi Street, EAST WOOD, 5209 - *Qengqa*
6. Monnaomontso Jack Tladi - 881216 5691 \*\*\* - 6513 Regae Village, EPHRAIM MOGALE, 0450 - *Thokoane*

## DEPARTMENT OF HOME AFFAIRS

NO. 3465

26 May 2023

## ALTERATION OF SURNAMES IN TERMS OF SECTION 26 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)

The Director-General has authorized the following persons to assume the surnames printed in *italics*:

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2. Moshiko William Motimele - 790519 5260 \*\*\* - 493 Moletjie Street, GA MAKIBELO, 0150 - *Maloka*
3. Sonwabo Dzanibe - 010223 5710 \*\*\* - Strangers Rest, UMZIMKULU, 3297 - *Mahlasela*
4. Matthews Mogano - 730829 5649 \*\*\* - 430 Maphetoane Street, MOLEPO VILLAGE, 0732 - *Mpe*
5. Craighon Justin Rooi - 000224 5304 \*\*\* - 19 Daniel Stellenberg Street, Bogsig, CALEDON, 7230 - *Louis*
6. Godfrey Gaopalelwe Mopalami - 961113 5471 \*\*\* - No 10122, Motsoseng Village, MANIKENG, 2745 - *Tlatsana*
7. Livers Ritshuri - 860915 5403 \*\*\* - 10371 Corner Emi and Kibo Street, Extension 76, CLAYVILLE, 1632 - *Mafumu*
8. Tshepiso Jonas Mahlangu - 890421 5379 \*\*\* - 35587 Chabalala Street, Lusaka, Extension 22, MAMELODI EAST, 0122 - *Senwamadi*
9. Muziwethenjwa Antony Maphasa - 800108 5785 \*\*\* - 8552 Mphela Road, KOKSTAD, 4700 - *Gxathwana*
10. France Tolo - 720425 5931 \*\*\* - Stand No 22B234, Bohopunya, Tafelkop, GROBLERSDAL, 0470 - *Thipe*
11. Mduduzi Rodgers Dlamini - 761205 5477 \*\*\* - Esimozomeni, RICHMOND, 3780 - *Nzuza*
12. Sfiso Thumbu - 960920 5985 \*\*\* - P O Box 519, SIDLAMAFA, 1320 - *Maziya*
13. Letebele Phineas Mosoma - 740202 6373 \*\*\* - Madibaneng, SEKHUKHUNE, 1124 - *Malaka*
14. Pule Shale - 891213 5955 \*\*\* - House No 1699, Mangaung, WITSIESHOEK, 9870 - *Mahamotsa*
15. Boitumelo Malele - 030815 5301 \*\*\* - 22 Springbok Road, VRYBURG, 8601 - *Mantshiana*
16. Thuso Gift Tsoaela - 870117 5311 \*\*\* - 2186 K Section, BOTSHABELO, 9781 - *Lephatsoe*
17. Mhlengi Fakazi - 940829 5758 \*\*\* - Nkoninga Street, Mandlantini, RICHARDS BAY, 3900 - *Ntombela*
18. Mthobisi Qiniso Hlophe - 040418 5434 \*\*\* - 40465 Old Richmond Road, Zwelibomvu, PINETOWN, 3610 - *Nzuza*
19. Kabelo Maimela - 040415 6009 \*\*\* - House No 30078, Kotsiri Village, SEKHUKHUNE, 1124 - *Senong*
20. Chulumanco Nokele - 031126 6068 \*\*\* - Ntabelanga Area, TSOLO, 5170 - *Buhlungu*
21. Kwandile Ngubane - 031115 6057 \*\*\* - Loteni Location, IMPENDLE, 3227 - *Dlamini*
22. Katlego Obed Motheto - 030630 5642 \*\*\* - House No 1801, Ikageng, MOROKWENG, 8614 - *Sebolaneng*
23. Rasefako Johannes Kekae - 990213 5766 \*\*\* - 31/1625 Pirates Street, SOSHANGUVE, 0152 - *Masemene*
24. Kholwani Msimango - 961129 5495 \*\*\* - Ombimbini Area, NONGOMA, 3950 - *Ndlela*
25. Sibusiso Luvuno - 970921 5308 \*\*\* - 4523 – 34th Avenue, CLERMONT, 3610 - *Gumede*
26. Menzi Ndumiso Mkhize - 910327 5923 \*\*\* - F 218, New City Area, EZIMBOKODWENI, 4126 - *Ngcobo*
27. Goodman Mlungisi Nsindane - 801001 5990 \*\*\* - Q 161 Banana Road, UMLAZI, 4066 - *Shezi*
28. Tumelo Moses Moipiti - 911201 5230 \*\*\* - 519 Zone 2, FICKSBURG, 9730 - *Letuka*
29. Braxton Shaheel Ramcharan - 970122 5288 \*\*\* - 295 Helen Joseph Road, Glenwood, DURBAN, 4001 - *Maharaj*
30. Khathutshelo Kervin Mulidzi - 890426 5735 \*\*\* - House No 2846, MINGARD ELIM, 0902 - *Mudau*
31. Eggynaistius Sello Maboka - 940610 5053 \*\*\* - 315 Mbokota Village, MAKHADO, 0920 - *Maluleke*
32. Richard Thobelani Mabaso - 961222 5790 \*\*\* - Eskom No 328, Zulu Stand, Jakkalspan, OSIZWENI, 2952 - *Mbatha*

33. Thandolwethu Maxwell Chavula - 931007 5513 \*\*\* - 198 Middas Square, HEBRON, 0193 - *Nokwece*
34. Lucas Thabo Mahlangu - 000316 5988 \*\*\* - 218 King Makhosonke Street, KWA MHLANGA, 1022 - *Mabena*
35. Abram Ramakokovhu - 830412 5376 \*\*\* - Stand 34507, 71 Manobe Crescent, Extension 6, MAMELODI, 0122 - *Ncokoane*
36. Simphiwe Leafe - 961218 5328 \*\*\* - Mobeni Flats Block 58, House Number 6, SCHWEIZER-RENEKE, 2001 - *Msiza*
37. Sibongakonke S'Thabetso Machaea - 020119 5323 \*\*\* - 55C Bessemer Street, CW 6, VANDERBIJLPARK, 1911 - *Mlangeni*
38. Sanele Cedric Nkosi - 910424 5527 \*\*\* - Vaalbank Farm, UTRECHT, 2980 - *Alexander*
39. Gabriel Gcina Gabuza - 941019 5106 \*\*\* - 529 Zungu Street, TEMBISA, 1632 - *Mkhwanazi*
40. Pabala Lazarus Mokhali - 860808 5894 \*\*\* - 4356 West Street, Bohlokong, BETHLEHEM, 9701 - *Mofokeng*
41. Sphamandla Eugene Shezi - 851201 5037 \*\*\* - Kwakhoza Area, ESHOWE, 3815 - *Mbesi*
42. Boitumelo Tato Elson Dipityeng - 040129 5426 \*\*\* - 0475 Hlalanikahle Street, MONSTERLUS, 1087 - *Madikwe*
43. Bhekizitha Micho Maphasa - 761110 5882 \*\*\* - 8552 Zone 3, Mphela, KOKSTAD, 4700 - *Gxathwana*
44. Sobantu Junior Sangweni - 041018 6003 \*\*\* - Stand No 10776, Mbonisweni, KABOKWENI, 1245 - *Nkosi*
45. Matlhogonolo Mokgautsi - 980704 5395 \*\*\* - 813 Seiphemo Street, Ikageleng Location, ZEERUST, 0865 - *Kgoleng*
46. Modisaotsile Godfrey Setshogoe - 810107 5715 \*\*\* - 1837 Block B, LETLHABILE, 0264 - *Motaung*
47. Siboniso Sibonokuhle Gumede - 990810 5839 \*\*\* - Madwaleni Area, MTUBATUBA, 3935 - *Mthethwa*
48. Kgaugelo Jacob Radebe - 990817 5225 \*\*\* - 2895 Phase 2, Oukasie, BRITS, 0250 - *Mokone*
49. Sibusiso Reginald Mkhathswa - 810812 5512 \*\*\* - Stand No 3303, KANYAMAZANE, 1214 - *Mashigo*
50. Vuyani Dalingcebo Dlamini - 900303 5239 \*\*\* - Stand D 770, UMLAZI, 4066 - *Radebe*
51. Rizelle Rebecca Ramburran - 040711 0360 \*\*\* - 309 Brixham Road, Northdale, PIETERMARITZBURG, 3201 - *Kruger*
52. Masontaha Roselina Mokoena - 991205 0507 \*\*\* - 3738 Motsekuwa Street, BETHLEHEM, 9701 - *Motaung*
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54. Nontokoza Precious Nkabinde - 860312 0405 \*\*\* - Rosboom, LADYSMITH, 3370 - *Nsuntsha*
55. Dineo Kekana - 980805 0595 \*\*\* - No 50331 Tafita Street, Masodi Village, MOKOPANE, 0600 - *Phukubye*
56. Sokhana Sikhosana - 000824 0276 \*\*\* - 132 Gloucester Avenue, Kenleaf, BRAKPAN, 1541 - *Mgabala*
57. Wendy Enhle Diko - 040718 0324 \*\*\* - Unit 3 Block No 103, Sihlanu Avenue, NYANGA, 7525 - *Tshuku*
58. Ritta Memela - 050217 1129 \*\*\* - 24 Ukuthula Road, KWANDENGEZI, 3607 - *Vilakazi*
59. Thando Mkhwanazi - 041020 0683 \*\*\* - Come and See Location, IMPENDLE, 3227 - *Mkhize*
60. Promise Bonang Khosa - 001210 0472 \*\*\* - No 8933, Extension 2, SOSHANGUVE SOUTH, 0152 - *Mabunda*
61. Mphilwenhle Ntombikhona Makhanya - 041224 0103 \*\*\* - 25322 Sunshine Street, MARIANNHILL, 3610 - *Zungu*
62. Brenda Nxumalo - 861228 0408 \*\*\* - 632 Dunbar Road, Wiggins, MAYVILLE, 4091 - *Lukhakhayi*
63. Nondumiso Brightness Khomo - 960630 0707 \*\*\* - Ndayikazi Area, HIBBERDENE, 4220 - *Nhlangulela*
64. Margaret Luhlanga Sibiya - 810804 0718 \*\*\* - 5 La Saulette, c/o Frame and Francios Street, MIDDLEBURG, 1050 - *Mkhonto*
65. Duduzile Caroline Marape - 770210 0851 \*\*\* - 1319 Lerato Street, KATLEHONG, 1431 - *Zwane*

66. Ntsebeng Mohlala - 970907 0900 \*\*\* - Zie 218, Tafelkop, BOLEU, 0474 - *Maroga*
67. Tumelo Moseamedi - 920220 6042 \*\*\* - 515 Mashemong Section, TEMBISA, 1632 - *Monakisi*
68. Lesego Cornelius Radebe - 880301 5878 \*\*\* - 1 Jordie Road, Mulbarton, CRICKLE WOOD, 2059 - *Modiegingyana*
69. Mpho Olebogeng Mokoke - 900127 5819 \*\*\* - 133 Pretorius Street, PRETORIA CENTRAL, 0001 - *Sebokedi*
70. Themba Gangatha - 860130 5595 \*\*\* - 20519 Buffer Zone, Mamelodi East, PRETORIA, 0122 - *Nhlapo*
71. Motsumi Joseph Morake - 820506 5735 \*\*\* - No 2042 Section 2, Majaneng, HAMMANSKRAAL, 0402 - *Sathu*
72. Terrance Kgomo - 910401 5641 \*\*\* - House No 21652, Extension 23, BOITEKONG, 0300 - *Molebatsi*
73. Mathews Sinkie Masedi - 831205 5885 \*\*\* - House No 4775, Vula Section, LETHABONG, 0300 - *Moeti*
74. Jaydee Leonard Van Der Merwe - 921103 5095 \*\*\* - 4 Flouritebunda Street, Acasia Estate, POLOKWANE, 0715 - *Leonard*
75. Regomoditswe Mgojo - 020227 6107 \*\*\* - 1088 Rakhudu Section, LUKA, 0322 - *Rakhudu*
76. Solomon Tholi Johannes Moetji - 721001 5849 \*\*\* - 762 Block P, SOSHANGUVE, 0152 - *Mothabela*
77. Monrico April - 030812 5872 \*\*\* - 146 Robert Jones Street, Eersterust, PRETORIA, 0022 - *Rosenberg*
78. Minenhle Prince Zuma - 020424 5287 \*\*\* - 3383 Mbabazane Road, PIETERMARITZBURG, 3201 - *Zondi*
79. Lusindiso Ngomthi - 020302 5940 \*\*\* - W-128 Landzela Street, Site B, KHAYELITSHA, 7484 - *Blayi*
80. Nsikelelo Siyamthanda Mncwanga - 020410 6204 \*\*\* - Mhlathule Area, DLANGEZWA, 3806 - *Mathenjwa*
81. Siyanda Mazibuko - 030203 6233 \*\*\* - Ngodini Area, LOSKOP, 3330 - *Gama*
82. Mpumelelo Ndhlovu - 020805 5428 \*\*\* - Sandbank Street, Blue Valley Estate, MIDRAND, 4343 - *Letjane*
83. John Strila Beka - 780828 6140 \*\*\* - Stand 646, BOEKENHOUTHOEK, 0458 - *Hadebe*
84. Bethuel Marena - 921009 5690 \*\*\* - No 827, Section 8, LEFATLHENG, 0400 - *Makutu*
85. Lucky Matshaya Ditshego - 780707 6135 \*\*\* - 142 Colliery Street, Sunair Park, BRAKPAN, 1541 - *Moloto*
86. Sinoxolo Lubuzo - 020708 5940 \*\*\* - Makhotyana Area, LIBODE, 5160 - *Sifumba*
87. Samukelo Blessing Khanyile - 030201 5205 \*\*\* - Mafakatini Location, PIETERMARITZBURG, 3201 - *Mbanjwa*
88. Wandile Cornell Valooy - 030421 5240 \*\*\* - Watersmeet, LADYSMITH, 3370 - *Zwane*
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90. Letuka Sfiso Mahlangu - 040216 5454 \*\*\* - 239 Mpheleng Street, SIYABUSWA, 0472 - *Modishane*
91. Sinenhlanhla Shandu - 030227 5771 \*\*\* - Ntumbane, PONGOLA, 3170 - *Nyandeni*
92. Tshepo Mboweni - 021121 5708 \*\*\* - 174 Bay Leaf Street, Chantelle, PRETORIA, 0201 - *Malatji*
93. Katleho Nakedi - 021121 5543 \*\*\* - House No 1270, Madibogopan Village, MAHIKENG, 2745 - *Mohasoane*
94. Simphiwe Maxwell Vilakazi - 990330 6177 \*\*\* - House No 1107, Zamokuhle, AMERSFOORT, 2490 - *Makhombothi*
95. Botle Thipa - 021203 5840 \*\*\* - House No 62, Nancefield, MUSINA, 0900 - *Phiri*
96. Peter Gontse Motlhake - 021214 5445 \*\*\* - E71 Opperman Street, MAUBANE, 0400 - *Mosisa*
97. Monde Innocent Ngxangxa - 800709 5751 \*\*\* - Ntlozelo Location, BIZANA, 4800 - *Madikizela*
98. Mokwape Gift Mangena - 020305 5689 \*\*\* - Bokgaga Village, MAPHUNO, 0857 - *Molewa*
99. Koketso Barnabas Molefe - 930123 5552 \*\*\* - House No 1100, Huma Section, SEGAKWANENG, 0318 - *Selebi*

100. Russel Jabulani Mhlongo - 770420 5675 \*\*\* - 18 Chrtaan Street, BIRCHLEAGH NORTH, 1619 - *Ndzeru*
101. Lungisani Uroute Mvemve - 690813 5354 \*\*\* - No 2 Schirra Cescent, EMPANGENI, 3880 - *Buthelezi*
102. Sphesihle Ceba - 990829 5748 \*\*\* - Kabhongoza, RICHMOND, 3780 - *Fanelo*
103. Petros Totoyi Hlapo - 830828 5339 \*\*\* - 4313 Section B, NKANGALA, 1021 - *Mpondo*
104. Sphiwe Nkanyiso Cele - 000121 5338 \*\*\* - Phelandaba Area, KWA-NGWANASE, 3973 - *Mthembu*
105. Sizwe Mthokozisi Mlotshwa - 880202 5925 \*\*\* - No 251 Section D, EZAKHENI, 3381 - *Mdunge*
106. Matome Ryeane Legodi - 851120 5494 \*\*\* - 17 Lanatus Crescent, Mooikloof Gardens, PRETORIUS PARK, 0081 - *Mokgobi*
107. Matthews Thabang Mahwagi - 970416 5582 \*\*\* - 643 Nkoane Stand, WINTERVELDT, 0198 - *Nkoane*
108. Daven Disengwane - 030303 7278 \*\*\* - No 3275, Phase 8, MABOPANE, 0250 - *Mamakoko*
109. Kwazi Thulani Maphumulo - 041017 6140 \*\*\* - Somkhele Area, MTUBATUBA, 2935 - *Ncube*
110. Kabelo Tsiane Mohlala - 020721 5930 \*\*\* - Ga Mashegoana, SEKHUKHUNE, 1124 - *Maleka*
111. Phindani Advocate Lembede - 021219 5553 \*\*\* - 656 Folweni Location, UMBUMBULU, 4105 - *Mkhize*
112. Simvotile Ndlabe - 770303 7214 \*\*\* - Endlovini Mzola, Aslar Park, MOSSELBAY, 6506 - *Mabena*
113. Itumeleng Mathibela - 041027 6305 \*\*\* - Stand Number 339, Dindela, SEHLAKWANE, 1047 - *Segafa*
114. Thabang Edward Lemeko - 030205 5811 \*\*\* - 3166 Tamb, SENEKAL, 9600 - *Radebe*
115. Michael Leago Skosana - 040714 5668 \*\*\* - M G 282, MASHEMONG, 0474 - *Mphahlele*
116. Sibonelo Nqubeko Khanyile - 020712 6228 \*\*\* - Gosweni Area, Nqutu, NKANDLA, 3135 - *Khumalo*
117. Tabiso Alfred Kombers - 920914 5643 \*\*\* - 6677 Igolide Street, Block VV, SOSHANGUVE, 0152 - *Mahlangu*
118. Ronald Thabo Magolego - 821208 5359 \*\*\* - 3824 Section M, MAMELODI WEST, 0122 - *Mogale*
119. Ntokoto Bradly Mashale - 030201 5361 \*\*\* - House No 57, LULEKANI, 1392 - *Ringani*
120. Thembinkosi Ndawonde - 700601 5871 \*\*\* - 1900 Botshingi Street, PROTEA NORTH, 1818 - *Khanyile*
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122. Andile Khulani Dube - 010523 5950 \*\*\* - 640321 Terminus, WILLOWFOUNTAIN, 3200 - *Ntombela*
123. Mohau Lona Mqana - 040912 5704 \*\*\* - C 1207 A, Site C, KHAYELITSHA, 7724 - *Dyakopu*
124. Nkosinathi Mokoena - 840307 5699 \*\*\* - 80 Parkland, George Street, Midrand, NOORDWYK, 1687 - *Nhlapho*
125. Walter Rikhotso - 931226 5672 \*\*\* - Stand No 317, Ba-Makosha, GIYANI, 0826 - *Hlungwani*
126. Lerato Maboja - 980614 5061 \*\*\* - 60220 Korwe Street, Mosiane View, MAHIKENG, 2745 - *Sechele*
127. Reitumetse Bokamoso Maboja - 040329 5979 \*\*\* - 60220 Korwe Street, Mosiane View, MAHIKENG, 2745 - *Sechele*
128. Lusindiso Kenneth Mboleka - 830730 5307 \*\*\* - 27 Tuli Street, Symphony Village, DELFT, 7100 - *Mashiya*
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130. Themba Gumbi - 030910 6103 \*\*\* - 25 Barbara Road, Dreamland, DE DEUR, 1884 - *Zwane*
131. Lesego Andrias Phalatse - 941121 5090 \*\*\* - Number 3690, Leboneng Section, TEMBA, 0407 - *Ditshego*
132. Thokozani Bongani Funwako Nhlapho - 950209 5378 \*\*\* - 33 Waterkloof Street, Crystal Park, BENONI, 1501 - *Mahlangu*

133. Solomon Mathharene Mashishi - 801217 5756 \*\*\* - 2779 New Stand, KLIPGAT, 0190 - *Kungoane*
134. Khutso Shaun Masemola - 040115 6051 \*\*\* - 6197 Leseke Street, Extension 2, NELLMAPIUS, 0162 - *Mokase*
135. Siphellele Precious Yengwa - 990215 5859 \*\*\* - Engwinjini Area, UMZIMKHULU, 3297 - *Mata*
136. Sfiso Carol Matlala - 930219 5327 \*\*\* - 35 Ruth Malewa Street, Block K, SOSHANGUVE, 0152 - *Mahlangu*
137. Moagi Nathnael Sello Matlakala - 861205 5276 \*\*\* - 135 Springbok Street, Fauna, BLOEMFONTEIN, 9301 - *Motsau*
138. Mashapa Clacius Sebati - 950420 5923 \*\*\* - House No 1330, Paledi, MANKWENG, 0727 - *Seshoka*
139. Karabo Tisetso Nel Hafame - 990223 5509 \*\*\* - Number 12009, Block X Extension, MABOPANE, 0190 - *Bosii*
140. Gregory Moeng - 770303 5864 \*\*\* - 33 Matjie Street, Atteridgeville, PRETORIA, 0008 - *Mlambo*
141. Paulos Thabo Makubu - 960501 5407 \*\*\* - 270 Section A, Ekangala, BRONKHORSTSPRUIT, 1021 - *Langa*
142. Pontsho Simon Tihong - 880213 5490 \*\*\* - 36/1032 Sekanama Street, LEPHALALE, 0556 - *Molekwa*
143. Sphesihle Mbongwa - 020413 5201 \*\*\* - Westville, DURBAN, 3300 - *Nzimande*
144. Tshililo Crossly Thabakgale - 820909 6601 \*\*\* - Stand No 946, Ha-Ramantsha, MAKHADO, 0920 - *Rasalanavho*
145. Yolanda Nxelewa - 050305 1073 \*\*\* - 651 Ramaphosa Street, VEREENIGING, 1938 - *Zinyana*
146. Moipone Loveness Maponyane - 020608 0668 \*\*\* - Stand No 530, Wally Village, TZANEEN, 0850 - *Kapa*
147. Talent Tlangelani Siweya - 990421 5319 \*\*\* - Stand No 46, Ndengeza Block C, GIYANI, 0826 - *Masingi*
148. Ntokozo Felicia Bhengu - 931003 0342 \*\*\* - Mthwalume, Ward 19, TURTON, 4100 - *Tshabalala*
149. Zukiswa Mkhize - 980811 0847 \*\*\* - Braemer Area, UMZINTO, 4200 - *Malimela*
150. Tshidi Evodia Mojaki - 870815 0781 \*\*\* - 1918 Nkwadla Street, Thabong, WELKOM, 9460 - *Mnqayana*
151. Neo Phokontsi - 000427 0816 \*\*\* - Tlhaping Section, MADIBOGO, 2772 - *Maleka*
152. Hunadi Maggie Maleka - 910426 0845 \*\*\* - Unit 1020, Heatherview Hills, HEATHERDALE, 0182 - *Makgota*
153. Dineo Ziphora Lehobye - 750404 0860 \*\*\* - 823 Mashimong Block, KGOMO KGOMO, 0444 - *Kgaje*
154. Carlista Refilwe Magesi Phiri - 030101 0753 \*\*\* - 1 Sandstone Avenue, Zwartkop, Extension 8, CENTURION, 0157 - *Leshaba*
155. Nobuhle Nothando Mthiyane - 030205 0370 \*\*\* - 34 Poynton Place, ESHOWE, 3815 - *Guirugo*
156. Reece Du Toit - 030516 0047 \*\*\* - 16 – 14th Street, MENLO PARK, 0081 - *Rossi*
157. Andiswa Mpofu - 020913 0537 \*\*\* - 1066 Magaya Road, Imbali, PIETERMARITZBURG, 3201 - *Nkabinde*
158. Andiswa Mahlaba - 031106 0817 \*\*\* - 1019 Unit 18, Imbali, PIETERMARITZBURG, 3201 - *Mgoza*
159. Sinalo Mahashi - 040512 1204 \*\*\* - Old Payne Location, MTHATHA, 5099 - *Mchasa*
160. Athi Ngqaka - 030627 0439 \*\*\* - Ntlaza Mafini Area, LIBODE, 5160 - *Nkawu*
161. Nonhlanhla Nomusa Hope Murrombe - 950312 0178 \*\*\* - 1502 Ikageng Street, Etwatwa, Extension 2, DAVEYTON, 1519 - *Sidu*
162. Annika Gouws - 850215 0013 \*\*\* - 23 The Woods, 291 Kent Street, MEYERSPARK, 1084 - *Avenant*
163. Bayanda Sibahle Nyandeni - 030212 0627 \*\*\* - Ngonini Area, NQUTU, 3135 - *Kunene*
164. Mmaseane Constance Phago - 880530 0497 \*\*\* - 92 Sunnyhoek, Cnr Claim and Ockerse Street, HILLBROW, 2001 - *Papo*
165. Palesa Prudence Motsamai - 961224 0308 \*\*\* - 8811 Morula View, MABOPANE, 0190 - *Letlape*
166. Charity Monoge - 021206 0508 \*\*\* - 350 Brakdoring Street, NELLMAPIUS, 0084 - *Lesufi*

