

1-40

ORIGINAL

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

HELD AT BRAAMFONTEIN

CASE NO: _____

In the matter between

Hola Bon Renaissance Foundation

1st Applicant

Bon Com Pty Ltd

2nd Applicant

BC Training Academy

3rd Applicant

And

Services Sector for Education Training and Authority

1st Responded

(Services Seta)

Chairperson of Services Seta

2nd Responded

Company Secretary of Services Seta

3rd Responded

Executive Management of Services SETA

4th Responded

Accounting Authority (Board) of Services Seta

5th Responded

Mr Gwebinkundla Qonde Director General of DHET

6st Responded

Minister of Higher Education, Science and Technology

7nd Responded

Auditor General

8th Responded

National Skills Authority

9th Responded

Speaker of RSA Parliament

10th Responded

Public Protector

11th Responded

President of the Republic of South Africa

12th Responded

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African National Congress

13th Responded

South African Communist Party

14th Responded

NOTICE OF MOTION

BE PLEASED TO TAKE NOTICE that **HOLA BON RENAISSANCE FOUNDATION** (hereinafter called the applicant), intends to make application to this Honorable Court for an order:

1. Granting the me leave to approach this court by way of direct access in terms of constitutional court rule 18, section 167(6)(a) of the constitution on the following grounds:
 - a. Gross violation of the Constitution of the Republic of South Africa, 1996, Chapter 10, Public administration Section 195 (1) and (2)
 - b. Gross violation of the Constitution of the Republic of South Africa, 1996, Chapter 10, Public Service, Section 197 (1) Within public administration there is a public service for the Republic that have not been loyal in executing the lawful policies of the government of the day
 - c. Gross violation of the Constitution of the Republic of South Africa, 1996, Chapter 13, Finance Section 217 (1) When an organ of state in the national, provincial or local sphere of government, or any other institution identified in national legislation, contracts for goods or services, it must do so in accordance with a system which is fair, equitable, transparent, competitive and cost-effective, where Unfairness, no transparency and no equitable has been the operandi of the day.

- d. Violation of Republic of South Africa Constitution, undermining the various Acts governing our country as outlined in the affidavit and deviating from its constitutional obligation, and corrupt practice within the Administrative and refusing to carry executive mandate.
- e. In terms of the chapter 2, Section 7 of the Constitution, Bill of Rights (1) and (2) has been violated by a State organ called Services Seta
- f. Enforcement of the constitution of chapter 2, Section 8 the Application, and enforcement of laws governing the country.
- g. An Infringement in the constitution In terms of the Chapter 2, Section 10 of the Constitution , Human Dignity, this right of South African who relied to Service Seta for their dignity to be respected and protected has been violated, exploitation, degraded and undermined in particular the people from historically disadvantaged area and grouping by State organ "Service Seta".
- h. An Infringement in the constitution by denying, withholding and refusing this basic right of Education to thousands of our youth, women people from historically disadvantaged by the State Organ "Service Seta" Dating from 2013 to date in pursue of selfish interest that of redirecting and investing developmental funds to gain financial Interest, a violation on Chapter 2, Section 29 (1)(b) of the Constitution
- i. The State and its organ Service Seta has denied the application the constitutional right as enshrined in our Constitution, Chapter 2, Section 32 (a) Access to information irrespective of our official request (Annexure 1a, 1b,1c, 1d, 1e, 1f, 1g)

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j. In the Public Interest

k. We here by refer to a matter (see Musa Joe Moloi & others V Minister of Justice and constitutional development & others CCT 78/09 [2010] ZACC 2)

l. Infringement of Section 14(3) of the skills development Act, "the money received by a Seta may be used only in the prescribed manner and to fund the performance of its function and pay for its administration within the prescribed limit" Service Seta has been infringed this act due to the fact that funds were not used to fund most of its functions but was mostly invested to generate additional income for the Services Seta

m. Noting that the Accounting Authority of Service Seta term of Office is coming to an end on the 31 March 2020 (See Annexure 2) and including some Executive management contract which means the law might note take its cause because when Services Seta board and management term ends, the principal of non-accountability may apply, while corruption, State Capture and no accountability may be the food of the day.

n. As an Nonprofit Organization that has in the interest of our communities, of the nation and have cascaded their matters in all levels of the State without intervention and/or assistance for the past 7 years, we appeal to this court to grant us direct access.