167. Agent Mavabaza - 021206 0388 \*\*\* - Mandlakazi, NWAMITWA, 0870 - *Maimela*
168. Inolofatseng Vokonqoshe - 020623 0833 \*\*\* - 2011 Leebe Street, Boitumelong, BLOEMHOF, 2660 - *Pharedi*
169. Tina Matyana - 981227 0971 \*\*\* - Tonti, MOUNT AYLIFF, 7000 - *Mpenya*
170. Malaika Nonhlanhla Mkhize - 020603 0097 \*\*\* - 2 Julius Street, OAKDENE, 2190 - *Mabuza*
171. Sesinyana Poppy Moloto - 820801 1022 \*\*\* - 11116 Extension 3, WINTERVELD, 0198 - *Sibanyoni*
172. Asiphe Ngcese - 040830 0113 \*\*\* - Mzintshani Location, KING WILLIAMS TOWN, 5600 - *Madikane*
173. Murunwa Angel Mulaudzi - 031124 1010 \*\*\* - Thohoyandou Block G, THOHOYANDOU, 0950 - *Nephawe*
174. Didintle Machwisa - 970811 0324 \*\*\* - 10528 Bethel Village, MAHIKENG, 2745 - *Metseyabangwe*
175. Isabella Mia Buys - 010610 0299 \*\*\* - 23 A Kruger Street, Islanview, MOSSEL BAY, 6505 - *O'Keefe*
176. Nokwenza Nozimanga Manyoni - 030223 1059 \*\*\* - Mbodla Area, INGWAVUMA, 3968 - *Ngubane*
177. Sibongile Fortunate Molatudi - 040725 0249 \*\*\* - 107 Mabitsi Village, GA RAKGOADI, 1068 - *Malata*
178. Yolanda Mnyandu - 920613 0548 \*\*\* - 16 Reynolds Road, UMKOMAAS, 4170 - *Dube*
179. Ntsoaki Moyo - 960309 0399 \*\*\* - A 9678/3, Ikhwezi Valley, MADADENI, 2951 - *Mahlobo*
180. Boitumelo Daisy Molefe - 981231 0709 \*\*\* - 9 Park Street, SECUNDA, 2302 - *Rannona*
181. Dineo Foto - 890809 0929 \*\*\* - Mokhesi Location, STERKSPRUIT, 9762 - *Fusa*
182. Nondumiso Nzuza - 040223 0194 \*\*\* - Obanjani Area, MTUNZINI, 3867 - *Mnguni*
183. Dineo Moleleki - 940415 0736 \*\*\* - 30077 Mogopela Street, TAUNG, 8584 - *Sekobotsane*
184. Regomoditswe Selemale - 020818 0506 \*\*\* - 6025 Ramochana Street, RUSTENBURG, 0300 - *Molebatsana*
185. Lebogang Mamoraka Chavalala - 991023 0219 \*\*\* - 762 Zone 2, MAHWELERENG, 0626 - *Makhwiting*
186. Elizabeth Nana Mashaba - 990526 0171 \*\*\* - 24 Hare Street, Vila Liza, BOKSBURG, 1459 - *Matlala*
187. Minenhle Nokukhanya Khumalo - 990531 1115 \*\*\* - 29 Tajodeem Road, Northdale, PIETERMARITZBURG, 3201 - *Mchunu*
188. Motshegwa Germinah Molekoa - 991113 0350 \*\*\* - 8997 Tambo Ville, TEMBA, 0407 - *Makgoe*
189. Kate Sibongile Msibi - 641130 0271 \*\*\* - 1905 Xaba Street, THOKOZA, 1426 - *Mkhatshwa*
190. Vuyelwa Silindile Mlondo - 040122 0409 \*\*\* - 474821 Umzinyathi Street, Ogodweni Area, INANDA, 4309 - *Mpiyakhe*
191. Rabia Madinah Shabangu - 920713 1100 \*\*\* - 1216 Portion 12, HAMMANSKRAAL, 0400 - *Mahomed*
192. Thandolwethu Nkosi - 040608 0572 \*\*\* - 13 Tantsi Street, Kwa Themba, SPRINGS, 1575 - *Nkambule*
193. Nonkululeko Cynthia Madiba - 940511 0953 \*\*\* - 666 Magumede Road, HOWICK, 3290 - *Mabida*
194. Tsholofelo Glory Bogopane - 861112 0541 \*\*\* - 1761 North Notshi Street, Unit 5, MOGWASE, 0314 - *Moloe*
195. Kabonina Precious Vilakazi - 820511 0735 \*\*\* - 2090 Ntuthu Street, DUDUZA, 1496 - *Nkabinde*
196. Nontuthuko Marcia Sekhoto - 901103 0335 \*\*\* - 10005 Mpumelolo Street, Extension 6A, ORANGE FARM, 1841 - *Hlela*
197. Sinovuyo Ngantweni - 011208 0509 \*\*\* - Mthwaku Area, NGCOBO, 5050 - *Makhamba*
198. Tsholofelo Flora Basetsana Makole - 980304 0517 \*\*\* - 2677 Tlholoe Street, Zone 2, GA-RANKUWA, 0208 - *Madileng*
199. Cynthia Nokuthula Kunene - 850612 0413 \*\*\* - 1150 Bale Road, Unit 18, Imbali, PIETERMARITZBURG, 3201 - *Mpulo*

200. Tozane Enny Nzura - 601201 0426 \*\*\* - Minya Area, NONGOMA, 3950 - *Zulu*
201. Siyabonga Mbali Mnisi - 000227 0699 \*\*\* - Riama Park, BRONKHORSTSPRUIT, 0068 - *Samla*
202. Ngaku Lorraine Maruma - 780503 0535 \*\*\* - 558 Temba Rockvill, HAMMANSKRAAL, 0407 - *Matlala*
203. Simphiwe Tengetile Mbonani - 970609 1021 \*\*\* - 1134 Serote Street, Masechaba View, DUDUZA, 1496 - *Dlamini*
204. Mathapelo Makena - 970321 0143 \*\*\* - 8127 Namibia Square, Phahameng, BLOEMFONTEIN, 9300 - *Mogorosi*
205. Sylvia Ntombizodwa Hamore - 960727 0546 \*\*\* - 55 D Block, Ganspan, JAN KEMPDORP, 8550 - *Roma*
206. Dimpho Didintle Mokwena - 841111 0870 \*\*\* - 113 First Avenue, EDENVALE, 1601 - *Moemise*
207. Maditaba Tryphina Mbele - 841007 1035 \*\*\* - 71 Esangweni, TEMBISA, 1632 - *Mokoena*
208. Lebogang Rose Seitsang - 791109 0838 \*\*\* - 90 Samora Machel Street, Hospital View, TEMBISA, 1632 - *Manyedi*
209. Luciano Frederico Mc Guire - 950221 5057 \*\*\* - 119 Kobus Road, Gelvandale, PORT ELIZABETH, 6020 - *Petrus*
210. Themba Henry Dhamini - 941001 5614 \*\*\* - 30926 Bopape Street, Extension 11, MAMELODI EAST, 0122 - *Masilela*
211. Joas Goitsewang Setshedi - 940402 5325 \*\*\* - 1336 Block PP2, SOSHANGUVE, 0152 - *Mashishi*
212. Sqiniseko Bright-Boy Nxumalo - 940126 5430 \*\*\* - Illovo Area, AMANZIMTOTI, 4126 - *Njilo*
213. Doctor Moshole - 940112 5615 \*\*\* - Sekgopo, LEBJELOLA, 0802 - *Marutha*
214. Sanele Victor Hlatywayo - 030624 6038 \*\*\* - No 3911, Sobabili, VOLKSRUST, 2470 - *Ngwenya*
215. Thembelani Emmanuel Thwala - 980703 5997 \*\*\* - No M 1926, Section 7, MADADENI, 2951 - *Mkhize*
216. Sibongakonke Dalisu Zulu - 980721 5217 \*\*\* - 7 Ridgeview Gardens, 50 Bramcote Road, CATO MANOR, 4091 - *Mdladla*
217. Zebedius Lesego Mashilela - 660924 5830 \*\*\* - No 11 Strelitzia Street, Countryview, MIDRAND, 1685 - *Marengwa*
218. Philani Desmond Dhlamini - 890302 5874 \*\*\* - J1170 Nqayi Road, KWAMASHU, 4360 - *Kheswa*
219. Dipebani Michael Molapo - 630716 5326 \*\*\* - Stand No 140, ELDORADO, 0718 - *Sebola*
220. Lehlohonolo Mabaso - 950930 5315 \*\*\* - 10333 Iceland Street, Extension 9, COSMO CITY, 2194 - *Mahlasela*
221. Moetsi Sibeko - 950615 6506 \*\*\* - House 120A, Kgabese, WITSIESHOEK, 9870 - *Mohlakoana*
222. Thabang Mokgadi - 020110 5103 \*\*\* - 50 Daniel Street, Mimosa Park, GERMISTON, 1428 - *Maeko*
223. Given Letlhogonolo Mokoka - 970602 5968 \*\*\* - 5454 Zone 4, GA-RANKUWA, 0208 - *Malebye*
224. Xavier André Dilgee - 000508 5061 \*\*\* - 117 Madeliefie Street, Lentegour, MITCHELLS PLAIN, 7785 - *Johnson*
225. Isaac Boiki Matlou - 000124 5921 \*\*\* - 63 Match Street, Alexandra, JOHANNESBURG, 2090 - *Ramolotja*
226. Mohale Zane Moshophe - 960405 5787 \*\*\* - 7280 Isazi Street, Extension 36, OLIEVENHOUTBOSCH, 0175 - *Sekowe*
227. Sipiwe Khoza - 910628 5405 \*\*\* - 9925A Mokale Street, Orlando West 2, MZIMHLOPHE, 1804 - *Ngcobo*
228. Oscar Mahlathini Silindana - 640508 5667 \*\*\* - 3828 Lithemba Street, Phumula Gardens, ROODEKOP, 1434 - *Ntuli*
229. Mapotla Terence Mojela - 871018 5524 \*\*\* - 1435 Mahlathini, KWAMHLANGA, 1022 - *Lethole*
230. Ian Nzambukeri - 861109 5438 \*\*\* - 11452 Calendula Street, Kagiso 2, Extension 6, MOGALE CITY, 1754 - *Seoke*
231. Kgabo Jons Lehong - 880615 5658 \*\*\* - Stand 10739 / 41, Winnie Mandela, Zone 3, TEMBISA, 1632 - *Hamese*
232. Tshengisani Nkosinathi Emmanuel Mpongose - 840824 6523 \*\*\* - Room 58 Mapetla Hostel, Block 03, SOWETO, 1818 - *Mhlongo*
233. Ntsako Mangalana - 841127 5800 \*\*\* - 377 The Height, Arcadia, PRETORIA, 0182 - *Mathebula*

234. Tshepo Olorato Manopole - 960426 5532 \*\*\* - 236 Iringa Street, Leboeng Section, TEMBISA, 1632 - *Stuurman*
235. Simphiwe Magubane - 711203 5385 \*\*\* - 4 Thomas Holstead Street, AMANZIMTOTI, 4126 - *Dumisa*
236. Xavier O'Brien Zithulele Mosikare - 871005 5829 \*\*\* - 26 The Biscays, 27 French Lane, Morningside, SANDTON, 2000 - *Morgets*
237. Tsholofelo Isaiah Baloyi - 890222 5269 \*\*\* - No 61 Cyferskuil, RADIUM, 0483 - *Matjila*
238. Thuto Tumudi Phaladi - 031018 5861 \*\*\* - Makurung, GA MPADHLELE, 0736 - *Molapo*
239. Khomotso Phahlamohlaka - 031111 6350 \*\*\* - 472 Line 5, GA BOTHA, 0450 - *Madisha*
240. Pholosho Onkemetse Matshane - 921225 5819 \*\*\* - House No 1266, Matang Street, PAMPIERSTAD, 8566 - *Makape*
241. Mxolisi Samukelo Myaka - 821129 5424 \*\*\* - 29 Msavayathi Road, St Wendolins, MARIANHILL, 3609 - *Ntuli*
242. Carlos Jason Booyesen - 960711 5088 \*\*\* - 21 Bazaruxo, Trapie Trubar Draai, MEERENSEE, 3900 - *Maia*
243. Nhlakanipho Ntando Mkhonza - 970718 6331 \*\*\* - Stand No 209, MAYFLOWER, 1192 - *Ngobende*
244. Robert Omphile Masiga - 910123 5299 \*\*\* - House No 20205, Greenside Section, SAULSPOORT, 0318 - *Kotsedi*
245. Nkosenhle Will Mbokazi - 770831 5082 \*\*\* - U 1465 / 25 Unomusa Place, UMLAZI, 4031 - *Zulu*
246. Mthokozisi Alfred Ndlebe - 801230 5940 \*\*\* - Block 22 Room 406, Tehuis, Umlazi Lodge, UMLAZI, 4031 - *Fica*
247. Modise Barnard Mosimanyane - 770524 5524 \*\*\* - 130 Goononyane Section, Lekubu, LEHURUTSHE, 2869 - *Tiro*
248. Vuyisile Enoch Ramakoaba-Malope - 871214 5291 \*\*\* - 48-1A The Parks Lifestyle, RIVERSANDS, 1684 - *Malope*
249. Meluleki Mukelani Mdabe - 961002 5230 \*\*\* - B 174, Emalandeni Area, UMLAZI, 4031 - *Maphumulo*
250. Mavhungu Lucky Radzilani - 960824 5471 \*\*\* - Hamulelu No 88A, DZANANI, 0955 - *Ramovha*
251. Thulani Ndlovu - 690907 5585 \*\*\* - 690245 Madeira Vine Crescent, PROTEA GLEN, 1760 - *Mtshali*
252. Samuel Vusumuzi Mncube - 630102 6515 \*\*\* - 1286 Mtambo Street, TOKOZA, 1426 - *Tshabalala*
253. Daniel Goshanham Manhique - 900925 5490 \*\*\* - No 90255, Mesetlheng Section, BAPONG, 0269 - *Moromane*
254. Skhulile Kwanele Ndlovu - 040403 6124 \*\*\* - Ekuthukuzeni Reserve, KWA-NGWANASE, 3973 - *Msweli*
255. Quintus Lans - 800813 5098 \*\*\* - 9 Rooikransie Street, HEROLDSBAY, 6530 - *Truter*
256. Mangaliso Dlodla - 980122 5754 \*\*\* - 4863 Kheswa Street, Daveyton, BENONI, 1520 - *Khanye*
257. Ntokozo Eddie Advocate Sangweni - 971024 6259 \*\*\* - 6197 Ward 17, OSIZWENI, 2952 - *Gumbi*
258. Bokamosho Moroagae - 901029 5870 \*\*\* - 22 B Houtnek Trust, THABA NCHU, 9780 - *Phili*
259. Julias Lesego Khoza - 950518 5357 \*\*\* - 4453 Pitsi Street, Duduza, NIGEL, 1496 - *Padi*
260. Siyabonga Mkhwanazi - 050201 5906 \*\*\* - 1466 Magadeni Street, PIET RETIEF, 2380 - *Hlophe*
261. Aobakwe Pleasure Mogotsi - 041016 5834 \*\*\* - 30277 Boseja section, Gopane village, ZEERUST, 2882 - *Mogorosi*
262. Paulos Ndabusukile Lutuli - 760213 5577 \*\*\* - Kwa Dumisa Area, UMZINTO, 4200 - *Luthuli*
263. Uluthemba Sneliso Ndaba - 040622 5917 \*\*\* - Ngonyameni, LOSKOP, 3330 - *Mayisela*
264. Ayabonga Bongumusa Ndlela - 040204 6248 \*\*\* - 4360 Ntuli Street, DURBAN, 4027 - *Mpongose*
265. Kwanele Bengicabanga Masondo - 041001 6037 \*\*\* - Qhudebe Area, MAHLABATHINI, 3865 - *Mlotshwa*
266. Sibusiso Bernard Soldaat - 990506 5191 \*\*\* - 2034 Lakeside Estate, Extension 1, DE DEUR, 1984 - *Tshezi*

267. Lehlohonolo Lucky Sithole - 880730 5300 \*\*\* - No 5340, Phase 3, TSHEPISO, 9784 - *Nteu*
268. Sediti Jeremia Manoto - 900823 6043 \*\*\* - 8400 Zamdela Street, SASOLBURG, 1949 - *Diutluleng*
269. Tsietso Stuart Sofala - 840212 6132 \*\*\* - 19881 Elephant Street, Khutsong, MAMELODI EAST, 0002 - *Makhafola*
270. Mluleki Nicholas Mhlana - 840413 5070 \*\*\* - 101 Kwa-Guqa Street, Extension 11, WITBANK, 1039 - *Zwane*
271. Zwelethu Zweli Mafukuzela Dube - 841026 5352 \*\*\* - 14 Julia Street, Percilia East, Highland North, JOHANNESBURG, 2000 - *Nkutsho Dube*
272. Mondli Lindokuhle Xaba - 850926 5706 \*\*\* - House No 4455, Section 3, MADADENI, 2951 - *Mkhwanazi*
273. Tekano Nyakallo Mpambani - 850623 5693 \*\*\* - 86 Jan De Necker Road, Naturena, JOHANNESBURG, 2095 - *Maarohanye*
274. Boikhutso Tiisetso Poee - 921117 5467 \*\*\* - 76 Lentswe Street, Tlhabane West, RUSTENBURG, 0300 - *Sentsho*
275. Tiisetso Edgar Junior Baloyi - 050327 5580 \*\*\* - Stand No 92, Pfananani Village, HA-MULIMA, 0817 - *Selamolela*
276. Zakhele Mphikeleli Duba - 831112 5545 \*\*\* - 17/2459 Esslen Park, TEMBISA, 1632 - *Mabuza*
277. Ryan Eric Ramburran - 960127 5249 \*\*\* - 309 Brixham Road, Northdale, PIETERMARITZBURG, 3201 - *Kruger*
278. Velenkosini Khethukuthula Njabulo Shabangu - 040424 5610 \*\*\* - Nzalabantu Reserve, RICHARDS BAY, 3900 - *Langa*
279. Nkululeko Neville Billy Makhathini - 921216 5315 \*\*\* - 253 Sobantu Street, PIETERMARITZBURG, 3201 - *Dludla*
280. Job Mathabela - 710115 5473 \*\*\* - 20963/14 Ntubane Street, Extension 10, VOSLOORUS, 1475 - *Afrika*
281. Maatladi Juliet Sodi - 041029 0354 \*\*\* - Stand 739, Tickeyline Village, MARULENG, 0890 - *Malatji*
282. Bongani Ngcobo - 690415 5901 \*\*\* - 10 Norton Avenue, GILLITS, 3610 - *Radebe*
283. Koketso Stanley Thabo Diphao Moche - 860815 5420 \*\*\* - 2231 Unit 8, GA-RANKUWA, 0208 - *Mokou*
284. Unifance Themba Malatjie - 840205 5570 \*\*\* - Mamone, JANE FURSE, 1085 - *Mampuru*
285. Nokubonga Maduna - 041010 1455 \*\*\* - Dweshula Location, PORT SHEPSTONE, 4240 - *Dlamini*
286. Nonhlanhla Mashinini - 950505 0175 \*\*\* - 9576 Lusaseni Street, Zone 7B, SEBOKENG, 1983 - *Hlongwane*
287. Nonkululeko Sinalo Hans - 040623 0788 \*\*\* - No 16996, Extension 9, PALMRIDGE, 1458 - *Myeni*
288. Lebohang Christinah Rapetsoa - 920314 0127 \*\*\* - 210 Ward Road, EVATON, 1984 - *Chosa*
289. Nompilo Msomi - 890114 0668 \*\*\* - CC 171, UMLAZI, 4100 - *Dlamini*
290. Nomusa Promise Maphumulo - 810325 0326 \*\*\* - Danganya Area 5, UMKOMAAS, 4170 - *Mthembu*
291. Lesego Lenah Maditaba Makole - 920929 0703 \*\*\* - 2677 Tlholwe Street, Zone 2, GA-RANKUWA, 0208 - *Madileng*
292. Nosipho Pearl Mdluli - 960622 0274 \*\*\* - J' Mavuka Area, ESIKHAWINI, 3887 - *Mpanza*
293. Amanda Makhosazana Eppie Mdluli - 920825 0339 \*\*\* - J' Mavuka Area, ESIKHAWINI, 388 - *Mpanza*
294. Lungile Elephant - 970808 0820 \*\*\* - Dambuza Location, PIETERMARITZBURG, 3201 - *Nxele*
295. Palesa Lenah Lebese - 980324 0341 \*\*\* - 3003 Lakeside, Extension 1, VEREENIGING, 1930 - *Olifant*
296. Lethumusa Nozipho Xhakaza - 930109 0647 \*\*\* - 176 B North, Embelebeleni Street, ULUNDI, 3838 - *Sitole*
297. Asanda Unathi Zulu - 030411 0414 \*\*\* - G194 Ishongwe Way, NTUZUMA, 4359 - *Mthethwa*
298. Simei Bekker - 050226 0274 \*\*\* - 34 Kenilworth Drive, KLOOF, 3610 - *Van Staden*
299. Olga Mpho Kganya - 871215 0939 \*\*\* - 1455 Extension 1, SOSHANGUVE SOUTH, 0152 - *Ndlovu*
300. Dimpho Chamaine Mokgojane - 030726 0400 \*\*\* - 8408 Umkhakhase Street, SOSHANGUVE, 0152 - *Mabena*

301. Busisiwe Maloka - 020418 1205 \*\*\* - 1893 Boitumelo Street, Vosloorus, Extension 3, BOKSBURG, 1475 - *Khanyile*
302. Onakho Nyamankulu - 040523 0427 \*\*\* - 82 Slovo Street, Blackheath, HAPPY VALLEY, 7580 - *Matushe*
303. Zintle Nancy Molopi - 031014 0872 \*\*\* - Kroomspruit Village, STERKSPRUIT, 9762 - *Baduza*
304. Siyabonga Velenkosini Mvelase - 041030 5115 \*\*\* - Sobabili, ESTCOURT, 3310 - *Khanyile*
305. Nqubeko Mngqobi Gumede - 040402 6421 \*\*\* - Zakheleni Area, INGWAVUMA, 3968 - *Mpontshane*
306. Musawenkosi Hlongwane - 041223 6410 \*\*\* - Mboza Area, INGWAVUMA, 3968 - *Gumede*
307. Batlile Mahlobogoane - 040823 5069 \*\*\* - Ga-Molapo, LEBOWAKGOMO, 0632 - *Makota*
308. Letshepa Mkubukeli - 020828 5387 \*\*\* - 38992 Chitha Street, Harare, KHAYELITSHA, 7784 - *Mazinyo*
309. Karabo Gift Mokgoko - 020730 5390 \*\*\* - No 46348, Doomkop, Extension 4, ROODEPOORT, 1874 - *Ngobese*
310. Ramakgwale Ananias Sethele - 910127 5670 \*\*\* - Phahlamanoge, SEKHUKHUNE, 1124 - *Phahlamohlaka*
311. Bonginkosi Percy Maseko - 020720 6086 \*\*\* - 11 Mmekoa Street, KWA-THEMA, 1575 - *Thafeni*
312. Kgothatso Tshepiso Molefe - 900302 5280 \*\*\* - 37 Nqolase Street, Atterigdeville, PRETORIA, 0008 - *Ndlamlenze*
313. Joshua Teboho Motloung - 900308 5397 \*\*\* - House 852, MBEKI, 9805 - *Miya*
314. Snqobile Sandile Ntuli - 040530 5484 \*\*\* - 030403 Mepho Road, HILLCREST, 3650 - *Mbambo*
315. Faniswa James - 030407 1173 \*\*\* - 825 Corlett Drive, Witpoortjie, ROODEPOORT, 1724 - *Nortjé*
316. Lombani Thando Mphande - 040727 5544 \*\*\* - 1596 Sky City, ALBERTON, 1448 - *Ndlela*
317. Qayiya Mutamba Misulu - 040906 5700 \*\*\* - No 8676 Siyakhana Street, Zwelihle, HERMANUS, 7200 - *Bango*
318. Lungisani Mabunzi - 030807 5492 \*\*\* - Singeni Location, MOUNT AYLIFF, 4735 - *Mjoka*
319. Nkumbulo Siphokuhle Sibaya - 021213 6180 \*\*\* - Emoyeni, ESTCOURT, 3310 - *Mdlalose*
320. Skhumbuzo Kevin Ndimba - 040601 5179 \*\*\* - Bensdrop, UTRECHT, 2980 - *Zulu*
321. Kamohelo Vusimuzi Motlhasedi - 041018 5482 \*\*\* - No 16 Illala Street, Mayberry Park, Alberton, JOHANNESBURG, 1448 - *Gobeni*
322. Sanele Zwelethu Nkosi - 040614 5951 \*\*\* - 7306 Mkhombe Street, PROTEA GLEN, 1818 - *Nkabinde*
323. Kearabilwe Ruele - 050326 5941 \*\*\* - 5411 Block M, MABOPANE, 0190 - *Mahlangu*
324. Sfiso Kenneth Nkosi - 800225 5610 \*\*\* - Stand 1064, Clau-Clau C, NELSPRUIT, 1245 - *Ngwenya*
325. Levy Jeffrey Qambela - 851227 5512 \*\*\* - 948 Block M, SOSHANGUVE, 0152 - *Molemane*
326. Bandile Erent Langa - 040305 5151 \*\*\* - Bhekuzulu, ESTCOURT, 3310 - *Mchunu*
327. Thabo Dumisani Kabini - 970227 6224 \*\*\* - 262 Sokhulum Street, BRONKHORSTSPRUIT, 1020 - *Nakedi*
328. Aron Xolani Malatji - 980430 6152 \*\*\* - 9018 Musosho Street, OLIEVEN, 0175 - *Mabuza*
329. Vhahangwele Rambau - 041005 5459 \*\*\* - Stand No 926, TSHIVHUYUNI, 0942 - *Munyai*
330. Manase Tumelo Mamatlepa - 040921 5563 \*\*\* - Stand No 399, GA-FEMANE, 0920 - *Nlatla*
331. Richman Mdetse Malapane - 640229 5324 \*\*\* - 616 Dennilton, MDUTJANA, 0472 - *Makena*
332. Wendy Thobile Mahlangu - 960729 5528 \*\*\* - No 406, Section B/A, KWAMHLANGA, 1022 - *Ndlovu*
333. Kamogelo Glen Bikwane - 021109 5742 \*\*\* - 51 Flemington Street, Kyalami Estate Extension, MIDRAND, 1685 - *Lamola*

334. Thabo Mabetlela - 040824 6199 \*\*\* - Ga Matlala Village, PINKIE, 0700 - *Madubanya*
335. Motumiseng Joseph Mpukuje - 041006 5982 \*\*\* - 2869 Masakeng Street, JAN KEMPDORP, 8550 - *Esau*
336. Aobakwe Vincent Ncube - 920920 5398 \*\*\* - 1216 Unit 1, LEHURUTSHE, 2880 - *Molwantwa*
337. Thabiso Khulekani Mngonyama - 930526 5541 \*\*\* - France Location, PIETERMARITZBURG, 3201 - *Maduna*
338. Ditebogo Simon Phiri - 830208 6202 \*\*\* - 1258 Block F2, Eersterus, HAMMANSKRAAL, 0400 - *Mothibe*
339. Mpho David Masimula - 840718 5796 \*\*\* - 5 Eagle Street, Crystal Park, BENONI, 1500 - *Ranamane*
340. Khumo Winfred Bopape - 020411 6169 \*\*\* - 5232 Dikgakgathe Street, Section p, MAMELODI WEST, 0122 - *Mamabolo*
341. Guy Bruce Short - 020808 6453 \*\*\* - 1 Wavell Road, Winston Park, GILLITTS, 3610 - *Paterson*
342. Sphamandla Audicious Nama - 050126 5694 \*\*\* - 6111 Lefokotsane Street, Windmill Park Estate, BOKSBURG, 1459 - *Sibanyoni*
343. Gift Mpho Mokolo - 050327 5632 \*\*\* - 2015 Stoffelpark, MAMELODI EAST, 0122 - *Mnguni*
344. Mafa Oankaraba Sekese - 050217 5848 \*\*\* - 10 Wimpy Flats, MMABATHO, 2735 - *Matsie*
345. Lehlogonolo Leposo Brian Nkuna - 021230 5643 \*\*\* - 1068 Boxfish Street, KAALFONTEIN, 1632 - *Maja*
346. Nkanyiso Mvelase - 030328 6133 \*\*\* - Mthaleri Area, POMEROY, 3020 - *Khumalo*
347. Zarek Alexander Horemheb-Khemet-Menes De Klerk - 030208 6129 \*\*\* - 262 Acacia Street, Northcliff, JOHANNESBURG, 2195 - *Zachos*
348. Sibusiso Simon Ngcobo - 820401 6122 \*\*\* - Willow, PIETERMARITZBURG, 3201 - *Mbanjwa*
349. Pheelo Petrus Malgas - 040907 5220 \*\*\* - 1494 Hospital Hills, Extension 28, LENASIA SOUTH, 1829 - *Nakedi*
350. Katleho Emmanuel Falatsi - 981101 5499 \*\*\* - 774 Phase 1, Tshepiso, SHARPEVILLE, 1928 - *Vilakazi*
351. Setena Stephen Falatsi - 870716 5519 \*\*\* - 774 Phase 1, Tshepiso, SHARPEVILLE, 1928 - *Vilakazi*
352. Xolani Confidence Mahlangu - 970826 5250 \*\*\* - 3507 Scotch Khoza, ACKERVILLE, 1039 - *Mkhwebane*
353. Nelson William Nkambule - 730307 6282 \*\*\* - 225 Mkhathswa Street, Laneville, WITBANK, 1039 - *Mnisi*
354. Genesis Malwane - 880320 5375 \*\*\* - 9402 Pearl Street, Extension 18, MIDDELBURG, 1050 - *Mnisi*
355. Jabulane Japhter Manka - 940711 5460 \*\*\* - 18 Van Melle Street, SECUNDA, 2302 - *Mahlangu*
356. Thataetsile Paul Moagieng - 870911 5747 \*\*\* - 3661 Green Pigeon Street, Protea Glen, Extension 2, SOWETO, 1818 - *Bontsi*
357. Mlungisi Thabani Mtetwa - 980707 5963 \*\*\* - Embabe, Kwamthethwa, EMPANGENI, 3880 - *Mhlongo*
358. Archiebold Innocent Sithole - 970623 5517 \*\*\* - 6598 Kwa-Qwabe Street, Langaville, Extension 8, BRAKPAN, 1550 - *Kgomo*
359. Diphapang Lucky Motaung - 870120 5423 \*\*\* - 3615 Thusi Crescent, Extension 1, RATANDA, 1441 - *Mofokeng*
360. Kabelo Richard Makena - 990504 5866 \*\*\* - No 681, Verena Area, VERENA, 0458 - *Mashia*
361. Johannes Tieho Malgas - 000423 5490 \*\*\* - 1494 Hospital Hills, Extension 28, LENASIA SOUTH, 1829 - *Nakedi*
362. Lehlohonolo Matuka - 980501 5077 \*\*\* - Ntsie, Rockville, MOROKA, 1818 - *Motati*
363. Magawe Gift Tshabalala - 930603 5248 \*\*\* - 11 Loerie Road, Safarituin, RUSTENBURG, 0300 - *Kheswa*
364. Harry Mafeking - 750718 5829 \*\*\* - 4663 Block F3, New Eersterus, HAMMANSKRAAL, 0400 - *Moselane*
365. Lwazi Majola - 040205 5822 \*\*\* - 323 Credi Section, KATLEHONG, 1431 - *Nkolongwane*
366. Mongezi Nelson Ntombi - 020909 5174 \*\*\* - 15184 James Moroka Street, Thabong, WELKOM, 9463 - *Mathiso*

367. Nhlakanipho Cele - 991203 5882 \*\*\* - A25 Mzwilili Road, NTUZUMA, 4359 - *Shezi*
368. Qalokwakhe Mlungisi Gumede - 040827 5581 \*\*\* - Madwaleni Area, MTUBATUBA, 3935 - *Mthethwa*
369. Thamsanqa Godslove Mchunu - 840224 5636 \*\*\* - Mhlatnoze Area, EMPANGENI, 3880 - *Mkhize*
370. Tevin Matlala - 030704 6012 \*\*\* - 497 Phase 2, MAMELODI EAST, 0122 - *Maila*
371. Brilliant Khulekani Mandlazi - 030303 6382 \*\*\* - 6913 Mbonisweni, KABOKWENI, 1248 - *Mthethwa*
372. Mogomotsi Elvis Leepile - 900723 5663 \*\*\* - 33 Amberboom Street, GEELHOUT PARK, 0300 - *Bojane*
373. Sibusiso Shawn Ramatladi - 940623 5697 \*\*\* - 136 Block F, SOSHANGUVE, 0152 - *Mahlangu*
374. Tshepo Thomas Madonsela - 900309 5512 \*\*\* - 6445 Daniel Nkosi Street, Ratanda, HEIDELBERG, 1441 - *Chukudu*
375. Kabowa Jacob Aubrey Modjadji - 750209 5969 \*\*\* - 2173 Shikwambane Street, Extension 1, Mahube Valley, MAMELODI EAST, 0122 - *Gwangwa*
376. Sebongile Gypt Kobile - 950923 0498 \*\*\* - 551027 Zone 3, SEBOKENG, 1983 - *Mnguni*
377. Queen Mahlatsi Ndhlovu - 860607 0324 \*\*\* - 102 Kiepersol Street, Tasbet Park, WITBANK, 1034 - *Themba*
378. Nelisiwe Busisiwe Joy Sibanyoni - 010406 0273 \*\*\* - House No 106, Extension 12, EMPUMELELWENI, 1039 - *Malibe*
379. Tlhogelogo Eugenia Matjila - 940223 0497 \*\*\* - 664 Scarab Street, Delmore Park, BOKSBURG, 1459 - *Mphahlele*
380. Thembisile Zweni - 001016 0582 \*\*\* - 2302 Phiri Street, DOBSONVILLE, 1863 - *Bhengu*
381. Tholakele Funeka Ntsara - 840110 0458 \*\*\* - 357 Bush Road, Willowpark Manor, Extension 2, PRETORIA, 0182 - *Thenjekwayo*
382. Sibongile Mqikela - 860306 0965 \*\*\* - 2357 Biyela Street, Emndeni Extension, SOWETO, 1868 - *Msimango*
383. Prudence Tshepiso Moloiwane - 950220 0338 \*\*\* - Stand 2226, Block 10, MOLOTO VILLAGE, 1022 - *Tlali*
384. Miteng Lorrain Lushaba - 890314 0484 \*\*\* - No 4969, Extension 6, Sakhile Location, STANDERTON, 2430 - *Tshabalala*
385. Makoma Patricia Madonsela - 871016 0375 \*\*\* - 6445 Daniel Nkosi Street, Ratanda, HEIDELBERG, 1441 - *Chukudu*
386. Andile Ntobeko Gabela - 980904 0207 \*\*\* - 52 Bedford Avenue, BELLAIR, 4906 - *Mngwadi*
387. Lindiwe Nomazwazi Hlatshwayo - 890429 0406 \*\*\* - 2835A Pela Street, Emdeni Extension, KWA-XUMA, 1861 - *Tshabalala*
388. Kefentse Nthabeleng Moiloa - 001028 0226 \*\*\* - 2104 Sandile Street, Mohlokeng, RANDFONTEIN, 1759 - *Mhlaba*
389. Lyndré Miree Joyce - 960821 0137 \*\*\* - 1 Mushroom Road, Waterfall, JOHANNESBURG, 2066 - *Thomas*
390. Mpho Matshidiso Cleopatra Phiri - 040828 0290 \*\*\* - 5229 Ikaneng Street, POTCHEFSTROOM, 2531 - *Adam*
391. Lerato Khakhau - 040528 1085 \*\*\* - 1651 Polokong Street, SEBOKENG, 1982 - *Msimanga*
392. Nancy Lebea - 840325 0419 \*\*\* - Stand No 117, Mohokone, BOLOBEDU, 0837 - *Malatji*
393. Refilwe Eunice Ramothwala - 000907 0554 \*\*\* - Stand No 199, MPONENI, 0838 - *Maake*
394. Thembi Yvonne Diba - 870507 0419 \*\*\* - No 3788, Masechaba Extension, Duduza, NIGEL, 1496 - *Kubeka*
395. Thembeke Ntombenhle Nompilo Kunene - 031121 1052 \*\*\* - Madanyini Area, PONGOLA, 3170 - *Dlamini*
396. Khethiwe Hazel Kubheka - 020916 1195 \*\*\* - Mpotlolo Area, NKANDLA, 3855 - *Ntuli*
397. Reahe Molemo Mphore - 050403 0245 \*\*\* - 280 Hippo Avenue, CENTURION, 0197 - *Lepele*
398. Boitshoko Rosina Maapola - 011115 0289 \*\*\* - No 7403, Extension 3B, SOSHANGUVE, 0152 - *Pooe*
399. Khanyisile Letta Shabangu - 040217 1336 \*\*\* - 10977 Impofu Street, Vosloorus, Extension 14, BOKSBURG, 1475 - *Khumalo*

400. Nonsindiso Zizile Hlongwa - 040305 0356 \*\*\* - 19 Mzwakhe Nene Circle, UMLAZI, 4066 - *Kuzwayo*
401. Zinhle Felicia Nkosi - 930506 0431 \*\*\* - 3014 Vaalbank Street, Emxhakeni, UITRECHT, 2980 - *Alexander*
402. Sinethemba Nomzamo Nolwazi Dhlamini - 921107 0187 \*\*\* - House No D 6247, Madadeni Section 4, NEWCASTLE, 2951 - *Butelezi*
403. Luyanda Nosihle Mkhize - 020803 0801 \*\*\* - House No M 598, Section 7, MADADENI, 2431 - *Sithole*
404. Azile Lovegirl Mafilibana - 960908 0925 \*\*\* - 6537 Phelindaba Street, Extension 23, RONDEBULT, 1401 - *Khesa*
405. Paulina Thabang Nare - 811111 0760 \*\*\* - 2 Santana Road, 28 Villa Izanie, BOKSBURG, 1459 - *Mogashoa*
406. Khuthadzo Andronicah Nemubvumoni - 030927 0883 \*\*\* - 717 Vusimuzi Section, TEMBISA, 1632 - *Phalana*
407. Tebello Malata - 031103 0347 \*\*\* - 6369 Mayfield Street, Extension 7, DAVEYTON, 1520 - *Sekhukhuni*
408. Zizipo Alulo Mtyobile - 010110 1039 \*\*\* - 111 Siyakholwa Mlamli Street, MTHATHA, 5099 - *Ntombela*
409. Chanté Janse Van Vuuren - 010913 0571 \*\*\* - K10 Emfuleni Apartments, VANDERBIJLPARK, 1900 - *Loots*
410. Innocentia Khethiwe Mothale - 911006 0193 \*\*\* - 4030 Hlaisi Street, TSHIAWELO, 1818 - *Ngwenya*
411. Noluthando Sandra Mdlalose - 040709 0495 \*\*\* - 2009 Nkumane Stand, Verdriet Farm, DANNHAUSER, 3080 - *Mtshali*
412. Mosa Innocentia Dlamini - 980206 1229 \*\*\* - 584 French Street, IRONSIDE, 1984 - *Mbongo*
413. Tokollo Michelle Mabunda - 990606 1148 \*\*\* - No 3585 Block A, LETLHABILE, 0264 - *Ndowe*
414. Hlobisile Portia Nkosi - 020108 0354 \*\*\* - 3956 New Stands, Bhhekuzulu, VRYHEID, 3100 - *Zulu*
415. Mankitsing Jemina Magagula - 760309 0526 \*\*\* - 2 Letswalo Street, Atteridgeville, PRETORIA, 0008 - *Makhudu*
416. Aneshia Jenne-Lee Van Wyngaardt - 980118 0229 \*\*\* - Welbedaght Farm, OUDTSHOORN, 6623 - *Gysman*
417. Nokulunga Princess Ntuli - 810511 0894 \*\*\* - House 734, Welbedacht East, CHATSWORTH, 4092 - *Ngcobo*
418. Kelebogile Emelda Rapoo - 821215 0737 \*\*\* - 563 Zone 1, ITSOSENG, 2744 - *Modisakeng*
419. Sedibu Joyce Malatjie - 880423 0717 \*\*\* - 150 – 12th Avenue, ALEXANDRA, 2090 - *Mafeto*
420. Kagiso Mabogoane - 871001 0855 \*\*\* - 404 Lillian Ngoyi Street, PRETORIA CENTRAL, 0002 - *Phenye*
421. Tshegofatso Moidi - 870519 0654 \*\*\* - 4035 Nama-Maoto Section, MABESKRAAL, 0313 - *Ditlhale*
422. Abigail Sarah McClarty - 050209 0284 \*\*\* - 5 Viljoen Street, Windsor Glen, RANDBURG, 2194 - *Browne*
423. Dimakatso Sherrol Nonyana - 910227 0265 \*\*\* - 5375 Block A, MABOPANE, 0190 - *Mahlangu*
424. Tshegofatso Kim Makuatho - 050116 1114 \*\*\* - 1164 Hlalele Street, Phomolong, TEMBISA, 1632 - *Sihlangu*
425. Neliswa Proserpina Mthethwa - 940317 1196 \*\*\* - 47 – 5th Avenue, FONTAINEBLEAU, 2032 - *Dhlamini*
426. Ohentse Emmanuel Gaonakala - 951228 5569 \*\*\* - House No 60201, Gomolifi Section, Khunwana, DELAREYVILLE, 2700 - *Leshomo*
427. Kgalema Senkhu Makgatla - 030226 5449 \*\*\* - 90 Eagle Street, Terenure, KEMPTON PARK, 1614 - *Madingoane*
428. Roland David Van Der Merwe - 020521 5077 \*\*\* - 1018 Hermina Street, 03 St Ronans Close, CONSTANTIA PARK, 0010 - *Vassilatos*
429. Phemelo Moloto - 030507 6284 \*\*\* - 20 – 6th Street, NEWLANDS, 2000 - *Moukangwe*
430. Sibusiso Awakhiwe Dladla - 011227 5925 \*\*\* - 4 Havenview Crescent, Glenwood, PIETERMARITZBURG, 3201 - *Nyembe*
431. Mandla Prince Sibanyoni - 870828 5447 \*\*\* - Stand 951, LANGKLOOF, 1046 - *Mabena*
432. Innocent Mandlakayise Zondi - 810529 5683 \*\*\* - B – 588 Buthelezi Road, HAMMARSDALE, 3700 - *Majozi*

433. Kabelo Herbert Modibola - 910517 5393 \*\*\* - 17586 Thabong Street, WELKOM, 9463 - *Moroke*
434. Phehello Bonigile David Ngokotho - 910902 5306 \*\*\* - House No 5405, Extension 9, EMBALENHLE, 3285 - *Stephen*
435. Thokozani Gcinumuzi Tshabalala - 960906 5498 \*\*\* - 1199 Zwane, HARRISMITH, 9880 - *Zwane*
436. Thobelani Zuma - 000923 6485 \*\*\* - Nzinga Location, IMPENDLE, 3227 - *Mnikathi*
437. Andile Wayne Lukhele - 920428 5301 \*\*\* - 48 Rissik Street, Stuttaford House 904, JOHANNESBURG, 2001 - *Khumalo*
438. Goabaona Moloto - 050105 5389 \*\*\* - 331 Pine Avenue, FERNDAL, 0314 - *Legoale*
439. John Lehlohonolo Motaung - 760916 5884 \*\*\* - 17053 Tihakajeng Section, KRAAIPAN, 2747 - *Tsaoane*
440. Cliff Mkansi - 870412 5523 \*\*\* - Stand No 1110, Risinga-View, GIYANI, 0826 - *Seisa*
441. Ndzalama Light Shiburi - 010925 5389 \*\*\* - Stand No 375, Ngove Village, GIYANI, 0826 - *Hlongwane*
442. Mahlodi David Setwaba - 780503 5704 \*\*\* - Ga-Maponto, BOCHUM, 0790 - *Mphonsi*
443. Bukhosibakhe Mbanjwa - 950304 5210 \*\*\* - 14695 Ivory Park, Moseko Street, MIDRAND, 1685 - *Msomi*
444. Jonas Mofokeng - 880926 5473 \*\*\* - House No B329, Daggafontein, SPRINGS, 1559 - *Nhlapo*
445. Collen Mothupi - 990831 5390 \*\*\* - 5125 Tswelopele Extension, TEMBISA, 1632 - *Mphela*
446. Oupa Puseletso Molamu - 920210 5627 \*\*\* - 32039 Ntuli Street, Extension 34, BARCELONA, 1519 - *Matlou*
447. Thabang Gody Given Dhlamini - 040223 5110 \*\*\* - 131 Suikerbakkie Street, Jan Niemand Park, PRETORIA, 0186 - *Seanego*
448. Pfarelo Emmanuel Munyai - 740303 7434 \*\*\* - Tshaulu, TSHIUMONI, 0987 - *Netshivhungululu*
449. Musa Wilfred Ntuli - 741108 5527 \*\*\* - 1090 Zone 3, ITSOSENG, 2744 - *Msomi*
450. Kabelo Daniel Morare - 920119 5420 \*\*\* - 046 Block A, Dikebu Village, MAKAPANSTAD, 0404 - *Maledi*
451. Philani Mbatha - 990107 6210 \*\*\* - House No 369, Block B, EMONDLO, 3105 - *Msezane*
452. Sipiwe David Sokhulu - 750410 6485 \*\*\* - 246 Thornwood Road, MARIANNHILL, 3610 - *Mokoena*
453. Sandile Lindokuhle Mathonsi - 020617 5990 \*\*\* - 9786 Atlanta Street, Protea Glen, SOWETO, 1819 - *Mbeje*
454. Alfred Matlou - 920410 5818 \*\*\* - 801 Hary Gwala Avenue, Marokolong, HAMMANSKRAAL, 0400 - *Kekana*
455. Vuyani Mchunu - 910103 5811 \*\*\* - Mgodini Location, HIGHFLATS, 3306 - *Soni*
456. Musa Ronny Mndebele - 880506 5549 \*\*\* - 1420 Dalvxo Road, MAYVILLE, 4091 - *Madela*
457. Warren Gragory Platjies - 960616 5191 \*\*\* - Flat No 21, New Park, KIMBERLEY, 8301 - *Platjies*
458. Ayanda Muwonge - 920623 5332 \*\*\* - Tredoux Sentrum 2, VREDENDAL, 8160 - *Masondo*
459. Tebogo Paul Mohlala - 880110 5809 \*\*\* - 8 Molohe Street, ATTERIDGEVILLE, 0008 - *Buys*
460. Malose Mohapi Mashabela - 020608 6243 \*\*\* - House No 288, Block D, MOLOTO, 1029 - *Monareng*
461. Lesiba Gordon Bambo - 891106 5296 \*\*\* - 305 Kgaka Street, Moteong Section, TEMBISA, 1632 - *Ledwaba*
462. Nkosinathi Mlungisi Ntuli - 880418 5517 \*\*\* - House No 734, Welbedacht East, CHATSWORTH, 4092 - *Ngcobo*
463. Piet Tabane Hlakodi - 780118 5652 \*\*\* - 9577 Mokgadi Street, Zone 2, GA-RANKUWA, 0208 - *Rabotho*
464. Kamogelo Kevin Mohlala - 000609 6044 \*\*\* - 299 Legotlhong Street, MARAPYANE, 0431 - *Nchabeleng*
465. Liyema Malanti - 020718 6362 \*\*\* - House No 4734, Extension 3, ORANGE FARM, 1841 - *Mnwebe*
466. Lehlohonolo Mohoje - 941101 5311 \*\*\* - 1446 Kwadi Street, TLADI, 1864 - *Tshabalala*