2. The ancillary relief sought in the **notice of motion** and all the applicants ask this Honorable court to grant leave:

a. In terms of section 157(1)(d) of the companies Act to bring this application and Declaring all Service Seta Accounting Authority (board of directors) delinquent and

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- b. Declare the executive management of Service Seta to be incompetent and management disabled, and
- c. Terminated and/or removed the executive management of Service Seta from their registered professional bodies such as law society and institute of Chartered accounting etc... and/or also to withdrawal of qualifications and
- d. Put a hold and/or suspend on appointments of new boards in all Sector Education Training Authority that are under the Department of Higher Educations, Science and technology as advertised in the Gazzatte (**Annexure 2**) pending ruling
- e. That Service Seta to compensate and/or pay the **1st Applicant with of R 140 Million** (one hundred forty million) and
- f. That Service Seta to compensate and/or pay the **2nd Applicant with of R 80 Million** (eighty million rand) and
- g. Service Seta to compensate and/or pay the **3rd Applicant with of R 20 Million** (twenty million) and
- h. That total of R 240 million to be payable to the applicant. It be Note that Services Seta has interest earned amounting to more than R700 Millions of Interest over the past 7(seven) years (**See Annexure 3 Table 5**) and
- i. The acknowledge and enforcement of the independent constitutional body Chapter 9, the Auditor General of South Africa Mandate, its reports and recommendations for the past 5 -7 (five to seven) years on Services Seta

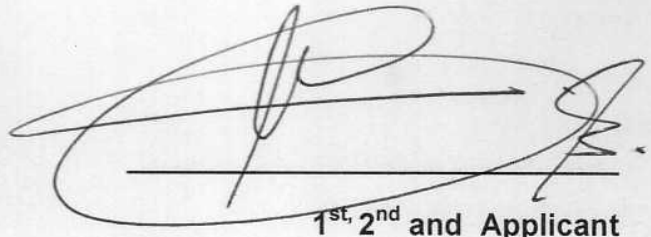
- j. State funds worth of billions which are dedicated for the skills development as per the mandate must only be used for what is intended, not the other activities which falls outside the mandate such as investment.
- k. The court to subpoenaing parliament to act, do oversight, execute its mandate, and powers in implementing the laws without favor and/or fear.
- l. The court to withhold any movement from and/or transfers of funds from Services Seta to National Skills Authority and/or any other institutions and/or entity until judgment is passed
- m. This honorable court to instruct President of the Republic Of South Africa Honorable President Cyril Ramaphosa to issue a derivative and furthermore to reprimand the Minister of Higher Education, Science and Technology on Service Seta unethical conduct and poor mismanagement for the past 7 (seven) years to date.
- n. President Cyril Ramaphosa to remove Minister of Higher Education, Science and technology as a Minister of the Department
- o. The court to establishment of **Commission of Inquiry on Service Seta**
 - i. with powers to institute a Forensic Audit and
 - ii. powers to implement programmes and the mandate
 - iii. Powers dissolvent of Services Seta and reintegrated it into other Seta's
 - iv. Powers to litigate against any officials and board members
- p. The court to Subpoenaing the independent Chapter 9 body The Public Protect to carry its mandate, to protect and ensure that South Africans in particular all humans classified to be from historically disadvantaged background based on the findings of the Auditor General of South Africa with its reports and Recommendation are the rightful beneficiary of billions allocated to Service Seta for Skills Development.