467. Nkosingiphile Sabelo Mwelase - 920408 5414 \*\*\* - 113 Noburn Avenue, BENONI, 1501 - *Mbatha*
468. Evans Nkgodi Maukama Diale - 800610 6257 \*\*\* - 138 Kruger Avenue, Lyttleton, CENTURION, 0157 - *Masemola*
469. Sivuyisiwe Sijinga - 950303 5406 \*\*\* - 803 Kingransom Flat, 36 Wolmarans Street, JOHANNESBURG, 2001 - *Hlomendlini*
470. Mziwandile Christopher Mbonambi - 820507 5838 \*\*\* - 1235 Chris Hanne Road, Marianhill, DESAI, 3604 - *Zihle*
471. Luyanda Nelson Ngubane - 020204 5641 \*\*\* - 320 Demat Road, CHATSWORTH, 4092 - *Langa*
472. Thamsanqa Phewa - 020221 5345 \*\*\* - 2178 Welbedacht West, CHATSWORTH, 4092 - *Jali*
473. Oratilwe Buhle Nyaka - 041119 5117 \*\*\* - House No 2737, Slovo, Phase 4, WINTERVELDT, 0981 - *Ndhlovu*
474. Anthony Ronnie Jafta - 750411 5343 \*\*\* - 110/111 Entokozweni, Tweefontein, KWAMHLANGA, 1022 - *Maepa*
475. Manamolela Michael Moholeng - 861219 5632 \*\*\* - 1527 Marlen Street, Lenasia South, JOHANNESBURG, 2000 - *Mosia*
476. Malesela Johannes Ndlovu - 850103 5249 \*\*\* - Nobody, GA MOTHAPO, 0727 - *Matsaung*
477. Phuti Assaph Mfumadi - 931219 5596 \*\*\* - 13 Pudumo Street, Saulsville, PRETORIA, 0699 - *Mabokela*
478. Lazarus Maboy Digoro - 720226 5561 \*\*\* - 591 Kamora Street, Block V, SOSHANGUVE, 0152 - *Malele*
479. Thulani Vincent Nxumalo - 701201 5892 \*\*\* - A 1727 Zinyane Road, Inanda Newtown, INANDA, 4309 - *Mhlongo*
480. Siphesihle Sonwabile Mniki - 980611 5509 \*\*\* - 18 Nkosi Street, Madera Farm, MTHATHA, 5099 - *Toni*
481. Sifundo Ramodike Nathane - 961102 6186 \*\*\* - 14 Boerneef Avenue, Wilro Park, ROODEPOORT, 1724 - *Sape*
482. Sihle Hudson Msani - 931109 5313 \*\*\* - House No 120190, Kwampande Location, SWEETWATERS, 3201 - *Mbanjwa*
483. Siyanda Lembede - 930916 5210 \*\*\* - G137 Umcijo Road, KWA-MASHU, 4359 - *Dlamini*
484. Kagiso Makena - 921017 5107 \*\*\* - House No 1312, Zone 7, GA-RANKUWA, 0208 - *Shilakwe*
485. Mammodi Hudson Molaba - 920907 6029 \*\*\* - 23 Prime Manor, Montana Tuine, PRETOARI, 0128 - *Mphahlele*
486. Emmanuel Ntuthuko Dlomo - 960228 5908 \*\*\* - Mthombisa Area, UPPER TONGAAT, 4400 - *Mapumulo*
487. Kwazi Zwakele Xaba - 040331 6011 \*\*\* - House No B 543, EMONDLO, 3105 - *Buthelezi*
488. Siyabonga Sithole - 040914 6337 \*\*\* - Ezakheni Area, NQUTU, 3000 - *Mbambo*
489. Thato Mokobori - 010810 6185 \*\*\* - 2054 Donna Road, EVATON, 1984 - *Mashigo*
490. Odwa Ayabulela Jumba - 041015 6098 \*\*\* - Qumanco Area, COFIMVABA, 5380 - *Mbeki*
491. Sphehile Philasande Dlamini - 960117 5957 \*\*\* - Lot 660, 14 Graperich Place, NEWLANDS WEST, 4037 - *Ndimande*
492. Mosima Sydney Choshi - 881124 5729 \*\*\* - Stand Number 256, Mohlajeng Village, LONSDALE, 0710 - *Maribolla*
493. Bafana Reginald Shugu - 900823 6329 \*\*\* - 16748 Goven Mbeki Street, Tsakane, BRAKPAN, 1550 - *Motshweni*
494. Thobani Simphiwe Ntombela - 920403 5502 \*\*\* - D1681 Sigwegwe Road, KWAMASHU, 4359 - *Mhlongo*
495. Mpho Timati - 930617 5237 \*\*\* - 2376 Snowdrops Street, LEHAE, 1829 - *Lubuzo*
496. Mlungisi Goodlord Mahlangu - 960408 5781 \*\*\* - Stand No C82, KWAMHLANGA, 1022 - *Sibanyoni*
497. Thabang Simon Mofokeng - 851031 5367 \*\*\* - 6988 Rusanda Crescent, Extension 4, SAVANNA CITY, 1984 - *Sithole*
498. Solomon Bafana Masombuka - 880822 5917 \*\*\* - House No 496, Block R, SOSHANGUVE, 0152 - *Ndlala*
499. Sobi Monare - 000621 5177 \*\*\* - 2075 Mampona Street, MOROKA, 1818 - *Sekaledi*

500. Daniel Mafutha Mengwai - 780427 5758 \*\*\* - 34 Sabie River, Section 4, VANDERBIJLPARK, 1911 - *Dabi*
501. Sithembiso Cyprian Khanyile - 031211 5807 \*\*\* - House No 667, DANNHAUSER, 3080 - *Mvelase*
502. Wiseman Siphesihle Sozabile Mtolo - 771216 6202 \*\*\* - Mazizini, BERGVILLE, 3350 - *Hlongwane*
503. Keegan Momberg - 990105 5476 \*\*\* - 55 Junction Peak, HEIDEVELD, 7764 - *Barron*
504. Jerome Darrinalingum - 950205 5891 \*\*\* - House 593 Road 706, Montford, CHATSWORTH, 4092 - *Pillay*
505. Khethelo Dlamini - 021204 6022 \*\*\* - T13 Phika Road, ASHDOWN, 3200 - *Ndlovu*
506. Liam Jordan - 040727 5245 \*\*\* - 272 – 12th Avenue, KENDINGTON, 7405 - *Blacker*
507. Bokang Swetsang - 050202 5598 \*\*\* - 12 Osborn Road, WADEVILLE, 1426 - *Mabote*
508. Ngudo Liphadzi - 910305 5877 \*\*\* - Luvhalani, TSHAKHUMA, 0952 - *Mphagi*
509. Fanelesibonge Sifiso Ngubeni - 040808 6028 \*\*\* - Shayamoya Area, ESTCOURT, 3310 - *Ngcobo*
510. Oratile Neo Tlou - 040626 5516 \*\*\* - 182 Nkuwa Street, Block SS, SOSHANGUVE, 1052 - *Mashinini*
511. Zethembe Nkawule - 030907 6036 \*\*\* - House No B422, Ebumnandini, Etwatwa, BENONI, 1501 - *Mtshali*
512. Nelson Matsela - 991026 6149 \*\*\* - 33374 Hani Park, BRONVILLE, 9460 - *Ndabana*
513. Swabiso Ignatius Nkosi - 011123 5790 \*\*\* - Stand No 16355, Extension 15, EMBALENHLE, 2285 - *Jele*
514. Warren Cyril Sandleni - 031006 6163 \*\*\* - Stand No 934, Block B Trust, KOMATIPOORT, 1357 - *Dhlamini*
515. Khayaletu Khayelihle Thusi - 951022 5619 \*\*\* - Matshematshe Area, POMEROY, 3020 - *Mtungwa*
516. Gershwon Heinrich Dornaldo Max - 910926 5054 \*\*\* - 2A Linney Street, GRAHAMSTOWN, 6139 - *Nelson*
517. Sthembiso Vusumuzi Mbambo - 900611 5886 \*\*\* - Nkamm Area, ESHOWE, 3815 - *Dlamini*
518. Josh Jordan - 040727 5244 \*\*\* - 272 – 12th Avenue, KENSINGTON, 7405 - *Blacker*
519. Katlego Prince Komane - 981216 5937 \*\*\* - 24 French Street, WITBANK, 1034 - *Mashego*
520. Thabiso Imanuel Mazibuko - 991215 5795 \*\*\* - Dirkiesdorp, WAKKERSTROOM, 2480 - *Masondo*
521. Ikgopoleng Dithate - 890818 5649 \*\*\* - House No 20201, Mokgola Village, Matlala Section, LEHURUTSHE, 2869 - *Konyane*
522. Bongani Cuba - 960928 5197 \*\*\* - House No 45980, Extension 4, DOORKOP, 1874 - *Thwala*
523. Fortune Mduduzi Nemurangoni - 000604 5567 \*\*\* - 4971 Sparkover Street, FREEDOM PARK, 1811 - *Ndlovu*
524. Mondli Sizwe Dlamini - 960124 5143 \*\*\* - Gwebu Area, VRYHEID, 3100 - *Mnguni*
525. Slade Owen Brown - 020422 5112 \*\*\* - 60 Elkie Drive, WILROW PARK, 2000 - *Alderson*
526. Itumeleng Percevierence Mahlangu - 040203 6354 \*\*\* - 285 Vilakazi Street, KWAZAMOKUHLE, 1098 - *Makua*
527. Sibongokuhle Sunny Dhladhla - 040702 6278 \*\*\* - House No 1879, China 2, AMERSFOORT, 2490 - *Fakude*
528. Khumo Keabetswe Gumbi - 050312 5361 \*\*\* - 153 Rammala Street, Sunvalley, MAMELODI WEST, 0122 - *Tlhapa*
529. Kabelo Gery Mokae - 041004 5582 \*\*\* - 40547 Robert Mugabe Street, Extension 20, MAMELODI EAST, 0122 - *Baloi*
530. Palesa Sibongile Mohami - 031228 0855 \*\*\* - 737 Sesting Batho Street, BLOEMFONTEIN, 9300 - *Khumalo*
531. Palesa Moloko Manaka - 040229 1063 \*\*\* - 94 Featherview Estate, Falls Road, KRUGERSDORP, 1739 - *Nzama*
532. Jabulile Mtshali - 980809 1194 \*\*\* - Ntinini Area, NQUTU, 3135 - *Mncube*
533. Tumi Mokobori - 020822 1105 \*\*\* - 2054 Donna Road, EVATON, 1984 - *Mashigo*

534. Refilwe Mamona Mabetlela - 020412 0900 \*\*\* - Mphebotho Street, PINKIE, 0748 - *Madubanya*
535. Zinhle Charlotte Dlongolo - 020902 1622 \*\*\* - House No 250, Zone 3, Zonkizizwe, KATLEHONG, 1431 - *Ngubane*
536. Thabile Jackoline Khumalo - 900301 0962 \*\*\* - House No D5690, Section 4, MADADENI, 2951 - *Mbongwa*
537. Luyanda Thwala - 000723 0072 \*\*\* - Loskop, ESTCOURT, 3310 - *Mpembe*
538. Sphelele Miranda Nzama - 000902 0550 \*\*\* - Dokodweni, GINGINDLOVU, 3200 - *Sithole*
539. Nthathi Kathleen Mahatlane - 880204 0252 \*\*\* - 21 Vivienne Street, Chrisville, JOHANNESBURG, 2091 - *Mogudi*
540. Ntshebu Rralo Mahatlane - 950127 0082 \*\*\* - 21 Vivienne Street, Chrisville, JOHANNESBURG, 2091 - *Mogudi*
541. Kwenzekile Samkelisiwe Majola - 991223 0710 \*\*\* - Gobinsimbi Area, EMONDLO, 3105 - *Phenyane*
542. Amahle Ayanda Mncwabe - 021211 0575 \*\*\* - D1092 Madinde Road, Mpumalanga Township, HAMMARSDALE, 3700 - *Gasa*
543. Onkgopotse Jacob Keem Dube - 000307 5236 \*\*\* - House No 1827, White City, MOTHOTLUNG, 0268 - *Tshwane*
544. Obrey Mulovhedzi - 941028 5257 \*\*\* - 19 Mankpane Street, Extension 2, Atteridgeville, PRETORIA, 0008 - *Sadiki*
545. Letshumo Mokwena - 791109 5827 \*\*\* - 5598 Twala Street, White City, SOWETO, 1868 - *Serobe*
546. Mogami Joseph Kotsokwane - 750908 5861 \*\*\* - House No 10234, Loporung Village, MAHIKENG, 2745 - *Tauetsile*
547. Mthandeni Siphesihle Nxumalo - 841017 5679 \*\*\* - 03 Meade Heights, 19 Lyngary Road, LINCOLN, 3201 - *Ngidi*
548. Zolile-Bethel Mphephuka - 790711 5844 \*\*\* - House No 15512, Phase 6, Masimong, BLOEMFONTEIN, 9363 - *Monoana*
549. Shadrack Falatsi - 931126 5515 \*\*\* - House No 774, Phase 1, TSHEPISO, 1928 - *Vilakazi*
550. Potlako Leballo Ntuli - 840412 5733 \*\*\* - House No 464, Block AA, SOSHANGUVE, 0152 - *Maponya*
551. Kwanele Sphehile Mthlale - 050110 6566 \*\*\* - Mpophomeni, HOWICK, 3200 - *Mbambo*
552. Thandokuhle Lindsay Bandile Zwane - 970711 6102 \*\*\* - 46 Capricorn Avenue, Cassim Park, ERMELO, 2350 - *Hlophe*
553. Azariel Posholi - 030618 6318 \*\*\* - Magadla Area, MATATIELE, 4730 - *Magadla*
554. Tshidiso Dithakgwe - 030402 5921 \*\*\* - 829 Ralerata Street, MOHLAKENG, 1759 - *Segwagwa*
555. Xolani Sydney Mbokazi - 730701 5576 \*\*\* - House No 9020, Tshongweni, KATLEHONG, 1431 - *Sikhosana*
556. Tebatso Madimetsa Masoga - 911014 5585 \*\*\* - Ntamaties, GOMPIES, 0628 - *Kekana*
557. Alfred Rampora - 920828 5834 \*\*\* - Kome Village, MARISHANE, 1064 - *Masemola*
558. Bongelani Nene - 920629 5030 \*\*\* - Sizilo Area, CELA, 3866 - *Mtshali*
559. Sonwabiso Hlongwana - 800420 5328 \*\*\* - Esigodini Location, PIETERMARITSBURG, 3201 - *Dlamini*
560. Mqondisi Tebogo Makgaloa - 980520 5289 \*\*\* - 833 Mosotho Street, Unit D, Temba, PRETORIA, 0407 - *Skosana*
561. Martin Mvura Chizaso - 950217 5902 \*\*\* - 31 Nerine Street, LEONDALE, 1401 - *Mphaphuli*
562. Nkosimphile Mhleygo - 960418 5941 \*\*\* - 1487 Hlophenkulu Street, Zone 1, DIEPKLOOF, 1818 - *Memani*
563. Mpumelelo Stephen Wayisi - 830125 5380 \*\*\* - 188 Twala Section, Katlehong, GERMISTON, 1432 - *Manyoni*
564. Mzwandile Abram Mosala - 910424 5250 \*\*\* - House No 3587, F Section, BOTSHABELO, 9781 - *Mooi*
565. Mbuti Josiah Gashe - 861026 5618 \*\*\* - House No C 182, Slovo Park, Crosby, JOHANNESBURG, 2092 - *Modise*
566. Jacob Sesedinyana - 850320 5379 \*\*\* - House No 4752, Mkhondwesizwe, Phahameng, BULTFONTEIN, 9670 - *Liphoko*

567. Bereng Edward Mojaki - 830406 5798 \*\*\* - 3919 Nakedi Street, BULTFONTEIN, 9670 - *Moshodi*
568. Manyoga Johannes Mashiachidi - 830903 6045 \*\*\* - Kweni Moloto 2, MOLETJIE, 0709 - *Senyatsi*
569. Sello Andrew Baloyi - 840315 5467 \*\*\* - Mphaaneng, MATHABATHA, 0733 - *Mathabatha*
570. Mpho Njozela - 850926 5790 \*\*\* - No 3 Coner Crescent, Westpark, PRETORIA, 0183 - *Matlaila*
571. Motsholwane Simon Yabo - 860205 5686 \*\*\* - 36 Oewerswael, HOEDSPRUIT, 1380 - *Kgoanyane*
572. David Thulani Mphuthi - 790416 5960 \*\*\* - 4919 Mpenjani Street, Extension 8, TSAKANE, 1559 - *Sitole*
573. Roemello André Marupen - 950412 5098 \*\*\* - 296 West Avenue, Brushwood, JOHANNESBURG, 2194 - *Adams*
574. Solomon Patrick Chauke - 830211 5623 \*\*\* - House No 1735, Mashimong, Section 4, MAJANENG, 0402 - *Baloyi*
575. Mosimanegape Kenneth Kotsokwane - 781010 6778 \*\*\* - House No 10234, Loporung Village, MAHIKENG, 2745 - *Tauetsile*
576. Bafana Lucky Moseki - 980124 5486 \*\*\* - 567 Lideon Street, Klipfontein View, MIDRAND, 1685 - *Maluleke*
577. Dumisani Elias Ncina - 881101 5435 \*\*\* - Unit 51 Palm Island, 29 Sasol Avenue, Minneralia, MIDDELBURG, 1050 - *Mbatha*
578. Tshiamo Maleka - 960704 5878 \*\*\* - 34 Sapphire Street, Extension 18, MIDDELBURG, 1055 -
579. Sunnyboy Ben Madonsela - 791230 5484 \*\*\* - House No 14707, Extension 15, EMBALENHLE, 2285 - *Sibeko*
580. Andisa Futa - 880121 5776 \*\*\* - Luthengele Area, PORT ST JOHNS, 5120 - *Mcetywa*
581. Mpute Alfred Thobejane - 910521 5837 \*\*\* - Modimole Village, DRIEKOP, 1129 - *Mashego*
582. Mxolisi Joseph Mtshweni - 840718 5344 \*\*\* - House No 9191, Extension 34, ERMELO, 2350 - *Magagula*
583. Victor Karabo Mojapelo - 950103 5063 \*\*\* - Ga Mothapo, GA RAMOGALE, 0726 - *Ramogale*
584. Mondli Mthokozisi Mxolisi Dlamini - 840129 5489 \*\*\* - 11 Priemer Park, Birdwood, RICHARDS BAY, 3880 - *Malinga*
585. Sifiso Victor Motloung - 980801 5853 \*\*\* - Zaaioek Farm, VOLKSRUST, 2470 - *Ngwenya*
586. Carel Hein Uys - 030901 6592 \*\*\* - 3 Bocton Street, Beyerspark, BOKSURG, 1459 - *Marais*
587. Thulane Innocent Mahlangu - 890125 6004 \*\*\* - Stand No 908, Extension 2, EMBALENHLE, 2285 - *Maduma*
588. Thato Morgan Dikotla - 980121 5571 \*\*\* - 66A Eland Street, Elandsfontein, GERMISTON, 1401 - *Modiba*
589. Phetole Joseph Maake - 030624 5375 \*\*\* - Stand No 35, Mentz, Badimong, SOVENGA, 0727 - *Masetwadi*
590. Anga Asiphe Nazo - 960801 5135 \*\*\* - 80 Boschendal, Heldekruijn, ROODEPOORT, 1725 - *Mkwebula*
591. Thulani Goodman Hlopho - 760602 5701 \*\*\* - House No 1313, Ward 30, OSIZWENI, 2952 - *Nkosi*
592. Welile Mzothwa - 840429 5684 \*\*\* - Lower Ntafufu Area, PORT ST JOHNS, 5120 - *Mdenge*
593. Itumeleng John Makwae - 741019 5439 \*\*\* - 448 Sebe Street, Ikhuseng Location, WARRENTON, 8550 - *Mooki*
594. Thulani Nkosi - 940709 5478 \*\*\* - 214 Khanyile Street, JABAVU, 1809 - *Dhlamini*
595. Mzwandile Mofokeng - 741204 5860 \*\*\* - 1255 Ziqubu Road, Chesterville, DURBAN, 4091 - *Shabalala*
596. Lindokuhle Sduduzo Mlotshwa - 930927 5451 \*\*\* - House No 1984, Mpumelelo Extension, France, PIETERMARITZBURG, 3201 - *Mncwabe*
597. Mxolisi Mbelu - 030315 5458 \*\*\* - KwaMpumuza Location, PIETERMARITZBURG, 3201 - *Makhaye*
598. Sanele Gift Khumalo - 980727 5879 \*\*\* - House No E 9162, Section 5, MADADENI, 2951 - *Mfusi*
599. Baba Junius Wayisi - 810804 5423 \*\*\* - House No 188, Twala Section, KATLEHONG, 1431 - *Manyoni*
600. Keletso Harold Mashego - 901220 5857 \*\*\* - House No 2111, KLIP-GAT, 0190 - *Mahlangu*

601. Morgan Mahlangu - 841128 5293 \*\*\* - 16505 Mathewson Street, DAVEYTON, 1520 - *Molema*
602. Thabang Gratitude Letoane - 990317 5387 \*\*\* - House No 793, Mahlatswetsa, EXCELSIOR, 9760 - *Makhatha*
603. Malebogo Japhter Lepodisa - 970922 5471 \*\*\* - House No A98, Seloshesha Section, MOROKWENG, 8614 - *Tshwaro*
604. Mothusi Jeffrey Lepodisa - 910603 5825 \*\*\* - House No A98, Seloshesha Section, MOROKWENG, 8614 - *Tshwaro*
605. Devon James Van Schoor - 930121 5307 \*\*\* - 124 Pringle Road, Sanddrift, CAPE TOWN, 7441 - *Berman*
606. Lucky Kabelo Chauke - 030912 5675 \*\*\* - House No 25610, Extension6, SOSHANGUVE SOUTH, 0152 - *Machaka*
607. Rophuluswa Emmanuel Nefolovhodwe - 970909 5975 \*\*\* - 3620 Mpani Street, Orlando East, SOWETO, 1804 - *Nesane*
608. Goodman Khomo - 860602 5899 \*\*\* - Ndayikazi Area, HIBBERDENE, 4220 - *Nhlangulela*
609. Tshepiso Shoun Thobani Galane - 040203 5985 \*\*\* - 129 – 5th Avenue, ALEXANDRA, 2090 - *Gumede*
610. Phumezo Futshane - 050520 5654 \*\*\* - Mbonisweni, STERKSPRUIT, 9762 - *Sinto*
611. Thando Zulu - 020117 5983 \*\*\* - J 17 Road, 90 Unit J, Imbali, PIETERMARITZBURG, 3201 - *Sokhela*
612. Sandile Hopewell Khoza - 030403 6637 \*\*\* - 14 Harlem Close Street, GERMISTON, 1470 - *Twala*
613. Shawn Sinhle Qibi - 050326 5586 \*\*\* - House No 2632, Extension 1, BOIPATONG, 1901 - *Ndlovu*
614. Onkokame Bongani Mache - 040421 5453 \*\*\* - Hosue No 3794, Zone 3, ITSOSENG, 2744 - *Noinyane*
615. Jacob Letswabi Tshotlhang - 800330 5563 \*\*\* - House No 1159, Block B, CAROUSEL VIEW, 0400 - *Tsoku*
616. Collin Vinsent Oliphant - 840114 5486 \*\*\* - Matshelepeol Section, Mapoteng, KURUMAN, 8460 - *Mogadile*
617. James Koketso Mlangeni - 000903 5840 \*\*\* - House No 1144, Block TT, SOSHANGUVE, 0152 - *Dhliwayo*
618. Nkamogeleng Makgathe - 911205 5346 \*\*\* - 4251 Monageng Avenue, MAMELODI WEST, 0122 - *Phella*
619. Phehello Mphoentle Rakhothule - 050216 5596 \*\*\* - House No 17933, Zone 14, SEBOKENG, 1983 - *Tshabangu*
620. Lehlohonolo Thanjekwayo - 011118 5978 \*\*\* - 7116 Jileleza Street, Extension 2, ORANGE FARM, 1841 - *Pilusa*
621. Andries Forekane - 741117 5082 \*\*\* - House No Q1872, Gamokgopa Section, MOROKWENG, 8614 - *Ditira*
622. Andile Mngonyama - 950601 5528 \*\*\* - Mpumelelo Foxhill, PIETERMARITZBURG, 3200 - *Maduna*
623. Linda Mtiyane - 971126 5525 \*\*\* - 760 Kgetile Street, C W J, SOWETO, 1809 - *Mdakane*
624. Kelebogile Antony Dibetso - 820824 5688 \*\*\* - House No 513, Unit R, LEBOWAKGOMO, 0736 - *Mphela*
625. Sthembiso Jappie Mthimunya - 911231 5282 \*\*\* - 36271 Dikgole Street, Extension 22, MAMELODI EAST, 0122 - *Msiza*
626. Nhlanhla Mahloko - 940426 5687 \*\*\* - House No 1717, Block GG, Soshanguve, PRETORIA, 0152 - *Moja*
627. Alfred Khotso Molokomme - 820507 5814 \*\*\* - House No 324, Moteong Section, TEMBISA, 1632 - *Mbalati*
628. Archybold Thakadu Lekoloane - 810522 5774 \*\*\* - E1051 Sele Street, Extension 1, DIEPSLOOT, 2181 - *Madileng*
629. Desmond Hlatshwayo - 840930 5749 \*\*\* - House No 8097A, Zone 6, DIEPKLOOF, 1717 - *Nare*
630. Tebogo Madikane - 870504 5966 \*\*\* - 55 Jimmy Kennedy Street, Heidedal, BLOEMFONTEIN, 9306 - *Nketsi*
631. Thuso Handsome Matandela - 930818 5499 \*\*\* - House No BA147, Kwadabeka, Sub 5, PINETOWN, 3600 - *Motaung*
632. Lehlohonolo Patric Tsotetsi - 001003 5869 \*\*\* - House No 3955, Phahameng, Namahadi, FRANKFORT, 9830 - *Motaung*
633. Mdumiseng Simford Njeje - 761220 5747 \*\*\* - 107 Magaritha Street, MEYERSPARK, 0081 - *Maduna*

634. Tebelelo Edwin Itumeleng - 981129 5438 \*\*\* - D2026 Church Street, Ikageng, MOSENTHAL, 0300 - *Keetile*
635. Tau Ben Simelane - 840202 5946 \*\*\* - 1012 Katavi Street, Maokeng Extension, TEMBISA, 1632 - *Monyanyedi*
636. Nakedi Joas Mothemane - 930727 5627 \*\*\* - 10510 Winnie Mandela Street, Zone 4, TEMBISA, 1632 - *Masebe*
637. Siyabonga Nsindane - 890610 5814 \*\*\* - Maslwaleni Location, BULWER, 3244 - *Phungula*
638. Henry Mahlatsi Nyirenda - 830707 5895 \*\*\* - 3404 Wolfram Street, Migson Manor, Extension 7, LENASIA SOUTH, 1829 - *Dibakwane*
639. Gift Hlengane Mahlangu - 981031 5343 \*\*\* - 94 Mafa Street, LOTUS GARDENS, 0008 - *Manganye*
640. Katlego Peter Mogolane - 870326 5346 \*\*\* - 16349 Lerato Street, MAMELODI EAST, 0122 - *Mabena*
641. Lihle Silinga - 980903 5804 \*\*\* - House No 13720, Extension 27, Olievenhoutbosch, CENTURION, 0175 - *Dekeda*
642. Vusi Titus Dlamini - 810505 5929 \*\*\* - 237 Drawwer Street, Derdepoort Park, Extension 3, PRETORIA, 0035 - *Khumalo*
643. Siphonhlapho - 860802 5272 \*\*\* - 2520 Phillip Street, Finetown, GRASMERE, 1828 - *Dhlamini*
644. Keabetswe Gordon Thobela - 980509 5165 \*\*\* - 679 Phala Street, Block k, Soshanguve, PRETORIA, 0152 - *Teane*
645. Njabulo Williams - 941030 5828 \*\*\* - 99 Dinizulu Street, Dube Village, SOWETO, 1801 - *Buthelezi*
646. Nicky Motswaledi Ntsundukazi - 021023 5090 \*\*\* - House No 291, Umnonjaneni Section, TEMBISA, 1632 - *Matseke*
647. Nhlanhla Busakwe - 040306 5049 \*\*\* - House No 490, U Section, BOTSHABELO, 9781 - *Mahlanyane*
648. Ongeziwe Twoboy Mafilibana - 020302 5731 \*\*\* - 6537 Philindaba Street, Rondebult, GERMISTON, 1401 - *Khesa*
649. Ethan Sky Douglas - 010620 5267 \*\*\* - 20 Castle Road, ASSAGAY, 3610 - *Booyesen*
650. Boitumelo Innocent Mehlomakulu - 900411 5331 \*\*\* - 236 Motsamai Street, Extension 2, THOKOZA, 1426 - *Madisakwane*
651. Kgopotso Ntsoane - 020204 5294 \*\*\* - Mashite, MPHAHLELE, 0136 - *Matshela*
652. Tshepo Godfrey Kwakwa - 910812 5649 \*\*\* - House No 5058, Kgoro Section, BODIBE, 2741 - *Matlaba*
653. Otukile Petrus Moswaile - 690203 6094 \*\*\* - 84 Dawe Street, RUSTENBURG, 0300 - *Moletsane*
654. Thuto Nephlin Mohurutshane - 040721 5297 \*\*\* - 8 – 21st Street, Homevale Extension, KIMBERLEY, 8301 - *Sagrys*
655. Lehlogonolo Phahlamohlaka - 041106 5918 \*\*\* - 83 Struben Street, 068 Thembelihle, PRETORIA, 0002 - *Ntshana*
656. Ayakholwa Ovayo Mayedwa - 030125 5393 \*\*\* - Nkunjimbini Area, LUSIKISIKI, 4820 - *Diya*
657. Rony Tshepo Monyeke - 050511 5540 \*\*\* - House No 2513, Extension 4, MARAPONG, 0536 - *Sebyetseba*
658. Khotso Kenneth Selole - 040507 5248 \*\*\* - 1464/52 Kabouter Street, POTCHEFSTROOM, 2520 - *Marake*
659. Jacob Lucas Lebembe - 680127 5634 \*\*\* - 148 Bakema Street, Renstown, HAMMANSKRAAL, 0407 - *Lamola*
660. Lebohlang Edward Masukela - 990504 6263 \*\*\* - House No 3425, Section f, BOTSHABELO, 9781 - *Masia*
661. Siphesihle Sibusiso Ntabeni - 910613 5594 \*\*\* - 233 Kitchener Avenue, KENSINGTON, 2094 - *Mgudlwa*
662. Afrika Ndobeni - 900828 6055 \*\*\* - 17 Qhagana Road, Hazeldean, PHILIPPI, 7785 - *Wakana*
663. Thabile Vincent Mayile - 821031 5279 \*\*\* - 6740 Boys Town, Oldcross Roads, NYANGA EAST, 7755 - *Kalimashe*
664. Nkosikhona Moses Moabelo - 970406 5217 \*\*\* - House No 5469, Block F4, New Eersterus, HAMMANSKRAAL, 0400 - *Skosana*
665. Mogamat Toufeeq Barnardo - 980614 5046 \*\*\* - 96 Samantha Road, Lentegeur, MITCHELLS PLAIN, 7785 - *Martin*
666. Keikantse Dithuto Lonkokile - 990211 5294 \*\*\* - 8232 Kolobe Street, Atteridgeville, PRETORIA, 0001 - *Mothlageng*
667. Phillip Dumisani Tamela - 730522 5517 \*\*\* - 528 Justin Street, Daraudie Extension 10, PRETORIA NORTH, 0183 - *Ntamela*

668. Malwande Simphiwe Mntambo - 001113 5665 \*\*\* - Mbilane Area, ULUNDI, 3838 - *Mpungose*
669. Sibahle Mlunguza - 990119 5672 \*\*\* - CC 171 Gwebu Street, Town 2, KHAYELITSHA, 7784 - *Makhonza*
670. Lunga Prince Luther Ngcobo - 910909 5585 \*\*\* - 25 Taledo Avenue, Glenwood, DURBAN, 4001 - *Gumede*
671. Ntota Petrus Mosehla - 810708 5507 \*\*\* - Ga-Phasha, STEELPOORT, 1130 - *Mashilo*
672. Chuma Siyabonga Tshiqi - 900606 5339 \*\*\* - 97 Bushmill, Van Bergen Road, Amorosa, ROODEPOORT, 1721 - *Godlo*
673. Mbulelo Andries Dyani - 950625 5484 \*\*\* - 7205 Mlangeni Avenue, Imizamo Yethu, HOUTBAY, 7806 - *Mhlakwane*
674. Tumelo Surprise Makwakwa - 940827 5212 \*\*\* - 2997 Phokojoe Street, Tokoza, EVEREST, 1426 - *Mokoena*
675. Zukhanye Somtsewu - 001215 5915 \*\*\* - Ngqanda Area, LADY FRERE, 5410 - *Titana*
676. Nhlanhla Shaun Mahlangu - 011130 6038 \*\*\* - House No 107, Tweefontein A, KWAMHLANGA, 1022 - *Zwane*
677. Rofniwa Mukona - 900915 5586 \*\*\* - House No 15497, Extension 12, SOSHANGUVE, 0152 - *Ramavhoya*
678. Shimane Shaun Tshiamo Mashapa - 980728 5441 \*\*\* - House No 151, Block TT, SOSHANGUVE, 0152 - *Shingwenyane*
679. Qinisile Sabelo - 810321 5830 \*\*\* - Amadiba Area, DLANGEZWE LOCATION, 4800 - *Phakathi*
680. Thembelani Blessing Cele - 000918 5211 \*\*\* - Umlazi, DURBAN, 4031 - *Ngcobo*
681. Aphile Ngqulunga - 040904 5385 \*\*\* - Scottfontain, MOOI-RIVER, 3300 - *Zuma*
682. Lekoma Clement Makopo - 920216 5706 \*\*\* - Magatle, GOMPIES, 0631 - *Lethole*
683. Otsile Confessious Sesana - 040831 5927 \*\*\* - 3512 Duncan Street, MAJANENG, 0402 - *Mpete*
684. Mthuthuzeli Michael Gxamthani - 890818 5904 \*\*\* - House No 10120, Ditshoswaneng, MONONONO, 0300 - *Komane*
685. Refilwe Given Mazibuko - 801020 5191 \*\*\* - 886 Nhlapo Street, THOKOZA, 1426 - *Tau*
686. Katlego Mchunu - 990428 5305 \*\*\* - 1036B Mokhahlane Street, KLIPSPRUIT, 1809 - *Nhlapo*
687. Vusumuzi Maseko - 811117 5574 \*\*\* - House No 121A, Zola 3, SOWETO, 1868 - *Cindi*
688. Zakhele Mavaleliso - 010329 5593 \*\*\* - 2999 Phokjie Street, THOKOZA, 1426 - *Nyandeni*
689. Peter Zimba - 760305 6232 \*\*\* - 6716 Mbali Street, Sonwabo, Extension 5, PALMRIDGE, 1432 - *Matlala*
690. Masego Olifant - 900808 6181 \*\*\* - House No 1245, Cassel Village, KURUMAN, 8460 - *Pebe*
691. Brilliant Chiloane - 030411 6004 \*\*\* - House No 62, Marite Trust, BUSHBUCKRIDGE, 1280 - *Khumalo*
692. Sive Tshela - 890119 5838 \*\*\* - Qweqwe Location, MTHATHA, 5099 - *Mhini*
693. Matlatse Gregory Langa - 891130 5276 \*\*\* - 5 Hatting Drive, VOSLOORUS, 1475 - *Kganane*
694. Thabiso Richard Sehloho - 980820 5382 \*\*\* - House No 16643, Extension 9, ORANGE FARM, 1930 - *Mokoena*
695. Tumelo Frederick Seiso - 881106 5466 \*\*\* - House No 1085, Lekubung Section, SILWERKRANS, 2839 - *Letsholo*
696. Rabelani Immanuel Mashau - 001029 5634 \*\*\* - Tshilungoma, THOHOYANDOU, 0950 - *Mungadi*
697. Thabang Tshepo Lebaka - 990324 5194 \*\*\* - 3541 Kgotlelele Street, SUMUNYE, 1775 - *Mokotedi*
698. Vusumzi Shawn Moleko - 030720 5154 \*\*\* - 3188 Xesibe Street, DAVETON, 1520 - *Vumazonke*
699. Kamohelo Mokotedi - 050111 5120 \*\*\* - House No 3619, Unit 1 Extension, THABA NCHU, 9780 - *Thepe*
700. Gcinani Magangane - 040818 6294 \*\*\* - Vaalbank, UTRECHT, 2480 - *Nzima*

701. Nikiwe Mpande - 841001 1263 \*\*\* - House No 9402, Zone 6 Extension, Pimville, SOWETO, 1808 - *Magau*
702. Sinazo Mbele - 000312 0397 \*\*\* - 6 Addison Drive, LA LUCIA, 4153 - *Dlamini*
703. Tshililo Nomfundo Corrine Hope Fhedzisani - 981229 0408 \*\*\* - 1128/26 Phumlani Street, Devland, Extension 27, SOWETO, 1811 - *Tshivhase*
704. Sinovuyo Cleopatra April - 050326 1156 \*\*\* - 27 Gamanda Street, Zwile, PORT ELIZABETH, 6201 - *Maneli*
705. Noluthando Mbalenhle Khanye - 030813 0974 \*\*\* - House No 3851, Section 1, MADADENI, 2451 - *Dubazane*
706. Xola Precious Chidi - 041227 0721 \*\*\* - 42 Christiaan Muller Street, Thaba Tshwane, PRETORIA, 0143 - *Khathide*
707. Tandokazi Mashawa - 0207010710 \*\*\* - 30 Lamani Street, New Brighton, PORT ELIZABETH, 6200 - *Mqota*
708. Neo Yolanda Jojo - 050404 0282 \*\*\* - 4823 Kenneth Kaunda Street, Extension 2, IVORYPARK, 1689 - *Ndebele*
709. Keitumetse Beauty Mabela - 040105 0916 \*\*\* - House No 2423, Oukasie, Phase 1, BRITS, 0250 - *Mahlangu*
710. Talina Mkhabela - 990922 1565 \*\*\* - 34 Reitz Street, Jameson Park, NIGEL, 1491 - *Tembe*
711. Nondumiso Slindile Zondi - 830910 0467 \*\*\* - 25 Magazine Road, PRESTBURY, 3200 - *Mfeka*
712. Vuyokazi Ortelia Chiya - 900212 0435 \*\*\* - Fairview, IXOPO, 3270 - *Dlamini*
713. Tiisetso Vanessa Lekgau - 040918 0249 \*\*\* - Mahwibitsoane, MOLETJIE, 0709 - *Mashalane*
714. Kwanele Hlanzeka Vuyiswa Nyembe - 031112 0810 \*\*\* - 3489 Ntuthukoville Drive, Woodlands, PIETERMARITZBURG, 3201 - *Mthembu*
715. Lebohang Portia Senatla - 050110 0270 \*\*\* - House No 40731, ZAMDELA, 1949 - *Mofokeng*
716. Siyathemba Lucia Mchunu - 900821 0437 \*\*\* - House No 464 Qsst, Unit 15, IMBALI, 3200 - *Dlamini*
717. Micheäla Monica Taryn Naidoo - 000709 0330 \*\*\* - 91 Delphinium Street, Winchester Hills, JOHANNESBURG, 2091 - *Gopaul*
718. Bongekile Qwabe - 010505 0124 \*\*\* - 604 Lobengula Street, Mofolo North, SOWETO, 1868 - *Khumalo*
719. Gabrielle Nieuwoudt - 990610 0221 \*\*\* - 257 Goldhurst Terrace, Top Floor Flat, LONDON, 0000 - *Moodly*
720. Serufe Jacobeth Mantswe - 591101 0817 \*\*\* - 67 Perth Road, WESTDENE, 2092 - *Molefi*
721. Amahle Zamandlela Ndlela - 040811 0801 \*\*\* - E 1395 Embuthweni Road, Woodyglen, HAMMASDALE, 3699 - *Nzimande*
722. Sibongokuhle Nonhlanhla Khumalo - 031017 0930 \*\*\* - House No F770, Section 6, MADADENI, 2951 - *Nkosi*
723. Zona Xiva - 041027 0350 \*\*\* - Block N221, Unit 3, ZWELITSHA, 7750 - *Mpozolo*
724. Leah Namsiza Mahlangu - 801225 0061 \*\*\* - Stand No 1421, KWAGGAFONTEIN C, 0458 - *Masanabo*
725. Ashleigh Jesse Becker - 960706 0214 \*\*\* - 2 Deo Valenti, GLENTANA, 6530 - *Giani*
726. Reabetswe Mbali Zwane - 040422 0217 \*\*\* - 7 Stamford Road, KIBLER PARK, 2091 - *Faku*
727. Lutricia Khothatso Morena - 980821 0385 \*\*\* - 2656 Seeco Street, Phomolong, KROONSTAD, 9499 - *Makhonanyane*
728. Bangiswa Reginah Bazindlovu - 920709 0197 \*\*\* - House No 16589, Zone 21, SEBOKENG, 1983 - *Matanzima*
729. Masechaba Eunice Vat - 941012 0517 \*\*\* - 28587 Peterswatts Street, BLOEMFONTEIN, 9306 - *Masitise*
730. Sphehile Samata Hlabisa - 991205 0490 \*\*\* - PTN 143 Stand No 117 Kal, Agricultural Lots, KLIPPOORTJIE, 1401 - *Mthembu*
731. Brenda Mahumane - 860315 0457 \*\*\* - 71 Queens Street, Libril Building, PRETORIA, 0002 - *Maoto*
732. Tshepang Malegopo - 980525 0137 \*\*\* - House No 5101, Unit 5, TEMBA, 0407 - *Twala*
733. Rylene Erika Ramburran - 001019 0743 \*\*\* - 309 Brixham Road, Northdale, PIETERMARITZBURG, 3201 - *Kruger*
734. Reabetswe Lwazi Mathafeng - 040609 0165 \*\*\* - 210 Pela Street, Zone 7, PIMVILLE, 1809 - *Mahlangu*

735. Nare Fortunate Rathokolo - 050204 0473 \*\*\* - 4079 Turtledove Street, Klarinet, Extension 06, EMALAHLENI, 1039 - *Kgomo*
736. Fascia Maake - 961128 0947 \*\*\* - Tickline Village, MAPHUNO, 4857 - *Pilusa*
737. Cassadey Casandra Minnies - 010130 0073 \*\*\* - 46 Erika Street, BARKLY WEST, 8375 - *Mc Kuchane*
738. Andiswa Sisanda Sibiya - 040403 0331 \*\*\* - 520568 Watervall Road, Edendale, PIETERMARITZBURG, 3217 - *Shoba*
739. Mandisa Mdubeki - 910509 0742 \*\*\* - 45 Nienaber Road, 130 Signal Hill, Napiervill, PIETERMARITZBURG, 3201 - *Shabane*
740. Tsholofelo Motlhasedi - 820707 1053 \*\*\* - 15791 Alfonso Street, Extension 16, Protea Glen Ridge, CHIAWELO, 1819 - *Machate*
741. Felicity Mmasabatha Khatlane - 950917 0244 \*\*\* - 27 Condor Street, Sharon Park, Extension 2, DUNNOTTAR, 1496 - *Kgolokwane*
742. Maria Mokae - 921103 0571 \*\*\* - 40547 Robert Mugabe Street, Extension 20, MAMELODI EAST, 0122 - *Baloi*
743. Noxolo Promise Phumzile Mbokazi - 040518 0778 \*\*\* - House No 9420, Khayelisha, ERMELO, 2350 - *Nkosi*
744. Zanele Tumiso Mokoena - 000628 0571 \*\*\* - Stand No 85, Hotjie Section, Alverton Village, BURGERSFORT, 1150 - *Masuku*
745. Nobantu Alzina Nkomo - 850429 0289 \*\*\* - 453 Mzilikazi Street, TEMBISA, 1632 - *Ntshingila*
746. Mbalenhle Gail Mkhathswa - 861217 0350 \*\*\* - 206 Steyn Street, MORGENZOR, 2315 - *Hlatshwayo*
747. Bennedict Phindile Ndlela - 950615 0356 \*\*\* - House No E-1395, Woodyglen Area, HAMMARSDALE, 3700 - *Nzimande*
748. Nomvula Nelisiwe Ellay Morwatshehla - 971130 0159 \*\*\* - House No 3735, Ward 9, OSIZWENI, 2952 - *Ngwenya*
749. Malefu Mbele - 950815 0789 \*\*\* - House No 71, Esangweni Extension, TEMBISA, 1632 - *Mokoena*
750. Bongwiwe Dineo Voina Tsile - 891109 0440 \*\*\* - 1801 Mabitsela Street, DOBSONVILLE, 1863 - *Mohlauli*
751. Wandile Philladelphia Kumalo - 010819 0513 \*\*\* - 8127 Patrick Street, Zone 6, DIEPKLOOF, 1862 - *Tshabalala*
752. Ayanda Nomfundo Zandy Moorosi - 941012 0197 \*\*\* - 900 Mkize Street, Moroka, SOWETO, 1818 - *Mdluli*
753. Litha Aba Botchway - 010730 0187 \*\*\* - D360 Dyani Crescent, KHAYELITSHA, 7784 - *Sothondoshe*
754. Nombe Victoria Mbele - 860513 0271 \*\*\* - 71 Marumo Street, Esangweni Extension, TEMBISA, 1632 - *Mokoena*
755. Zikhona Magadlela - 921207 0345 \*\*\* - Ny 146 No 2, GUGULETHU, 7250 - *Bidi*
756. Lucia Monyeki - 970308 0491 \*\*\* - House No 2513, Extension 4, MARAPONG, 0556 - *Sebyetseba*
757. Boitumelo Kefilwe Chantel Mokwana - 980524 0432 \*\*\* - 49 Mcakumbane Street, KWA-THEMA, 1575 - *Boshielo*
758. Phumlisa Maxazi - 990219 0801 \*\*\* - 3415 Sobukhwe Street, Endlovini, PORT ALFRED, 6170 - *Tumani*
759. Zamachiya Nontethelelo Chiya - 960110 0600 \*\*\* - House No 739, Unit J, Imbali, PIETERMARITZBURG, 3201 - *Moloi*
760. Nombuyiselo Kathy Wayisi - 870131 0363 \*\*\* - House No 188, Twala Section, KATLEHONG, 1431 - *Manyoni*
761. Thembelihle Memela - 041210 0214 \*\*\* - Kwashusha Location, CREIGHTON, 3263 - *Maduna*
762. Nizole Aisha Bahebwire - 041126 0752 \*\*\* - TE194 Thabo Mbeki, PHILIPPI, 7750 - *Mphayise*
763. Dimakatso Gladys Ditle - 841111 0677 \*\*\* - 85 Clearwater Street, Jackaroo Park, WITBANK, 1035 - *Malatji*
764. Jaun-Mari Myburgh - 041001 0509 \*\*\* - 5A Kingfisher Cove, Skeerpoort, HARTBEESPOORT, 0232 - *Coetser*
765. Aphelele Luyanda Dube - 020916 0393 \*\*\* - Willowfountain, Terminus, PIETERMARITZBURG, 3200 - *Ntombela*
766. Thandeka Ogechukwu Nkosi - 031025 0354 \*\*\* - 1 West Street, Observatory, JOHANNESBURG, 2198 - *Nwanna*
767. Ashanti Nwabisa Loutala - 030910 1332 \*\*\* - 35 School Street, Phoenix, MILNERTON, 7441 - *Sishuba*

768. Afrika Sakawuli - 040113 0418 \*\*\* - 28513 Racaza Street, Bardale, MFULENI, 7100 - *Mayeki*
769. Okuhle Mbele - 021030 1189 \*\*\* - 06 Addison Drive, La Lucia, DURBAN, 4153 - *Dlamini*
770. Minenhle Sibahle Makhanya - 040908 1463 \*\*\* - 1 Barrsflat Road, Coniston, VERULAM, 4339 - *Mdima*
771. Keurbie Miemoukanda Nsienta - 050216 0341 \*\*\* - N2 Gateway, Block 003, LANGA, 7755 - *Gabuza*
772. Thandolwethu Unathi Phungula - 040604 0672 \*\*\* - 2606 Sithwalwande Walk, CATORMANOR, 4091 - *Zulu*
773. Nompumelelo Precious Shoji - 930317 0609 \*\*\* - House No 3241, Groutville Area, KWA DUKUZA, 4450 - *Gumede*
774. Fortunate Lidia Brown - 950101 0705 \*\*\* - Kwamxhosa, KRANSKOP, 3268 - *Nzama*
775. Itumeleng Audrey Kekana - 821110 0543 \*\*\* - 1075 Mthembu Street, Proten North, SOWETO, 1818 - *Shikwambana*
776. Leona Magdelene Pillay - 940829 0104 \*\*\* - 14 Mussel Crescent, KRAAIFONTEIN, 7570 - *Adams*
777. Mahlatsi Whitney Baloyi - 930622 0297 \*\*\* - House No 442, Extension 1, MOOKGOPHONG, 0560 - *Thole*
778. Dimakatso Anna Mbatha - 810130 0430 \*\*\* - 2503 Magabe Street, Zone 2, PIMVILLE, 1809 - *Modise*
779. Dineo Thabile Segoana - 931105 0790 \*\*\* - 173A Ingedezi Street, Zone 7, MEADOWLANDS, 1852 - *Mhlongo*
780. Edith Mathome Mampya - 000219 0591 \*\*\* - 3898 Joe Slovo Street, Refilwe, CULLINAN, 1003 - *Mashego*
781. Tebogo Mapula Mabetlela - 990316 0932 \*\*\* - Ga-Matlala, PINKIE, 0748 - *Madubanya*
782. Dinah Modiegi Kgadime - 770420 1165 \*\*\* - Stand No 258, DIKGALAOPENG, 0474 - *Mohlala*
783. Vuyiswa Petronela Thembelihle Shabangu - 040130 0905 \*\*\* - House No 804, EMTHONJENI, 1170 - *Nkosi*
784. Odo Tom - 020702 6637 \*\*\* - 3 Jesse Crescent, River Estate, KUILS RIVER, 7580 - *Combo*
785. Lihle Langa - 050209 5558 \*\*\* - Nozingile Location, UMZIMKHULU, 3200 - *Ndlangisa*
786. Lungisani Shawn Zondi - 030329 6165 \*\*\* - House No B1547, Phindangene, NTUZUMA TOWNSHIP, 4360 - *Dladla*
787. Sphamandla Stanley Mthiyane - 030724 6133 \*\*\* - E1917 Amatikwe Road, INANDA, 4310 - *Maphumulo*
788. Nqubeko Gumede - 030914 6282 \*\*\* - 477 Anton Lembede Street, DURBAN, 4001 - *Dladla*
789. Gift Litha Fabian - 041104 5163 \*\*\* - 889 David Street, NEW CROSS ROADS, 7755 - *Mvana*
790. Isaac Kgosimocwedi - 860912 5563 \*\*\* - House No 327E, Manthe Village, TAUNG, 8535 - *Lekaota*
791. Simiso Wiseman Ngcobo - 961018 5940 \*\*\* - Nyandezulu, Ward 24, PORT SHEPSTONE, 4240 - *Dube*
792. Junior Nono Mugumo - 050319 5198 \*\*\* - 44 Kingston Road, Unit No 09, Cumberland Mews, GERMISTON, 1401 - *Mojapelo*
793. Reagile Tshepo Monnatlala - 020124 5145 \*\*\* - 61 Second Street, Burgersdorp, LICHTENBURG, 2740 - *Moagi*
794. Andile Mfanelo Mdlalose - 050312 6006 \*\*\* - Mbongolwane Area, ESHOWE, 3815 - *Msomi*
795. Unathi Osphile Makhathini - 050119 6157 \*\*\* - 33 Spilby Road, Lincoln Meade, PIETERMARITZBURG, 3200 - *Mkhize*
796. Anita Dyas - 040907 6308 \*\*\* - 15912 Mela Street, KRAAIFONTEIN, 7870 - *Bonani*
797. Ngwako Simon Chuene - 570706 5689 \*\*\* - 378 Danny Kekana Street, Central Western, JABAVU, 1808 - *Molaudi*
798. Thabang Sherdard Ngobene - 030104 5513 \*\*\* - Ga-Phaahla, JANE FURSE, 1085 - *Digomo*
799. Sbulelo Mbuso Makhaye - 991114 5044 \*\*\* - Bhobhoyi, Ward 23, PORT SHEPSTONE, 4240 - *Cabe*
800. Tashay Harrichand - 050329 5613 \*\*\* - 1 Narvik Road, Oslo Beach, PORT SHEPSTONE, 4240 - *Moodley*
801. Thabo Praise-God Hlophe - 780312 5777 \*\*\* - House No 1313, Ward 30, OSIZWENI, 2952 - *Nkosi*