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- q. The Court to Subpoenaing the National Prosecuting Authority to executive its mandate based on the findings of the Auditor General of South Africa Reports and Recommendation
 - r. The court to issue an order that prohibits any State Skills Development institutions and/or Government institution from investing more than 25% of its allocated budget intended for Service Delivery and/or improving the infrastructure and/or its people other than institutions mandated for investment as its core business such as Public Corporation Investment and others
 - s. The Court to furthermore declare that an additional of **R300 Millions (Three hundred Million)** Interests income earned by Service Seta from 2014 to date, be donated to the legal fraternity such as law clinics that represents Civil Society, Youth, women, people from historically disadvantage communities and including Black SMME's that seeks legal representation for free.
3. All responded who oppose the relief herein, jointly and severally the one paying the other to be absolved, are to pay the costs of suit on an attorney and own client scale, including the costs of six counsels
 4. Any and all costs incurred by any responded in the course of these proceedings, but which were in fact paid by another responded or any public entity on behalf of the responded or either and/or any of the responded, will be repaid to that responded or entity by the responded in their personal capacity
 5. Wherefore I humbly pray for an order as set out in our Notice of Motion and that the accompany affidavit of **Hola Bon Renaissance Foundation** will be used in support

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6. **TAKE NOTICE FURTHER THAT** the applicant has appointed **BOUTSHITSWE PREDDY MOTHOPENG MSIELENG ID NO:770323546088**, 88 Marshall Street, 2nd floor, Marshalltown, Johannesburg, 2107, Fax no: 068 Tel No: 0681596956, Email: hbrfoundation@gmail.com or/and Email :info@hbrfoundation.org.za, as the address at which he will accept notice and service of all the process in these proceedings.
7. **BE PLEASED TO TAKE NOTICE FURTHER** that the accompanying affidavit of Hola Bon Renaissance Foundation, Bon Com Pty Ltd and BC Training Academy with annexures there to will be used in support of this application.
8. **TAKE FURTHER NOTICE** that if you intend opposing this application you are required to notify applicants in writing on or before 15 April 2020
9. **TAKE FURTHER NOTICE** that your respond thereto must be in writing within fifteen (15) days from the date upon which the applicant is launched, indicating whether or not you oppose the application, and if so, to file your answering affidavit
10. **TAKE FURTHER NOTICE** that you are required to appoint in such notification an address at which you will accept notice and service of all documents in these proceedings.
11. **TAKE FURTHER NOTICE** that if not such response is given, the applicant will request the registrar to place the matter before the Chief Justice in order to be dealt with in terms of Rule 11(4).

q



1st, 2nd and Applicant

Representative of HBR Foundation

88 Marshall Street

2nd floor, Marshalltown

Johannesburg

TEL:0681596956

Email:info@hbrfoundation.org.za

Email: hbrfoundation@gmail.com

Email:info@boncom.co.za

Email:info@bcacademy.co.za

LSB 23/08/2020 : Acknowledgement of Receipt
Obo Bond Secretary, Dr S. Ndabazitha

1st to 5th Responded

Services Sector for Education Training and Authority

Including Accounting Authority and Executive Management

15 Sherbone Road

Parktown

Johannesburg, 2000

Tel No: 0112769600

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6th and 7th Responded

Mr Gwebinkundla Qonde Director General of DHET and

Minister of Higher Education, Science and Technology

DST Building (53), CSIR Campus

Meiring Naude Road

Brummeria, Pretoria, 0001

Tel No: 0123125911

RECEIVED DIRECTOR-GENERAL'S OFFICE
2020-03-24
<i>[Signature]</i>
REGISTRATION No.

8th Responded

Auditor General of South Africa

300 Middel Street

New Muckleneuk

Pretoria, South Africa

Tel No: 0124268000

9th Responded



11
National Skills Authority

6th Floor, room 6111

178 Ndinaye House

Francks Board Street (Old Schoeman Street)