802. Nathaniel Mokate - 960613 6320 \*\*\* - House E 273, Ramorola, MOGOPA, 2865 - *Sejanamane*
803. Thabo William Peta - 890611 6244 \*\*\* - House No 2991, Maseding Section, MAKAPANSTAD, 0404 - *Maluleka*
804. Karabo Thabang Molelle - 890709 5327 \*\*\* - House 346, H Section, BOTSHABELO, 9781 - *Mohlanyane*
805. Kenneth Ramagondo - 880822 6247 \*\*\* - Maniini, Block K, THOHOYANDOU, 0950 - *Mukwevho*
806. Nkosiyo Kuthula Patrick Danisa - 960524 5433 \*\*\* - Ntunjambili Area, KRANSKOP, 3208 - *Khumalo*
807. Tshepo Harold Mahuma - 920206 5782 \*\*\* - 3435 Dingane Street, Slovo, WINTERVELDT, 0190 - *Mathebula*
808. Sibonelosihle Nhlakanipho Mathe - 050212 6072 \*\*\* - Nongoma Msebe, MSEBE, 3950 - *Fakude*
809. Floyd Monyela - 871119 5607 \*\*\* - Unit 20, Longview Apartments, Hlafway House, MIDRAND, 1686 - *Tshivhase*
810. Phuti Bartlet Ngwepe - 920607 5469 \*\*\* - Marapong Thulare Park H72, LEPHALALE, 0555 - *Ramaroka*
811. Siyabulela Mahashe - 920907 5765 \*\*\* - House No 2143, Zone 3, WHITTLESEA, 5360 - *Tyikana*
812. Sherelela Simon Munyengwane - 780528 5850 \*\*\* - House 105, Motsweding Section, NOKANENG, 0435 - *Mhlongo*
813. Desmond Makhura - 911001 5317 \*\*\* - 766 Mogagane Street, Meadowlands, Zone1, SOWETO, 1717 - *Xashimba*
814. Tyler Thomas Richmond Hollister - 990702 5139 \*\*\* - 32 Browndrift Road, DURBAN NORTH, 4031 - *Van De Dronker Derbynew*
815. Nkosinathi Antony Nene - 770305 6261 \*\*\* - 18 Lorne Street, ESTCOURT, 3310 - *Ngubane*
816. Modiegi Kontle - 891113 5740 \*\*\* - House 291, Bakola Section, GANYESA, 8613 - *Mokgoro*
817. Daniel Sifiso Nyelonkwe - 880606 5501 \*\*\* - 12348 Extension 10, Marikane, TSAKANE, 1550 - *Sithole*
818. Lucy Draai - 850423 0300 \*\*\* - 1436 Siqova Street, BUTHURST, 6166 - *Waters*
819. Tebogo Tlhape - 820701 5421 \*\*\* - 117 - 10<sup>th</sup> Street, Unit 35, Hyde Park, SANDTON, 2100 - *Ndlovu*
820. Carlvn Matsikitlane - 050104 5075 \*\*\* - House 427, Mountainview, WENSIESHOEK, 9870 - *Madonsela*
821. Mpakeletsa Petrus Matsilili - 831005 5593 \*\*\* - wife Tshepiso Elisa Ramapaeane - 870603 0294 \*\*\* - and three minor children - Mpakeletsa Hlompho Matsilili - 171003 5253 \*\*\* - Moratuwa Matsilili - 121227 0301 \*\*\* - Lehlohonolo Khotso Matsilili - 090709 5224 \*\*\* - No 3184 H 2, BOTSHABELO, 9781 - *Thamae*
822. Lutendo Rodrick Phathela - 800330 5005 \*\*\* - wife Molly Dumisani Phathela - 820212 0515 \*\*\* - and four minor children - Mulanga Precious Alinah Phathela - 160830 0146 \*\*\* - Lufuno Tsiredzozo Sam Phathela - 130117 5304 \*\*\* - Mohau Ishmael Phathela - 100422 5804 \*\*\* - Madombidzha Zone 1, MAKHADO, 0921 - *Nemasiwana*
823. Vusumzi Aubrey Klaas - 750608 5263 \*\*\* - wife Ntombozuko Mildred Kralo - 780702 0910 \*\*\* - and three minor children - Luthando Klaas - 041003 5082 \*\*\* - Masande Klaas - 051229 5700 \*\*\* - Simvuyele Klaas - 070325 0110 \*\*\* - 06 Bereng Road, Kwanobuhle, UITENHAGE, 6242 - *Fula*
824. Dugal James Barty Dick - 751231 5142 \*\*\* - wife Sharon Claire O'Ehley - 780325 0178 \*\*\* - and two minor children - Dugal James Barty Dick - 751231 5142 \*\*\* - Genevieve Ana Cynthia Dick - 130126 1152 \*\*\* - 18 Plymouth Hoe, Royal Alfred Marina, PORT ALFRED, 6170 - *Whittle*
825. Oupa Dominic Lehlengwane - 710910 5673 \*\*\* - wife Joalane Sophy Rapanyane - 790707 0649 \*\*\* - and one minor child - Tshegofatso Lehlengwane - 110422 0087 \*\*\* - No 22 Keurboom Street, Van Dyk Park, BOKSBURG, 1459 - *Ntsie*
826. Neo Cosmo Malefane - 810903 5601 \*\*\* - and two minor children - Letlotlo Malefane - 170120 1248 \*\*\* - Lehae Malefane - 130416 5258 \*\*\* - 14 Bloekom Avenue, NIGEL, 1491 - *Hlatshwayo*
827. Simncedile Meji - 801225 6183 \*\*\* - and two minor children - Oyama Mthabatha - 151101 5951 \*\*\* - Ahlumile Mthabatha - 171003 6159 \*\*\* - Nyathi Area, LUSIKISIKI, 4820 - *Metshi*
828. Bandile Malibongwe Sithole - 960901 5956 \*\*\* - and one minor child - Izanokuhle Lwandile Sithole - 220806 5607 \*\*\* - 37 Kemp Street, GLENCOE, 2930 - *Gumede*

829. Thokozani Malefane – 880116 5230 \*\*\* - and one minor child – Thandolwethu Bokamoso Malefane – 190508 5798 \*\*\* - 14 Bloekom Avenue, NIGEL, 1491 - *Mbele*
830. Mapula Berlinah Mabote – 810202 2101 \*\*\* - and three minor children – Khutso Mabote – 030310 6114 \*\*\* - Khomotso Mabote – 070712 0501 \*\*\* - Kgotlelelo Mabote – 130306 0136 \*\*\* - Sekuruwe, BOCHUM, 0790 - *Makgaba*
831. Sibahle Princess Thabede – 880712 0709 \*\*\* - and two minor children – Siyamthanda Andiswa Thabede – 090211 0746 \*\*\* - Sipehelele Ntando Thabede – 131030 5510 \*\*\* - W 654 Zwe Madlala Road, UMLAZI, 4066 - *Mzelemu*
832. Mbali Nkosi – 911230 1269 \*\*\* - and two minor children – Njabulo Nhlanhla Nkosi – 120509 5863 \*\*\* - Samukelo Sanele Nkosi – 190402 6050 \*\*\* - 6090/29 Cryolite Street, Extension 8, ENNERDALE, 1830 - *Tshabalala*
833. Kholeka Constance Hona-Sondlulashe and three minor children – Amilla Nonophela Leona Sondlulashe – 080602 1045 \*\*\* - Awethu Olive Sondlulashe – 040826 1030 \*\*\* - Mvelo Titus Sondlulashe – 130621 6137 \*\*\* - 18 Olifant Street, TULBAGH, 6820 - *Hona-Sondlulashe*
834. Mpho Tshwane – 910204 1139 \*\*\* - and four minor children – Junior Tshwane – 150925 1396 \*\*\* - Tshagofatso Josaya Tshwane – 091231 5772 \*\*\* - Lesedi Lucas Tshwane – 130522 5578 \*\*\* - Andries Lebogang Tshwane – 191121 5342 \*\*\* - Makhushoaneng, ZEBEDIELA, 0628 - *Letshaba*
835. Nomfundo Carol Gcabashe – 941119 0158 \*\*\* - and two minor children - Bandile Gcabashe – 120615 0663 \*\*\* - Luyanda Mpendulo Gcabashe – 220706 6573 \*\*\* - No 5 Keady Place, DURBAN, 4091 - *Khumalo*
836. Londiwe Lucia Ngidi – 901101 0790 \*\*\* - and two minor children – Amahle Precious Ngidi – 060429 0971 \*\*\* - Emihle Thandolwethu Ngidi – 121016 0733 \*\*\* - 199 B New Dunbar Road, MAYVILLE, 4091 - *Meyiwa*
837. Nthabi Hendrieta Dlamini – 950504 0504 \*\*\* - and one minor child – Oratile Mikateko Mmadimpho Dlamini – 160711 1039 \*\*\* - 356 Bathurst Lane, Reedville, SPRINGS, 1569 - *Mokgahlane*
838. Aphiwe Ntontela – 021030 1100 \*\*\* - and one minor child – Melokuhle Ntontela – 220524 0467 \*\*\* - Lambasini Area, LUSIKISIKI, 4820 - *Mbambe*
839. Lungile Asanda Carol Mkhize – 990523 0198 \*\*\* - and one minor child – Zukhanye Nolwandle Asiphe Mkhize – 221012 0517 \*\*\* - 980 Miya Street, Sibongile Township, DUNDEE, 3000 - *Mbatha*

## INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA

NO. 3466

26 May 2023

**Independent Communications Authority of South Africa**350 Witch-Hazel Avenue, Eco Point Office Park  
Eco Park, Centurion  
Private Bag X10, Highveld Park 0169**GENERAL NOTICE****NOTICE OF COMMENCEMENT OF THE COST MODELLING PHASE  
WITH RESPECT TO THE REVIEW OF THE PRO-COMPETITIVE CONDITIONS  
IMPOSED ON RELEVANT LICENSEES IN TERMS OF THE CALL  
TERMINATION REGULATIONS, 2014 (AS AMENDED)****1. INTRODUCTION**

- 1.1. The Independent Communications Authority of South Africa ("the Authority") hereby gives notice of the commencement of the Cost Modelling Phase with respect to the review of the pro-competitive conditions imposed on relevant licensees in terms of the Call Termination Regulations 2014 as amended<sup>1</sup> ("the Regulations"), in terms of section 67(8) of the Electronic Communications Act, 2005 (Act No 36 of 2005) ("the ECA"), and regulation 8 of the Regulations.
- 1.2. The Cost Modelling Phase follows the conclusion of the Market Review Phase, which culminated into publication of the Authority's Findings Document on the Review of the 2014 Pro-competitive Remedies Imposed on Licensees in terms of the Regulations ("Findings Document")<sup>2</sup>. The Authority's findings were as follows:
  - (a) The relevant markets are Mobile Termination and Fixed Termination (including termination of voice calls originating outside of South Africa);
  - (b) Neither retail nor wholesale constraints are likely to be effective in preventing a wholesale voice call termination services provider (mobile or

<sup>1</sup> Government Gazette No. 38042.<sup>2</sup> Government Gazette No. 46107.

fixed) from setting termination rates above competitive levels, in the absence of regulatory intervention;

- (c) Four market failures as identified in 2014 will manifest in the absence of regulation of the relevant markets;
- (d) Each individual licensee that offers wholesale voice call termination services in South Africa has 100% share of the market in respect of voice calls terminating on its network and has Significant Market Power; and
- (e) Cost-based pricing (including asymmetry) and Reference Interconnection Offer remedies are necessary in order to address market failures in the relevant markets.

1.3. The Authority made, *inter alia*, the following determinations with respect to the pro-competitive terms and conditions, as outlined in the Findings Document:

- (a) Mobile termination rates will move to symmetry within a transitional period of twelve months;
- (b) New licensees will qualify for asymmetry for a limited period of three years after market entry; and
- (c) Licensees must charge reciprocal international termination rates for voice calls originating outside of South Africa.

1.4. The Findings Document stated that the Authority will publish a notice outlining the next steps and timelines with respect to the cost modelling exercise.

## **2. LEGAL BASIS FOR THE REVIEW**

- 2.1. The legal basis of the review is in terms of section 67(8)(a) of the ECA which states that: "(a) *Where the Authority undertakes a review of the pro-competitive conditions imposed upon one or more licensees under this subsection, the Authority must-*
- (i) review the market determinations made on the basis of earlier analysis; and*
  - (ii) decide whether to modify the pro-competitive conditions set by reference to a market determination."*

- 2.2. In addition, regulation 8 of the Regulations states that *"The Authority will review the markets for wholesale voice call termination services... not earlier than three (3) years from the date of the publication of these Regulations"*.

### **3. THE PURPOSE OF THE NOTICE**

- 3.1. The purpose of this Notice is to outline the next steps and timelines with respect to the cost modelling exercise.
- 3.2. Having determined that there are still competition issues in the call termination market that may require regulatory intervention in its Market Review Phase, the Authority is now embarking on the Cost Modelling Phase in order to determine the efficient cost of providing wholesale voice call termination services.

### **4. THE COST MODELLING PHASE**

- 4.1. The Authority will share on its website a Stakeholder Plan that outlines the envisaged timelines for the cost modelling process activities. These may be subject to change during and after consultations with stakeholders.
- 4.2. The Authority will conduct the Cost Modelling Phase in a series of sub-steps, as follows:
- 4.3. Step 1 (Request for Information & Meetings)
- 4.3.1. Request for Information
- (a) Immediately following the publication of this Notice, the Authority will request information from licensees with respect to the structure and population of Top-Down and Bottom-Up Cost Models. The request for information will mainly take the form of questionnaires, accompanied with shell Top-down and Bottom-Up Cost Models. The Authority will publish the aforementioned request for information on its website.

- (b) The request for information is published in terms of Section 67(4B) of the ECA, which provides that, subject to section 4D of the Independent Communications Authority of South Africa Act No 13 of 2000, as amended ("ICASA Act"), licensees are required to provide to the Authority any information specified by the Authority in order to enable it to carry out its duties in terms of section 67 of the ECA.
- (c) Stakeholders will be invited to submit written responses to the questionnaires, associated cost models or request for information **within twenty-one (21)** working days from the date of receiving the questionnaires and associated cost models or request for information.
- (d) The Authority may request further written information and/or one-on-one meetings in relation to information submitted by a stakeholder, where necessary, to clarify information that is submitted.

#### 4.3.2. Holding of Workshop and Meetings

- (a) The purpose of the workshop and meetings will be to discuss with stakeholders:
  - i. the process and anticipated timelines for the cost modelling phase, as provided for in the Stakeholder Plan;
  - ii. questions of clarity on the questionnaires and associated templates of cost models; and
  - iii. any other requests for information.

4.3.3. Further, the Authority will confirm the details of the workshop with stakeholders on the date of sending the questionnaires and associated cost models or request for information to stakeholders.

4.3.4. Stakeholders will be given **five (5)** working days, from the date of the workshop, to send any questions of clarity in writing, for the attention of the Chairperson (Call Termination Review) at [CTR2021@icasa.org.za](mailto:CTR2021@icasa.org.za).

4.3.5. The Authority will respond to all questions of clarity by either publishing a briefing note on the Authority's website or by directly responding to stakeholders in writing.

- 4.3.6. The Authority may request one-on-one meetings in relation to information submitted by a stakeholder, where necessary, to clarify information that is submitted.

#### 4.4. Step 2 (Draft Regulations)

- 4.4.1. The Authority will publish Draft Regulations in the Government Gazette, for public comment in terms of section 4 (1) of the ECA and section 4 (3) (j) of the ICASA Act.
- 4.4.2. The Draft Regulations will be informed by the information submitted by stakeholders in Step 1, and the cost modelling exercise conducted by the Authority.
- 4.4.3. The Draft Regulations will be published for public comment for a period of **thirty (30)** working days.
- 4.4.4. Stakeholders may submit written representations on the Draft Regulations by the said deadline and must indicate whether they require an opportunity to make oral or virtual representations, should the Authority hold public hearings.

#### 4.5. Step 3 (Public Consultation on Draft Regulations)

- 4.5.1. The Authority will, if it deems it necessary to hold public hearings, confirm the details of the hearings in a notice to be published on the Authority's website.

#### 4.6. Step 4 (Final Regulations)

- 4.6.1. The Authority will publish the Final Regulations (and, if necessary, an accompanying Reasons Document) in the Government Gazette and on the Authority's website.

## 5. CONFIDENTIALITY

- 5.1. Stakeholders may request confidentiality, in terms of section 4D of the ICASA Act, on information submitted to the Authority during this review process.
- 5.2. The request for confidentiality must be lodged in accordance with the Authority's Guidelines for Confidentiality Request, published on 17 August 2018 in Gazette No 41839, and must be accompanied by a confidential and non-confidential version of the stakeholder's submission.
- 5.3. All communication relating to this process must be directed to the Chairperson (Call Termination Review) at [CTR2021@icasa.org.za](mailto:CTR2021@icasa.org.za).



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Councillor Yolisa Kedama

**Acting Chairperson**

Date: \_19/05/2023

## DEPARTMENT OF PUBLIC ENTERPRISES

NO. 3467

26 May 2023

## Annexure C

**Proposed amendment to Special Rule 10.19 of the Special Rules of the PRASA Sub-fund of the TPF****PRASA Sub-Fund Special Rules****10.19. ANNUAL INCREASE**

10.19.1. The benefit received by a **Pensioner or Dependant** shall be increased by 2% (two per cent) compounded annually, for each completed year in respect of which the benefit has been or is received: Provided that in the case of a **Dependant**, the 2% (two per cent) enhancement of the benefit shall be calculated from the date on which the benefit first became payable to the **Pensioner**.

10.19.2. Subject to **Special Rule 10.19.3**, the **Sub-Fund Board** shall have the discretion to:

10.19.2.1. review the level of Pensions being paid by the Fund from time to time and may direct that Pensions be increased. Any increase in Pensions shall be paid in terms of the Pension Increase Policy, provided that:

10.19.2.1.1. a guaranteed minimum increase of 2% (two per cent) shall apply;

10.19.2.2. any increase to Pensions above the 2% (two per cent) minimum increase referred to in 10.19.2.1. shall be subject to affordability, as determined in accordance with the Pension Increase Policy, and the approval of the Employer; and

10.19.2.3. the increases shall be payable from the date stipulated in the Pension Increase Policy; and/or

10.19.2.4. increase the pension payable to a **Pensioner or Dependant** from time to time in order to maintain 100% (one hundred per centum) of parity of the purchasing power of the **Pension** relating to such a **Pensioner or Dependant**; and/or

## Annexure C

~~10.19.2.2. increase the annual pension payable to a Pensioner or Dependant by a maximum percentage of 75% (seventy five per centum) of the average consumer price index of the immediate previous financial year of the Sub-Fund; and/or~~

~~10.19.2.3.~~ Pay additional ad hoc bonuses to Pensioners and Dependants from time to time.

10.19.3. The increase in pensions and/or the payment of ad hoc bonuses as provided in Special Rule 10.19.2 shall be subject to:

10.19.3.1. The Sub-Fund being able to afford such increases and/or payment of ad hoc bonuses according to the discretion of the Sub-Fund Board; and

10.19.3.2. the actuary's written confirmation that such increases and/or payment of ad hoc bonuses are affordable by the Sub-Fund; and

10.19.3.3. the written approval by the Employer.

## DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 3468

26 May 2023

**CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER**

1. ABANGUNGEZI MULTI-PURPOSE CO-OP LTD (2018/011838/24)
2. ATHLONE GOURMET MUSHROOMS CO-OP LTD (2012/022192/24)
3. IZIKHULU MULTI PURPOSE PRIMARY CO-OP LTD (2016/012189/24)
4. MOTLHOLIVE STOCK CO-OPERATIVE LIMITED (2022/605811/24)
5. NTOKOLLENG AGRICULTURAL COOPERATIVE LIMITED (2012/018128/24)
6. THE DELIVERY CLOTHING 2020 PRIMARY COOPERATIVE LIMITED (2020/003671/24)
7. SHIRT SOLUTIONS CO-OPERATIVE LIMITED (2022/604959/24)
8. STHUKUZA PRIMARY CO-OP LTD (2019/002209/24)
9. UMZOKHANYAYO TRADING PRIMARY CO-OPERATIVE LIMITED (2015/006360/24)
10. SUKASENZE TRADING PRIMARY CO-OPERATIVE LIMITED (2016/001041/24)
11. YIBANATHI WARD 17 CO-OPERATIVE LIMITED (2006/001008/24)
12. EFICIENT INNOVATOR PRIMARY COOPERATIVE LIMITED (2009/001272/24)
13. CAMNGCA PRIMARY CO-OPERATIVE LIMITED (2018/000465/24)
14. NOWA6 POULTRY CO-OPERATIVE LIMITED (2013/003517/24)
15. KORA LIVESTOCK AND MULTI-MEAT PROCESSING LIMITED (2010/003293/24)
16. ABAKHI BESIZWE CO-OPERATIVE LIMITED (2010/002197/24)
17. GWEBINDLALA NURSERY CO-OPERATIVE LIMITED (2017/006405/24)
18. THUBALETHU DEVELOPMENT PRIMARY CO-OPERATIVE LIMITED (2019/005569/24)
19. ROSE OF Uitenhage Transport and Multi-Purpose Co-Op Ltd (2013/002605/24)
20. KHANYISA SEWING AND MULTI-PURPOSE CO-OP LTD (2012/008080/24)
21. IKEKETSE GAUTENG CLEANING AND PROJECTS PRIMARY CO-OP LTD (2016/010233/24)
22. SINAMON AGRICULTURAL AND MULTI-PURPOSE CO-OP LIMITED (2011/009765/24)
23. NOWA6 POULTRY CO-OPERATIVE LIMITED (2013/003517/24)
24. VHUTSHILO NUTRITION CO-OPERATIVE LIMITED (2009/003986/24)
25. KOPANANG MULTIPURPOSE PRIMARY CO-OPERATIVE LIMITED (2012/020810/24)
26. KHULA SIZWE AGRI DEVELOPMENT AND INNOVATION CONTRACTORS CO-OP LTD (2021/601476/24)
27. E J M N N MULTI-PURPOSE PRIMARY CO-OPERATIVE LIMITED (2014/007761/24)
28. VUTHELA CRAFT AND DETERGENT PRIMARY CO-OPERATIVE LIMITED (2018/005521/24)
29. INKOSIYIKHONA HEALTH AND WELLNESS CO-OP LTD 2012/003639/24

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 71A of the Co-operatives Amendment Act, No 6 of 2013.