Pretoria 0001

Tel: 0123125066



Letsame Thabang
Senior Admin Officer

Affidavit not
attached

10th Responded

Public Protector of South Africa

Hill crest Office Park

175 Lunnon Road

Pretoria, 0083

Tel : 0124268000

11th Responded


Presidency of the Republic of South Africa

Union Building

Government avenue

Pretoria, 0001

Tel: 0123235200

Mono Mthobisi


THE PRESIDENCY
LEGAL & EXECUTIVE SERVICES

2020 -03- 24

PRIVATE BAG X1000
PRETORIA 0001

12

Handwritten signature

On behalf of responded 6th, 7th and 9th to 11th

State Attorney of South Africa

12th floor ,

North State Building

95 Market Street

C/O Kruis Street

Johannesburg

Tel No:011 3307600

STATE ATTORNEY
RECEPTION
2020 -03-24
PRIVATE BAG/PRIVAATSAK X91 PRETORIA 0001
STAATSPROKUREUR

Handwritten signature

12th Responded

Speaker of Parliament

Parliament of Republic of South Africa

13

14th Responded

African National Congress

54 Pixley Seme street

Johannesburg

2001

Tel: 0113761000

15th Responded

South Africa Communist Party

110 Jorissen Street

Braamfontein

2017

Tel : 0113307600

ANNEXURE
1A-1



14

J750

REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 6]

FOR DEPARTMENTAL USE

Request received by Reference number:
name and surname of information officer/deputy information officer) on (state rank,
..... (date) at
..... (place).
Request fee (if any): R
Deposit (if any): R
Access fee: R

.....
SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

Service Seta
Dr Siyabonga Ndabezitha

1A-2 15

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
(b) The address and/or fax number in the Republic to which the information is to be sent, must be given.
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: Bontshitswe Preddy Mothopeng Msieleng.....

Identity number:

7	7	0	3	2	3	5	4	6	0	0	8	8
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Postal address: P.O. Box 61217, Marshalltown, Johannesburg, 2107.....

Telephone number: (...084.....)0544733 Fax number: (.....)

E-mail address: communication@hbrfoundation.org.za.....

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: ...Hola Bon Renaissance Foundation

Identity number:

N	P	O	-	0	3	5	-	2	0	6		
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D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

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FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

2. Reference number, if available:

3. Any further particulars of record: - We request from 2012-2018 of the below :

- 3.1 List of Service Seta Court Cases(won/lost) and how much was Spend..... (from 2012-2018)
 3.2 List of Service Seta Banks used, Accounts, and Investment both locally and Offshore (from 2012-2018)
 3.3 Report of Funds returned to the National Skills Authority by Service Seta..... (from 2012-2018)
 3.4 Reports presented to parliament by Services Seta (from 2012-2018)
 3.5 Report presented to RSA Presidency by Service Seta..... (from 2012-2018)

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
 (b) You will be notified of the amount required to be paid as the request fee.
 (c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
 (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

...HBR Foundation is a non profit organisation, and as well a non government organisation,

Striving to empower the poor of the poorest and the historically Disadvantaged Society

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
 (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
 (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

	copy of record*	X	inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):					
	view the images		copy of the images*	X	transcription of the images*

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FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

3. If record consists of recorded words or information which can be reproduced in sound:					
listen to the soundtrack (audio cassette)	transcription of soundtrack* (written or printed document)	X			

4. If record is held on computer or in an electronic or machine-readable form:					
printed copy of record*	printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)	X	

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES X	NO
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Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? English

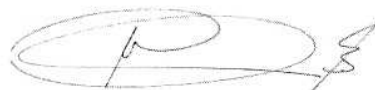
G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Written email and a face to face is also welcomed.....

Signed atJohannesburg..... this day ...16.... ofOctober..... year ...2019....



.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

1B-1

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FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY



J750

REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank,
name and surname of information officer/deputy information officer) on (date) at
..... (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

.....
SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

Department of Higher Education, Science and Technology
Mr Qonde Director General

18-2 19

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
 (b) The address and/or fax number in the Republic to which the information is to be sent, must be given.
 (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: Bontshitswe Predy Mothopeng Msieleng.....

Identity number:

7	7	0	3	2	3	5	4	6	0	0	8	8
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Postal address: P.O. Box 61217, Marshalltown, Johannesburg, 2107.....

Telephone number: (...084.....)0544733 Fax number: (.....)

E-mail address: communication@hbrfoundation.org.za.....

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: ...Hola Bon Renaissance Foundation

Identity number:

N	P	O	-	0	3	5	-	2	0	6		
---	---	---	---	---	---	---	---	---	---	---	--	--

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
 (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

Annual Report of Service Seta from 2012 to 2018

18 3 20

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

2. Reference number, if available:

3. Any further particulars of record: - We request from 2012-2018 of the below :

- 3.1 List of Service Seta Court Cases(won/lost) and how much was Spend..... (from 2012-2018)
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 3.4 Reports presented to parliament by Services Seta (from 2012-2018)
 3.5 Report presented to RSA Presidency by Service Seta..... (from 2012-2018)

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
 (b) You will be notified of the amount required to be paid as the request fee.
 (c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
 (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

...HBR Foundation is a non profit organisation, and as well a non government organisation,

Striving to empower the poor of the poorest and the historically Disadvantaged Society

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
 (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
 (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

	copy of record*	X	inspection of record		
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2. If record consists of visual images -
 (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

	view the images		copy of the images*	X	transcription of the images*	
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28 4 21

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

3. If record consists of recorded words or information which can be reproduced in sound:				
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)	<input checked="" type="checkbox"/>
4. If record is held on computer or in an electronic or machine-readable form:				
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input checked="" type="checkbox"/>
			copy in computer readable form* (stiffy or compact disc)	

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES X	NO
Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.		
In which language would you prefer the record? English		

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Written email and a face to face is also welcomed.....

Signed atJohannesburg..... this day ...16.... ofOctober..... year ...2019....



.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

IC-1 22

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY



J750

REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
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FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank,
name and surname of information officer/deputy information officer) on (date) at
..... (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

.....
SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

National Skills Authority
Dr Thabo Mashongoane, Director, National Skills Authority

1C-2 23

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
 (b) The address and/or fax number in the Republic to which the information is to be sent, must be given.
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Identity number:

7	7	0	3	2	3	5	4	6	0	0	8	8
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Postal address: P.O. Box 61217, Marshalltown, Johannesburg, 2107.....

Telephone number: (...084.....)0544733 Fax number: (.....)

E-mail address: communication@hbrfoundation.org.za.....

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C. Particulars of person on whose behalf request is made

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Full names and surname: ...Hola Bon Renaissance Foundation

Identity number:

N	P	O	-	0	3	5	-	2	0	6		
---	---	---	---	---	---	---	---	---	---	---	--	--

D. Particulars of record

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1. Description of record or relevant part of the record:

20-3 24

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

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Form in which record is required:

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
 (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
 (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:				
copy of record*	X	inspection of record		
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):				
view the images		copy of the images*	X	transcription of the images*

20-4 25

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

3. If record consists of recorded words or information which can be reproduced in sound:

<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)	<input checked="" type="checkbox"/>	
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4. If record is held on computer or in an electronic or machine-readable form:

<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc)	<input checked="" type="checkbox"/>
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*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you?
Postage is payable.

YES
X

NO

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? English

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Written email and a face to face is also welcomed.....

Signed atJohannesburg..... this day ...16... ofOctober..... year ...2019....



.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

15-1 26

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY



J750

REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank,
name and surname of information officer/deputy information officer) on (date) at
..... (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

.....
SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

Parliament –Higher Education, Science and Technology Portfolio Committee
Chairperson of the Portfolio committee Honourable MP Mohlopi Mapulane

1D-227

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
 (b) The address and/or fax number in the Republic to which the information is to be sent, must be given.
 (c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: Bontshitswe Preddy Mothopeng Msieleng.....

Identity number:

7	7	0	3	2	3	5	4	6	0	0	8	8
---	---	---	---	---	---	---	---	---	---	---	---	---

Postal address: P.O. Box 61217, Marshalltown, Johannesburg, 2107.....

Telephone number: (...084.....)0544733 Fax number: (.....)