Any objections to this procedure, which interested persons may wish to raise, must together with the reasons therefore, be lodged with this office before the expiration of the period of thirty days.

**REGISTRAR OF CO-OPERATIVES**  
**Office of the Registrar of Co-operatives**  
**Dti Campus**  
**77 Meintjies Street**  
**Pretoria**  
**0002**

**Private Bag X237**  
**Pretoria**  
**0001**

## GENERAL NOTICES • ALGEMENE KENNISGEWINGS

### DEPARTMENT OF EMPLOYMENT AND LABOUR

#### NOTICE 1827 OF 2023

Notice published by the Essential Services Committee ('the Committee') in terms of section 71, read with section 70(B)(1)(d) of the Labour Relations Act, 1995 (Act No 66 of 1995 as amended)

- A.** Notice is hereby given in terms of section 71, read with section 70(B)(1)(d) of the Labour Relations Act, 1995 (Act No 66 of 1995 as amended), that the Committee is in the process of conducting an investigation as to whether the following services are essential:
1. The provision of food to public primary school pupils [Section 70(B)(1)(d)].
  2. The care of children in special schools [Section 70(B)(1)(d)].
  3. The medical aid scheme processing, consideration and approval of ratifications and ex-gratia payment consents.
  4. The coordination and oversight of all maritime search and rescue missions, as well as the prevention and combating of marine pollution from ships, including but not limited to oil spills from vessels, and maritime operations including response to any vessel emergency or pollution threat, which includes vessel inspections, emergency management, unseaworthy vessels as well as grounds, sinking, capsizing, flooding, fires and other emergencies onboard vessels.
- B.** Notice is hereby given that the Committee will hear oral representations as follows:
- (i) Date: 27 June 2023  
 Venue: CCMA Offices, 78 Darling Street **Cape Town**  
 CCMA Offices, 3-15 Compound Street, **Kimberley**  
 Sector: The provision of food to public primary school pupils @10:00  
 The care of children in special schools @11:00  
 The medical aid scheme processing, consideration and approval of ratifications and ex-gratia payment consents @12:00  
 The coordination and oversight of all maritime search and rescue missions.....(as identified in point 4 above) @13:00
  - (ii) Date: 28 June 2023  
 Venue: CCMA Offices, CCMA Offices, 97 Govan Mbeki Avenue **Port Elizabeth**  
 CCMA Offices, 104 Hans Van Rensburg, **Polokwane**  
 Sector: The provision of food to public primary school pupils @10:00  
 The care of children in special schools @11:00  
 The medical aid scheme processing, consideration and approval of ratifications and ex-gratia payment consents @12:00  
 The coordination and oversight of all maritime search and rescue missions.....(as identified in point 4 above) @13:00
  - (iii) Date: 29 June 2023  
 Venue: CCMA Offices, 275 Anton Lembede Street, Embassy House **Durban**  
 CCMA House, 69 Kruger Street, Witbank **Mpumalanga**  
 Sector: The provision of food to public primary school pupils @10:00  
 The care of children in special schools @11:00  
 The medical aid scheme processing, consideration and approval of ratifications and ex-gratia payment consents @12:00  
 The coordination and oversight of all maritime search and rescue missions.....(as identified in point 4 above) @13:00
  - (iv) Date: 04 July 2023  
 Venue: CCMA Offices, 28 Harrison Street, 10th floor, **Johannesburg**  
 CCMA Offices, 43-45 Boom Street, **Rustenburg**  
 Sector: The provision of food to public primary school pupils @10:00  
 The care of children in special schools @11:00

The medical aid scheme processing, consideration and approval of ratifications and ex-gratia payment consents @12:00  
The coordination and oversight of all maritime search and rescue missions.....(as identified in point 4 above) @13:00

- (v) Date: 07 July 2023  
Venue: CCMA Offices, Cnr Elizabeth & West Burger Streets, **Bloemfontein**  
Sector: The provision of food to public primary school pupils @10:00  
The care of children in special schools @11:00  
The medical aid scheme processing, consideration and approval of ratifications and ex-gratia payment consents @12:00  
The coordination and oversight of all maritime search and rescue missions.....(as identified in point 4 above) @13:00

**C. The hearings will be conducted physically at the above offices, and virtually for any interested party to access the hearings and participate from anywhere. Any interested party requiring an opportunity to participate in the hearings must submit written representations and indicate if it requires an opportunity to make oral representations on or before the 19<sup>th</sup> of June 2023. In the written submissions, the parties must:**

1. Submit the above to either [SibusisoL@CCMA.org.za](mailto:SibusisoL@CCMA.org.za) or to fax: 086 660 6132);
2. Comply with ESC Regulation 2, i.e. state the nature of the interest in the investigation in their written representations; state whether it relies or intends to rely on any expert evidence, and if so, provide a brief summary of that expert evidence; etc and
3. Specify its address, telephone and telefax numbers and e-mail contact address.
4. In line with ESC Regulation 3(2) the ESC hereby (in this notice) also confirms the place and time for the different hearings to be held in this investigation.

**NB: Kindly note that the ESC will convene an information sharing session regarding the above investigations on the 9<sup>th</sup> of June 2023 @ 10:00 at the CCMA National Office 28 Harrison Street and virtually. Kindly confirm your attendance to the briefing session no later than the 5<sup>th</sup> of June 2023 to [SibusisoL@ccma.org.za](mailto:SibusisoL@ccma.org.za).**

For all Inquiries, please contact Sibusiso Lukhele on [SibusisoL@CCMA.org.za](mailto:SibusisoL@CCMA.org.za)



## DEPARTMENT OF EMPLOYMENT AND LABOUR

## NOTICE 1828 OF 2023

PLEASE FIND SET OUT BELOW A LIST OF BARGAINING COUNCILS THAT HAVE BEEN ACCREDITED BY THE CCMA IN TERMS OF THE PROVISIONS OF THE LABOUR RELATIONS ACT 66 OF 1995 (AS AMENDED) FOR CONCILIATION AND/ OR ARBITRATION AND/ OR INQUIRY BY ARBITRATOR, WITH THE TERMS OF ACCREDITATION ATTACHED FOR THE PERIOD 01 JUNE 2023 TO 31 MAY 2026

**BARGAINING COUNCILS ACCREDITED TO CONDUCT CONCILIATION AND ARBITRATION,  
SUBJECT TO CONDITIONS WHERE APPLICABLE  
(RENEWAL OF ACCREDITATION AS WELL AS THE SUBSIDY AMOUNT PAYABLE PER CLOSED  
CASE IS R736.75 AS FROM 01 APRIL 2023 until 31 MARCH 2024 (FOR 2023/2024 FINANCIAL  
YEAR ONLY))**

Name of Council	Accredited Functions
<b><u>PRIVATE SECTOR BARGAINING COUNCILS</u></b>	
National Bargaining Council for Chemical Industry	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from <b>01 June 2023</b> until <b>31 May 2026</b> , on condition that the postponement rate is improved upon. Subject to the terms set out in the accompanying attachment.
National Bargaining Council for the Clothing Manufacturing Industry	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from <b>01 June 2023</b> until <b>31 May 2026</b> , on condition that the settlement rate is improved upon. Subject to the terms set out in the accompanying attachment.
Bargaining Council for Food Retail, Restaurant, Catering & Allied Trades	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from <b>01 May 2023</b> until <b>30 April 2024</b> . Subject to the terms set out in the accompanying attachment.
Bargaining Council for Restaurant, Catering & Allied Trades	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from <b>01 June 2023</b> until <b>31 May 2024</b> , on condition that the collective agreement is extended to non-parties. Subject to the terms set out in the accompanying attachment.

Furniture Bargaining Council	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from <b>01 May 2023</b> until <b>30 April 2026</b> . Subject to the terms set out in the accompanying attachment.
Bargaining Council for the Furniture Manufacturing (Western Cape)	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from <b>01 May 2023</b> until <b>30 April 2025</b> , on condition that the collective agreement is finalized and extended to non-parties. Subject to the terms set out in the accompanying attachment.
Bargaining Council for the Furniture Manufacturing (KZN)	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from <b>01 July 2023</b> until <b>30 June 2026</b> . Subject to the terms set out in the accompanying attachment.
Bargaining Council for Meat Trade	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from <b>01 July 2023</b> until <b>30 June 2026</b> , on condition that the collective agreement is extended to non-parties. Subject to the terms set out in the accompanying attachment.
Metal and Engineering Industries Bargaining Council	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from <b>01 May 2023</b> until <b>30 April 2025</b> , on condition that no late awards are issued. Subject to the terms set out in the accompanying attachment.
Transnet Bargaining Council	Accredited for conciliation and arbitration (which includes inquiry by arbitrator) from <b>01 May 2023</b> until <b>30 April 2026</b> , on condition that the postponement rate is improved upon. Subject to the terms set out in the accompanying attachment.

**(RENEWAL OF SUBSIDY)**

The Governing Body of the CCMA resolved to grant renewal of subsidy to the following Bargaining Councils:

1. National Bargaining Council for Chemical Industry
2. National Bargaining Council for the Clothing Manufacturing Industry
3. Bargaining Council for Food Retail, Restaurant, Catering & Allied Trades
4. Bargaining Council for Restaurant, Catering & Allied Trades
5. Furniture Bargaining Council
6. Bargaining Council for the Furniture Manufacturing (Western Cape)

7. Bargaining Council for the Furniture Manufacturing (KZN)
8. Bargaining Council for Meat Trade
9. Metal and Engineering Industries Bargaining Council
10. Transnet Bargaining Council

## **TERMS OF ACCREDITATION FOR CONCILIATION, ARBITRATION, AND INQUIRY BY ARBITRATOR**

### **1. SCOPE OF ACCREDITATION:**

Herewith categories of disputes for which Councils are eligible to apply for accreditation.

#### **COUNCILS ARE ACCREDITED TO PERFORM THE FOLLOWING DISPUTE RESOLUTIONS FUNCTIONS:**

Unfair dismissal disputes	- Section 191
Unfair Labour practice	- Section 191
Mutual Interest disputes	- Section 64
Interpretation of Collective Agreement disputes	- Section 24 (1)
Essential Services disputes	- Section 74
Pre-dismissal arbitrations	- Section 188A
Temporary Employment Service	- Section 198, 198A, 198B, 198C and 198D
Disputes about Interpretation and Application of Chapter 2	- Section 9

COUNCILS MAY NOT SEEK ACCREDITATION FOR THE FOLLOWING DISPUTE RESOLUTION FUNCTIONS REGARDING DISPUTES OVER THE FOLLOWING (see FOOTNOTE 11 of SECTION 51):

Organisational rights (sections 16, 21 and 22);

Collective Agreements where the agreement does not provide for a dispute resolution procedure or the procedure is inoperative or any party frustrates the resolution of disputes (section 24(2) to (5));

Agency shops and closed shops (section 24(6) and (7) and section 26(11);

Determinations made by the Minister in respect of proposals made by a Statutory Council (section 45);

The interpretation and application of Collective Agreements of a Council whose registration has been cancelled (section 61(5) to (8));

Demarcation of sectors and areas of Councils (section 62);

The Interpretation or application of Part C (Bargaining Councils), Part D (Bargaining Councils in the Public Service), Part E (Statutory Councils) and Part F (General Provisions concerning Councils) (Section 63);

Picketing (section 69(8) to 10);

Proposals which are the subject of joint-decision making in a workplace forum (section 86);

Disclosure of information to workplace forums (section 89);

Interpretation or Application of the provisions of Chapter 5 of the LRA which deals with workplace forums (section 94);

Enforcement of the Collective Agreements by Bargaining Councils (section 33A) and;

Enforcement of arbitration awards in terms of section 143. Only the Director of the CCMA, unless the power has been delegated to a CCMA Senior Commissioner may certify awards as if it were an order of the Labour Court;

Facilitating mass retrenchment disputes section 189(A).

**2. POWERS OF ACCREDITATION:**

Only those persons who are accredited by the CCMA, or are part-time Commissioners appointed by the Governing Body of the Commission in the terms of section 117 (2) of the Labour Relations Act, may perform the accreditation functions of the council for the Council.

The following provisions of the LRA, as amended apply to Councils accredited for conciliation and arbitration:

- (a) For the purpose of this paragraph any reference in Part C of Chapter VII of the LRA to:  
“Commission” must be read as a reference to the Council;  
“Commissioner” must be read as a reference to a conciliator or arbitrator appointed by the Council.  
“Director” must be read as a reference to the Secretary of the Council.
- (b) The provisions of the sections contained in Part C of Chapter VII (section 127(6)) of the LRA shall apply to the Council in the performance of its accredited functions subject to the Council’s Constitution and/or Collective Agreements. For the purpose of this sub-paragraph the following applies:
  - (i) The provisions of section 133 to 136;
  - (ii) The provisions of section 138 to 142, S142A, S143, S144 and S145;
  - (iii) The provisions of section 146 unless the Collective Agreement of the Council provides that the Arbitration Act, Act 42 of 1965 applies to any arbitration conducted under its accredited function and which Collective Agreement is binding on the parties to the disputes; and
  - (iv) The provisions of section 148.

**3. EXTENSION OF ACCREDITATION:**

Despite the expiry of the period of accreditation as stated in the Certificate of Accreditation, the Council may continue to perform its accredited functions in respect of any dispute referred to it during the period of accreditation, but not yet resolved by the time the period expires, until the dispute is resolved either through conciliation or arbitration.

**4. TRANSGRESSION OF TERMS OF ACCREDITATION:**

If the accredited Council fails to comply with the terms of accreditation, the Governing Body of the CCMA may revoke accreditation. In terms of section 130 of the LRA, as amended the Governing Body of the CCMA may withdraw accreditation after having given reasonable notice of withdrawal.

**5. AMENDMENT OF ACCREDITATION:**

An Accredited Council may apply to the Governing Body of the CCMA in terms of section 129 of the LRA to amend its accreditation.

**DEPARTMENT OF TRANSPORT****NOTICE 1829 OF 2023****MARINE TRAFFIC ACT, 1981 (ACT NO. 2 OF 1981)****THE DRAFT MARINE TRAFFIC AMENDMENT REGULATIONS, 2023**

The Minister of Transport, in terms of section 14 of the Marine Traffic Act, 1981 (Act No. 2 of 1981), hereby publishes for comments the draft Marine Traffic Amendment Regulations 2023.

Interested persons are invited to submit written comments on these draft Marine Traffic Amendment Regulations to the Director-General, Department of Transport for the attention of Mr. TM Matlala within 30 days after publication of this notice.

The Department of Transport

Private Bag X193

Pretoria

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Email: [Matlalatm@dot.gov.za](mailto:Matlalatm@dot.gov.za)

Tell: 012 309 3799

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## SCHEDULE

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### GENERAL EXPLANATORY NOTE:

[        ] Words in bold typed in square brackets indicate omissions from existing Regulations.

\_\_\_\_\_ Words underlined with a solid line indicate insertions in existing Regulations.

### Definition

1. In this Schedule “the Regulations” means the Marine Traffic Regulations, 1985 published under Government Notice No. R. 194 in Government Gazette No. 9575 dated 01 February 1985.

### Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—
  - (a) by the insertion, after the definition of “authorized agency” of the following definition:

“**Authority**’ means the South African Maritime Safety Authority established by section 2 of the South African Maritime Safety Authority Act, 1998 (Act No. 5 of 1998 );”;

- (b) by the insertion after the definition of “authorized agency” of the following definition:

“**detention officer**’ for the purposes of Chapter VII, means a person authorised by the Authority in terms of regulations 19, 20 and 22;”;

- (c) by the insertion after the definition of “Merchant Shipping Act” of the following definition:

“**Notice**’ for the purposes of Chapter VII, means a Notice of Detention issued in terms of regulation 18;”;

- (d) by the insertion after the definition of “principal officer” of the following definition:

“**return of service**’ for the purposes of Chapter VII, means a declaration form issued in terms of regulation 20;”;

- (e) by the substitution for the definition of “South African national” of the following definition:

“**South African national**’, when used to describe any ship, submarine or other underwater vehicle, means a ship, submarine or other underwater vehicle which—

- (a) is registered or required to be registered in terms of the Merchant Shipping Act;
- (b) is licenced or required to be licenced in terms of the Merchant Shipping Act; or

- (c) is exempted from licensing in terms of the Merchant Shipping Act, but—
  - (i) the whole of which is owned by persons all of whom are qualified in terms of the Merchant Shipping Act to own a South African ship; **[and]**or
  - (ii) the majority of the owners of which, either in number or extent of ownership, are persons resident in the Republic;”; and
- (f) by the insertion after the definition of “South African national” of the following definition:

**“the Act”** means the Marine Traffic Act, 1981 (Act No. 2 of 1981);”.

### **Substitution of regulation 3 of the Regulations**

- 3. Regulation 3 of the Regulations is hereby substituted for the following regulation:

**“3.** For purposes of these **[regulations]**Regulations navigation in such a manner as is necessitated by **[their]**a vessel’s normal activities shall be deemed to constitute “passage” as defined in section 1 of the Act in the case of the following **[ships]**vessels:”.

### **Substitution of regulation 4 of the Regulations**

- 4. Regulation 4 of the Regulations is hereby substituted for the following regulation:

**“4.** The following **[ships]**vessels or classes of **[ships]**vessels are hereby exempted from the provisions of section 4(1) of the Act while **[they]**the vessels are engaged in their normal activities:

- (a) South African national fishing **[boats]**vessels;

- (b) South African national small vessels engaged in sporting or recreational activities;
- (c) foreign small vessels engaged in sporting or recreational activities, provided such vessels engage in such activities under the supervision of a local authority or other Government authority, or an **[authorized]**authorised agency;
- (d) South African national utility **[ships]**vessels; and
- (e) foreign fishing **[boats]**vessels which have been chartered or which have contracted or which are otherwise **[authorized]**authorised in accordance with the laws of the Republic to operate within the internal waters.”.

#### **Amendment of regulation 5 of the Regulations**

5. Regulation 5 of the Regulations is hereby amended—

- (a) by the substitution for subregulation (1) of the following subregulation:

“(1) The master of any **[ship]**vessel, other than a **[ship]**vessel contemplated in regulation 16(1) or exempted in terms of the Act or regulation 4, shall, prior to the time of such **[ ship's]**vessel's intended entry into internal waters other than a harbour or a fishing harbour, appoint a vessel's agent and apply during office hours to the principal officer at the nearest harbour for permission for such entry, stating the reasons for such entry, the **[ship's]**vessel's destination, route and the period for which it is intended to remain in such internal waters.”;

- (b) by the substitution for subregulation (2) of the following subregulation:

“(2) The principal officer to whom an application is made in terms of subregulation (1), may—

- (a) permit such **[ship]**vessel to enter internal waters;

- (b) fix a reasonable period for the **[ship]vessel** to remain in internal waters;
- (c) specify the area in which the **[ship]vessel** is to remain or to anchor;
- (d) order or permit such a **[ship]vessel** to leave internal waters;
- (e) require such a **[ship]vessel** to enter or leave internal waters by such routes as may be determined by **[him]the principal officer**; or
- (f) require that one or more of the conditions set out in regulation 12 be complied with.”; and

(c) by the addition after subregulation (2) of the following subregulations:

“(3) The vessel referred to in subregulation (1) shall be liable for the payment of a levy and any charges imposed by the Authority.

“(4) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence and shall on conviction be liable to a minimum fine of R80 000.00 or imprisonment of two years.”.

### **Substitution of regulation 6 of the Regulations**

6. Regulation 6 of the Regulations is hereby substituted for the following regulation:

“6. Any **[ship]vessel** moored or berthed at a launching site is hereby exempted from the provisions of section 5 of the Act.”.

### **Substitution of regulation 7 of the Regulations**

7. Regulation 7 of the Regulations is hereby substituted for the following regulation:

“**Application for lay-up**

7. (1) Any person requiring permission by the **[Minister]Authority** in terms of section 5(1) of the Act to lay-up a **[ship]vessel** shall direct a written application for such permission to the principal officer at the harbour nearest to the proposed lay-up area, not less than **[30]10** days prior to the estimated time of arrival in such area of such **[ship]vessel** or, if more than one **[ship]vessel** is to be laid up, not less than **[30]10** days prior to the estimated time of arrival of the first **[ship]vessel**.

(2) An application referred to in subregulation (1) shall contain the following information in regard to the **[ship or ships]vessel or vessels** in question:

- (a) **[The]the** name, official number, port of registry and gross tonnage of the **[ship]vessel**, the name and address of the owner of the **[ship]vessel** and of the owner's agent in the Republic~~[.]~~;
- (b) **[The]the** type of **[ship]vessel** and the nature of the cargo aboard, if any, including fuel and lubricating oil~~[.]~~;
- (c) **[The]the** proposed location of lay-up and anchoring and mooring arrangements~~[.]~~;
- (d) **[The]the** maximum intended draught of the **[ship]vessel** in question during the period of lay-up~~[.]~~;
- (e) **[The]the** number of officers and crew to remain on board the **[ship]vessel** during the period of lay-up~~[.]~~; and
- (f) **[The]the** anticipated duration of the lay-up.”.

### **Amendment of regulation 8 of the Regulations**

8. Regulation 8 of the Regulations is hereby amended—

- (a) by the substitution for the heading of regulation 8 of the of the following heading:

**“Guarantee for possible loss or damage caused by a laid-up [ship]vessel”**; and

(b) by the substitution for regulation 8 of the following regulation:

“8. (1) **[The]**A person desiring to lay up a **[ship]**vessel, shall together with **[his]**the application referred to in regulation 7, satisfy the **[Minister]**Authority that **[he]**the person has the financial means to meet any claims for damage or loss suffered either by the Government of the Republic or by third parties as a result of the vessel being laid up.

(2) Evidence of **[such]**the financial means referred to in subregulation (1) shall be either in the form of a bank guarantee or other security acceptable to the **[Minister; such guarantee or other security]**Authority, having due regard to any insurance arrangements which the owner of the said **[ship]**vessel has made to cover **[such]**the claims referred to in subregulation (1).”.

#### **Amendment of regulation 10 of the Regulations**

9. Regulation 10 of the Regulations is hereby amended—

(a) by the substitution for subregulation (1) of the following subregulation:

“(1) A period of lay-up shall not exceed six calendar months unless the **[Minister]**Authority extends such period upon written application made **[mutatis mutandis]** with necessary changes, in the manner prescribed in regulation 7(1) prior to the termination of the said period of six months.”;

(b) by the substitution for subregulation (2) of the following subregulation:

“(2) A period of lay-up commences when the **[ship]**vessel arrives in the area of lay-up.”; and

(c) by the substitution for subregulation (3) of the following subregulation:

“(3) A period of lay-up terminates—

- (a) when the **[ship]vessel** departs from the area of lay-up; **[or]**
- (b) one month after the serving of a notice by the **[Minister]Authority**, withdrawing **[his]the** permission for the lay-up; or

(c) immediately upon the serving of a notification by the **[Minister]Authority**, withdrawing **[his]the** permission for a lay-up under the circumstances whereby the lay-up is prejudicial to the peace, good order or security of the Republic.”.

### **Amendment of regulation 11 of the Regulations**

10. Regulation 11 of the Regulations is hereby amended—

(a) by the substitution for the heading of regulation 11 of the following heading:

**“Inspection of laid-up **[ship]vessel**”;**

(b) by the substitution for regulation 11 of the following regulation:

“11. An **[authorized]authorised** person shall at any time have access to and may inspect a laid-up **[ship]vessel**, its cargo, stores, machinery in use and such certificates as are required in terms of the laws of the Republic to be carried on board the **[ship]vessel**.”.

### **Substitution of regulation 12 of the Regulations**

11. Regulation 12 of the Regulations is hereby substituted for the following regulation:

**“Conditions of lay-up**

12. The **[Minister]Authority** may require any person who is permitted to lay-up a **[ship]vessel**, to comply with one or more of the following conditions in respect of the **[ship]vessel** while so laid-up:

- (1) (a) Any **[ship]vessel** to be laid up shall be retained in Class **[. The]and** **the** person desiring to lay-up a **[ship or ships]vessel or vessels** shall submit to the principal officer at the harbour nearest to the proposed lay-up area the following documents not less than 14 days prior to the arrival of the **[ship]vessel** or the first of the **[ships]vessels**:
  - (i) **[A]a** copy of the certificate of classification; or
  - (ii) a copy of the lay-up report or of the conditions of lay-up as provided for by the classification society or by a society recognised by the **[Minister]Authority** as being competent to issue such a certificate; **and**
  - (iii) confirmation of adequate insurance for the vessel.
- (b) The certificates referred to in subparagraphs (i) and (ii) of paragraph (a) shall be kept on board the **[ship]vessel**.

(2) **[Unladen tankers]An unladen tanker** shall be ballasted to not less than 35 percent of deadweight while **[ships]vessels** other than **[tankers]tankers** shall be fully ballasted.

- (3) (a) Cargo oil tanks, pipelines and bilges shall be empty, cleaned of sludge and of other deposits and shall be gas-freed.
  - (b) **The[said]** tanks referred to in paragraph (a) may be inerted in **[ships] a ship** in which an inert gas system is fitted.
- (4) (a) In the case of a **[ship]vessel** in which the tanks are gas-freed, a certificate, issued by an **[authorized]authorised** agency, shall be produced at the commencement of the lay-up and thereafter at intervals not exceeding two months.
- (b) Gas-free tests shall be conducted weekly.

(5) (a) Anchoring or mooring arrangements shall be carried out to the satisfaction of the principal officer concerned.

(b) A spare or second anchor shall be held ready for immediate use.

(6) The position of the **[ship]vessel** shall be checked daily and anchors and chain cable shall be inspected **[regularly]**at least twice during a watch and more frequently during inclement weather.

(7) Fire fighting equipment shall be maintained in good order and shall be tested at intervals not exceeding one week.

(8) Anchor and radio telephone watches shall be kept at all times.

(9) The **[ship]vessel** shall display the correct navigation lights and shapes and make the required sound signals in accordance with international practice.

(10) The permission of the principal officer concerned shall be obtained at all times when any repair work, requiring the use of hot welding or cutting equipment, is to be undertaken outside the port limits.

(11) **[No]Any** article or matter of any kind, other than effluent from water closets, latrines and washplaces that has passed through the approved treatment plant, shall not be discharged into the sea.”.

### **Amendment of regulation 13 of the Regulations**

12. Regulation 13 of the Regulations is hereby amended—

(a) by the substitution for the heading of regulation 13 of the following heading:

**“Application to stop or anchor a [ship]vessel for repairs”;**

(b) by the substitution for subregulations (1) and (2) of the following subregulations:

“13. (1) A person desiring a [ship]vessel to be stopped or anchored for repairs in the territorial or internal waters outside a harbour or fishing harbour shall without delay apply for the [Minister’s]Authority’s permission for such stopping or anchoring and shall direct such an application to the principal officer at the harbour nearest to the proposed location of stopping or anchoring.

(2) When applying in terms of subregulation (1) the applicant shall furnish the following information in regard to the [ship]vessel in question:

- (a) [The]the name, official number, port of registry, type and gross tonnage of the [ship.]vessel;
- (b) [The]the name and address of the owner of the [ship]vessel and of the owner's agent in the Republic[.];
- (c) [The]the nature of the cargo aboard the [ship]vessel, including fuel and lubricating oil[.];
- (d) [The]the reason for the proposed stopping or anchoring of the [ship.]vessel;
- (e) [The]the proposed location of such stopping or anchoring[.];
- (f) [The]the anticipated duration of such stopping or anchoring[.]; and
- (g) [Prevailing]prevailing weather conditions.”.

**Amendment of regulation 14 of the Regulations**

13. Regulation 14 of the Regulations is hereby amended—

(a) by the substitution for the heading of regulation 14 of the following heading:

**“Conditions for stopping or anchoring of a [ship]vessel”;**

- (b) by the substitution for subregulations (1) and (2) of the following subregulations:

“14. (1) **[The]**A person who has been granted permission in terms of regulation 13, shall comply with such measures specified by the principal officer concerned as **[he]**the principal officer may reasonably deem necessary for minimising the risk of stranding, for the safety of the **[ship]**vessel, its crew, passengers or cargo, for preventing pollution of the sea or for maintaining the peace good order or security of the Republic.

(2) The **[said]** measures referred to in subregulation (1) shall be carried out at the expense of the owner of the **[ship]**vessel.”.

#### **Amendment of regulation 15 of the Regulations**

14. Regulation 15 of the Regulations is hereby amended—

- (a) by the substitution for the heading of regulation 15 of the following heading:

**“Notification of departure of **[ship]**vessel”;**

- (b) by the substitution for regulation 15 of the following regulation:

“15. **[The]**A person who has been granted permission in terms of regulation 13, shall cause the **[ship]**vessel to proceed on its normal course immediately after the reason for the stopping or anchoring has ceased to exist and **[he]** shall forthwith notify the principal officer concerned of the departure of the **[ship]**vessel.”.

#### **Substitution of regulation 17 of the Regulations**

15. Regulation 17 of the Regulations is hereby substituted for the following regulation:

## **“CHAPTER VI**

### **PLACES OF DEPARTURE AND ARRIVAL ALONG THE SHORE**

17. (1) **[No ship]**A vessel shall not be launched or otherwise proceed to sea from, or **[shall]** be landed, beached, moored, or berthed at, any place along the shore other than a harbour, fishing harbour or launching site.

(2) Any person who contravenes the provisions of subregulation (1) shall be guilty of an offence and shall on conviction be liable to a fine not exceeding **[R200]**R40 000.00 or imprisonment of one year.”.

### **Substitution of regulation 18 of the Regulations**

16. Regulation 18 of the Regulations is hereby substituted for the following regulations:

## **“CHAPTER VII**

### **DETENTION OF **[SHIPS]**VESSELS, CARGOES OR PART THEREOF**

#### **Notice of detention of **[ship]**vessel or cargo**

18. When a **[ship]**vessel and its cargo or **[part]**part thereof or a **[ship]**vessel or its cargo or part thereof is to be detained under section 9(3) of the Act a principal officer shall sign and issue a Notice of Detention in the form of Annexure A **[(hereinafter in this Chapter referred to as a "Notice")]**, setting forth the grounds and conditions of detention.”.

### Substitution of regulation 19 of the Regulations

17. The following regulation is hereby substituted for regulation 19 of the Regulations:

#### “Service of Notice

19. (1) Subject to the provisions of subregulation (2) a Notice shall be served upon the master of the **[ship]vessel** in question by **[an authorized person (hereinafter in this Chapter referred to as a "detention officer")]**a duly authorised detention officer who shall exhibit the original Notice to such master and deliver a copy thereof to **[him]**the master, and return the original Notice to the principal officer.

(2) If the master of the **[ship]vessel** in question refuses or fails to accept service of the Notice, or if for any other reason service of the Notice cannot be effected, the detention officer shall leave a copy of the Notice in a conspicuous place on such **[ship]vessel**, which action shall then be deemed to be proper service.”.

### Substitution of regulation 20 of the Regulations

18. Regulation 20 of the Regulations is hereby substituted for the following regulation:

#### “Return of service

20. (1) **[The]**A detention officer who has served a Notice in terms of regulation 19, shall forthwith complete and sign a declaration in the form of Annexure B **[(hereinafter in this Chapter referred to as a "return of service")]**.

(2) The detention officer in subregulation (1) shall thereupon forthwith deliver the original of the Notice served by **[him]**the detention officer, together with the return of service, to the principal officer who issued the Notice and a copy thereof to each of the following persons:

- (a) ~~[The]~~the consular representative in the Republic, if any, of the state in which the ~~[ship]~~vessel is registered;
- (b) the ~~[ship's]~~vessel's agent in the Republic, if any;
- (c) the Commissioner for Customs and Excise or other proper officer of customs at the harbour where the ~~[ship]~~vessel is anchored, moored or berthed; and
- (d) the harbour authority or other authority, if any, who has jurisdiction or control over the sea where the ~~[ship]~~vessel is anchored, moored or berthed.”.

### **Substitution of regulation 21 of the Regulations**

19. Regulation 21 of the Regulations is hereby substituted for the following regulations:

#### **“Clearance outward may be refused**

**21. (1)** The officer referred to in regulation 20(2)(c) shall refuse to give the master of a ~~[ship]~~vessel to which the Notice and the return of service relate or which was seized in terms of section 9(4)(b) of the Act, clearance outward until ~~[he]~~the officer has received the Notice of Release contemplated in regulation 22(1).

- (2) If the detained or seized ~~[ship]~~vessel is not in a harbour or a fishing harbour the ~~[Minister]~~Authority may take such steps or make such arrangements as ~~[he]~~the Authority may deem necessary to prevent such ~~[ship]~~vessel from leaving the internal waters or the territorial waters.”.

### **Substitution of regulation 22 of the Regulations**

20. Regulation 22 of the Regulations is hereby substituted for the following regulations:

**“Release from detention**

**22.** (1) When a **[ship]vessel** or cargo or part thereof which has been detained, is released from such detention as contemplated in section 9(4)(a) of the Act, the principal officer shall forthwith sign and issue a notice of release from detention substantially in the form of Annexure C.

(2) The original notice of release from detention referred to in subregulation (1) shall be retained by the principal officer who shall forthwith cause a copy thereof to be delivered by a detention officer to the master of the **[ship]vessel** in question and to every person referred to in regulation 20(2)(a) to (d) to whom a copy of the relevant Notice and its accompanying Return of Service have been delivered by the detention officer.

(3) The detention officer shall in writing advise the principal officer of the date and time on which **[he]the detention officer** has delivered the notice of release from detention to every person referred to in regulation 20(2)(a) to (d).”.

**Short title and commencement**

21. These Regulations are called the Marine Traffic Amendment Regulations, 2023 and are published for comments.

BOARD NOTICES • RAADSKENNISGEWINGS

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## BOARD NOTICE 438 OF 2023



## BOARD NOTICE

**IRBA CODE OF PROFESSIONAL CONDUCT FOR REGISTERED AUDITORS (REVISED APRIL 2023)**

In accordance with the provisions of Section 10(1)(a) of the Auditing Profession Act, 2005 (Act No. 26 of 2005) (the Act), the Independent Regulatory Board for Auditors (IRBA) publishes, pursuant to the provisions of Section 4(1)(c) of the Act, the:

**IRBA CODE OF PROFESSIONAL CONDUCT FOR REGISTERED AUDITORS (REVISED APRIL 2023)**

Please be advised that the [IRBA Code of Professional Conduct for Registered Auditors \(Revised April 2023\)](#) is available and may be downloaded from the IRBA Website. This publication incorporates all the amendments and additions that have been made to the [IRBA Code of Professional Conduct for Registered Auditors \(Revised 2018\)](#) into a single publication. It does not include any new amendments or revisions and does not change the previously communicated effective dates of any of the amendments and additions.

Should you require assistance, queries may be directed to Mr I Vanker, IRBA Director: Standards. Alternatively, please send an e-mail to [standards@irba.co.za](mailto:standards@irba.co.za).

**Imre Nagy**

**Chief Executive Officer**

**BOARD NOTICE 439 OF 2023**  
**FINANCIAL SECTOR CONDUCT AUTHORITY**

**FINANCIAL MARKETS ACT, 2012**

**PROPOSED AMENDMENTS TO THE JSE DERIVATIVES RULES AND JSE  
INTEREST RATE & CURRENCY DERIVATIVES RULES: PLEDGING OF  
SECURITIES AS COLLATERAL**

The Financial Sector Conduct Authority (FSCA) hereby gives notice under section 71(3)(b)(ii) of the Financial Markets Act, 2012 (Act No. 19 of 2012) that the proposed amendments to the rules of JSE Limited ("JSE") have been published on the official website of the FSCA ([www.fsca.co.za](http://www.fsca.co.za)) for public comment. All interested persons who have any objections to the proposed amendments are hereby called upon to lodge their objections with the FSCA, by email to: [Queries.Marketinfrastructures@fsca.co.za](mailto:Queries.Marketinfrastructures@fsca.co.za) within a period of fourteen (14) days from the date of publication of this notice.



Ms. Astrid Ludin

Deputy Commissioner

**Financial Sector Conduct Authority**

## BOARD NOTICE 440 OF 2023

**SOUTH AFRICAN NURSING COUNCIL  
SUID-AFRIKAANSE RAAD OP VERPLEGING****Nursing Act, 2005 (Act No. 33 of 2005)****NOTICE REGARDING FEES PAYABLE TO THE COUNCIL IN TERMS OF THE  
REGULATIONS REGARDING FEES AND FINES PAYABLE TO THE SOUTH  
AFRICAN NURSING COUNCIL****DEFINITION**

1. In this notice, “**the regulations**” means the Regulations Regarding Fees and Fines Payable to the South African Nursing Council published by Government Notice No. R. 170 of 8 March 2013.

**ANNUAL FEES**

2. The amounts of the annual fee referred to in 2(1) (c) of the regulations have been determined by the Council as shown in the table below.
3. These amounts apply to annual fees in respect of the annual fee year 1 January 2024 to 31 December 2024, which may be paid from 1 July 2023, and which must be received by Council before or on 31 December 2023 (final date to receive payment).
4. These annual fee amounts will apply to all subsequent annual fee years until such time that the fees are amended by a notice in the *Gazette*.
5. The 25% discount applies to practitioners who are or will be 60 to 64 years of age on 1 January 2024.
6. The 50% discount applies to practitioners who are or will be 65 years of age or older on 1 January 2024.

Category of Registration	Annual Fee Amounts (including VAT)		
	Full Amount	25% Discount (*)	50% Discount (**)
Professional Nurse Midwife Registered Nurse Registered Midwife	R780-00	R590-00	R390-00
Staff Nurse Auxiliary Midwife Enrolled Nurse Enrolled Midwife	R470-00	R350-00	R230-00
Auxiliary Nurse Enrolled Nursing Auxiliary	R330-00	R250-00	R160-00

(\*) To qualify for the 25% discount, a practitioner must be 60 to 64 years of age on 1 January 2024.

(\*\*) To qualify for the 50% discount, a practitioner must be 65 years of age or older on 1 January 2024.

**N.B.** To qualify for the discount amounts, a practitioner may be required to submit a certified copy of his/her identity document in order to confirm his/her age.

## RESTORATION FEES

7. The amounts of the restoration fees referred to in 2(1) (y) and (z) of the regulations have been determined by the Council as shown in the table below.
8. These restoration fee amounts will apply from 1 January 2024.
9. The reduced restoration fee only applies to:
  - a) those practitioners who were removed from the register at their own request; or
  - b) practitioners who are or will be 60 years of age or older on 1 January 2024.

Category of Registration	Reduced (*) Restoration Fees (including VAT)	Regular Restoration Fees (including VAT)
Professional Nurse Midwife Registered Nurse Registered Midwife	R160-00	R2 340-00
Staff Nurse Auxiliary Midwife Enrolled Nurse Enrolled Midwife	R160-00	R1 410-00
Auxiliary Nurse Enrolled Nursing Auxiliary	R160-00	R 990-00
Retired Nurses	R160-00	R160-00

(\*) To qualify for the reduced restoration fee, a practitioner must have been removed from the register at his/her own request or must be 60 years or older on 1 January 2024.

## FEES PAYABLE BY INSTITUTIONS

### Accreditation

Accreditation Fees  
(Nursing Education  
Institution) –section  
2(1) (a)

	Payable Rate 1	Payable Rate 2	Payable Rate 3	Payable Rate 4
Learner Enrolment (number of learners)	1-50	51-75	76-100	>100
	R8 220-00	R16 480-00	R24 720-00	R30 910-00

Accreditation Fees  
(Nursing Education  
Programme)  
-section 2(1) (b)

Number of  
Programmes

Payable Rate 1	Payable Rate 2	Payable Rate 3
1-2	3-6	>6
R16 420-00	R24 630-00	R32 840-00

Application for  
Nursing  
Programmes/Revised  
Curriculum  
Evaluation – section  
2(1) (i)

Payable			
One-year	Three-year	Four-year	Post registration /Post/ Basic Graduate Diploma
R1 540-00	R4 920-00	R12 320-00	R8 210.00

Audit Visit Fee  
(Clinical Facility) –  
section 2(1)(j)

Payable Rate 1	Payable Rate 2	Payable Rate 3
1	2-4	>4
R8 210-00	R16 420-00	R24 630-00

Audit Visit Fee  
(Nursing Education  
Institution) – section  
2(1)(j)

Payable Rate 1	Payable Rate 2	Payable Rate 3
1	2-4	>4
R8 210-00	R16 420-00	R24 630-00

Focus Visit Fee  
(Clinical Facility) –  
section 2(1)(o)

Payable Rate 1	Payable Rate 2	Payable Rate 3
1	2-4	>4
R8 210-00	R16 420-00	R24 630-00

Focus Visit Fee  
(Nursing Education  
Institution) – section  
2(1)(p)

Payable Rate 1	Payable Rate 2	Payable Rate 3
1	2-4	>4
R8 210-00	R16 420-00	R24 630-00

Description	Amount Payable
Annual Nursing Education Institution Fee – section 2(1)(d)	R16 420-00
Application Fee (Clinical Facility) – section 2(1)(e)	R4 110-00
Application Fee (Nursing Education Institution) – section 2(1)(h)	R4 110-00
Application Fee (Nursing Education Programme) – section 2(1)(i)	R4 110-00

## OTHER FEES

Section of the regulations	Description	Amount (including VAT)
2(1)(f)	Application fee (foreign additional qualification): - SADC countries - Other countries	R 1 550-00 R 1 550-00
2(1)(g)	Application fee (foreign basic qualification): - SADC countries - Other countries	R 1 550-00 R 2 320-00
2(1)(k)	Certificate of Status Fee	R 2 480-00
2(1)(l)	Duplicate Certificate Fee	R 490-00
2(1)(m)	Examination Fee (per paper)	R 490-00
2(1)(n)	Extract Fee	R 100-00
	Late Registration penalty per applicant	R 990-00
2(1)(q)	Late Entry Fee (exams)	R 1 140-00
2(1)(r)	Licence Fee (private practice) (pending promulgation of regulations)	Pending
2(1)(s)	Registration Fee (additional qualification)	R 490-00

Section of the regulations	Description	Amount (including VAT)
2(1)(t)	Registration Fee (assessors, moderators and verifiers)	R 250-00
2(1)(u)	Registration Fee (learner)	R 310-00
2(1)(v)	Registration Fee (practitioner)/category	R 840-00
2(1)(w)	Registration Fee (section 56 registration) (pending promulgation of regulations)	Pending
2(1)(x)	Remarking Fee (exam paper)	R 1 090-00
2(1)(aa)	Transcript of Training Fee	R 2 480.00
2(1)(bb)	Verification Fee	R 2 480-00

**Fees Payable by Institutions and Other Fees will be applicable from 1 January 2024.**



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**PROF NG MTSHALI**  
**REGISTRAR AND CEO**  
**SOUTH AFRICAN NURSING COUNCIL**  
**DATE: 2023-03-31**

**BOARD NOTICE 441 OF 2023****NOTICE OF APPLICATION FOR THE DEFINING OF A PRODUCTION AREA  
KEEROMSBERG (WARD)**

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(In terms of Section 6 of the Wine of Origin Scheme published by Government Notice No. R.1434 of 29 June 1990)  
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Please take note that De Wet Wynkelder (Pty) Ltd applied to the Wine and Spirit Board to define Keeromsberg (Ward) as a production area to produce Wine of Origin.

The starting point is 1.6 km east of Worcester and 1 km before Overhex Cellar on the R60 road, where a drainage furrow crosses said road from a northern direction. The boundary stretches along this road in an east-southeastern direction to right against the existing boundary of the Nuy WO Ward. From there it moves further along the said ward boundary in a generally north-eastern direction until it reaches the farm Patryskloof RE/341. From there, generally north and then generally westwards along the eastern and northern boundaries of farms RE/341, 1/341, 4/341 and 6/341, until where the last-mentioned farm crosses the 380 m contour line. From this point the boundary moves in a western direction and then generally north-westwards and finally north-eastwards along said contour to where it crosses the existing Hex River Valley WO Ward. Then westwards along a part of the southern boundary of this ward, to where this boundary again crosses the 380 m contour line. It then moves generally south-westwards, then generally south and finally south-westwards again to where it crosses the eastern boundary of the farm 4/308. From there generally south-eastwards along the north-eastern and western boundaries of farms 5/308, 6/308, 8/308 and RE/308, then over the N1, 12/310 (Uitvlugt), 310, 12/310, 3/321 and finally southwards along the drainage furrow of Voorregvlei Dam until right against the R60, the starting point mentioned above.

The proposed boundaries can be viewed at [www.sawis.co.za](http://www.sawis.co.za) – "Certification – News and Information" or contact Jackie Cupido at 021-807 5704.

Anyone having any objection against this application is hereby notified to lodge their objections, with motivations, in writing with Olivia Poonah ([olivia@wsb.org.za](mailto:olivia@wsb.org.za)), Executive Manager, Wine and Spirit Board, P O Box 2176, Dennesig, Stellenbosch, 7599 within 30 (thirty) days of publication of this notice.

**BOARD NOTICE 442 OF 2023****NOTICE OF APPLICATION FOR THE DEFINING OF A PRODUCTION AREA  
ROOIKRANS (WARD)**

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(In terms of Section 6 of the Wine of Origin Scheme published by Government Notice No. R.1434 of 29 June 1990)  
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Please take note that De Wet Wynkelder (Pty) Ltd applied to the Wine and Spirit Board to define Rooikrans (Ward) as a production area to produce Wine of Origin.

The starting point is 1.6 km east of Worcester on the R60, and from here the proposed boundary follows said road for 6.7 km in a south-eastern direction until right against the existing Nuy WO Ward's north-western boundary. From there it moves in a western, then south-western and finally north-eastern direction along said ward boundary until it crosses the R60. Subsequently it follows an eastern direction further along said ward boundary up to the northern corner of the farm RE/461 on the R60 road. From there generally south-westwards along this farm's north-western boundary and farms RE/441, RE/478, RE/479 and 8/481's eastern boundaries, until it reaches the top of the watershed towards Scherpenheuvel. From there it goes westwards along said watershed to right against the Breede River at Osdrif. From there upstream in a north-western direction along the Breede River up to Matjieskloof below the Brandvlei Dam wall. From this point generally north-eastwards along the north-western boundaries of farms 60/369 and 61/369 and then eastwards along the latter farm's northern boundary before moving in a north-eastern direction along a stream that flows from the R60 to the R43, as well as the southern boundary of the farm 26/369, and then to the R41. From there generally north-westwards along the north-eastern boundary of the last-mentioned farm and then further eastwards along farms 40/369, 39/369, 45/369, 34/369, 88/369, 88/369 and 6/369's north-western, and the last-mentioned farm's north-eastern boundaries. Finally it moves north-eastwards, upstream along the small river which inter alia flows through the farm 5/369 in the direction of Overhex Cellar, to where this river crosses the R60, the starting point mentioned above.

The proposed boundaries can be viewed at [www.sawis.co.za](http://www.sawis.co.za) – "Certification – News and Information" or contact Jackie Cupido at 021-807 5704.

Anyone having any objection against this application is hereby notified to lodge their objections, with motivations, in writing with Olivia Poonah ([olivia@wsb.org.za](mailto:olivia@wsb.org.za)), Executive Manager, Wine and Spirit Board, P O Box 2176, Dennesig, Stellenbosch, 7599 within 30 (thirty) days of publication of this notice.

**BOARD NOTICE 443 OF 2023****NOTICE OF APPLICATION FOR THE AMENDMENT OF THE DEFINITION OF THE PRODUCTION  
AREA SCHERPENHEUVEL (WARD)**

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(In terms of Section 6 of the Wine of Origin Scheme published by Government Notice No. R.1434 of 29 June 1990)  
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Please note that Cilmor Wynkelder applied to the Board to extend the boundaries of the production area Scherpenheuvel (ward).

The proposed south-western expansion of the Scherpenheuvel WO Ward is located south of the Breede and Hoeks Rivers. The grounds just north of this area are mostly salt-rich flood plains where there is no agricultural activity. The northern boundary of the expansion starts at the westernmost corner of the existing Scherpenheuvel WO Ward, at the inflow of the Hoeks River into the Breede River at Alvi's Drift Cellar, and runs south-westwards upstream along the Hoeks River (overflow from the Draaivlei Dam into the Breede River) up to the Doornrivier/Scherpenheuvel Road stretching from the R43 past Brandvlei Cellar. It then follows said road in a southern direction until just past Brandvlei Cellar, and then the southern boundary of this site (no. 600), in a western direction and then further in a south-western direction along the western boundaries of the farms 14/546, 15/546, 16/546, 17/546, RE/7/546 and 17/546. From this point south-eastwards along the southern boundaries of farms 17/546 and 34/546, to where the latter farm boundary crosses the gravel road through the farm B21. From there along the gravel road further south-east to where the road crosses the southern boundary of the farm B21. Then generally eastwards along the southern boundary of said farm and then north along the western boundary of this farm, as well as farm 11/546, up to the south-westernmost corner of the farm 24/546 where it crosses the 250 m contour, and finally in a generally north-eastern direction along said contour to where this contour joins the existing Scherpenheuvel boundary.

The proposed boundaries can be viewed at [www.sawis.co.za](http://www.sawis.co.za) – "Certification – News and Information" or contact Jackie Cupido at 021 807 5704.

Anyone having any objection against this application is hereby notified to lodge their objections, with motivations, in writing with Olivia Poonah ([olivia@wsb.org.za](mailto:olivia@wsb.org.za)), Executive Manager, Wine and Spirit Board, P O Box 2176, Dennesig, Stellenbosch, 7599 within 30 (thirty) days of publication of this notice.





Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
Contact Centre Tel: 012-748 6200. eMail: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
Publications: Tel: (012) 748 6053, 748 6061, 748 6065