E-mail address: communication@hbrfoundation.org.za.....

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: ...Hola Bon Renaissance Foundation

Identity number:

N	P	O	-	0	3	5	-	2	0	6		
---	---	---	---	---	---	---	---	---	---	---	--	--

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
 (b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

1D-3 28

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

2. Reference number, if available:

3. Any further particulars of record: - We request from 2012-2018 of the below :

- 3.1 List of Service Seta Court Cases(won/lost) and how much was Spend..... (from 2012-2018)
 3.2 List of Service Seta Banks used, Accounts, and Investment both locally and Offshore (from 2012-2018)
 3.3 Report of Funds returned to the National Skills Authority by Service Seta..... (from 2012-2018)
 3.4 Reports presented to parliament by Services Seta (from 2012-2018)
 3.5 Report presented to RSA Presidency by Service Seta..... (from 2012-2018)

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
 (b) You will be notified of the amount required to be paid as the request fee.
 (c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
 (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

...HBR Foundation is a non profit organisation, and as well a non government organisation,

Striving to empower the poor of the poorest and the historically Disadvantaged Society

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
 (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
 (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input checked="" type="checkbox"/>	inspection of record	<input type="checkbox"/>	
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2. If record consists of visual images -

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input checked="" type="checkbox"/>	transcription of the images*	<input type="checkbox"/>
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1D-4 29

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

3. If record consists of recorded words or information which can be reproduced in sound:					
<input type="checkbox"/>	listen to the soundtrack (audio cassette)	<input type="checkbox"/>	transcription of soundtrack* (written or printed document)	<input checked="" type="checkbox"/>	
4. If record is held on computer or in an electronic or machine-readable form:					
<input type="checkbox"/>	printed copy of record*	<input type="checkbox"/>	printed copy of information derived from the record*	<input type="checkbox"/>	copy in computer readable form* (stiffy or compact disc) <input checked="" type="checkbox"/>

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES X	NO
--	----------	----

Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.

In which language would you prefer the record? English

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

Written email and a face to face is also welcomed.....

Signed atJohannesburg..... this day ...16.... ofOctober..... year ...2019....



.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

1E-1 30



FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

J750

REPUBLIC OF SOUTH AFRICA

FORM A
REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY
(Section 18(1) of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000))
[Regulation 6]

FOR DEPARTMENTAL USE

Reference number:

Request received by (state rank,
name and surname of information officer/deputy information officer) on (date) at
..... (place).

Request fee (if any): R

Deposit (if any): R

Access fee: R

.....
SIGNATURE OF INFORMATION OFFICER/DEPUTY INFORMATION OFFICER

A. Particulars of public body

The Information Officer/Deputy Information Officer

Presidency of the Republic of South Africa
Honourable President Cyril Ramaphosa

18-231

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

B. Particulars of person requesting access to the record

- (a) The particulars of the person who requests access to the record must be given below.
(b) The address and/or fax number in the Republic to which the information is to be sent, must be given.
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: Bontshitswe Preddy Mothopeng Msieleng.....

Identity number:

7	7	0	3	2	3	5	4	6	0	0	8	8
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Postal address: P.O. Box 61217, Marshalltown, Johannesburg, 2107.....

Telephone number: (...084.....)0544733 Fax number: (.....)

E-mail address: communication@hbrfoundation.org.za.....

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: ...Hola Bon Renaissance Foundation

Identity number:

N	P	O	-	0	3	5	-	2	0	6		
---	---	---	---	---	---	---	---	---	---	---	--	--

D. Particulars of record

- (a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

Annual Report of Service Seta from 2012 to 2018

1E-3

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FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

2. Reference number, if available:

3. Any further particulars of record: - We request from 2012-2018 of the below :

- 3.1 List of Service Seta Court Cases(won/lost) and how much was Spend..... (from 2012-2018)
 3.2 List of Service Seta Banks used, Accounts, and Investment both locally and Offshore (from 2012-2018)
 3.3 Report of Funds returned to the National Skills Authority by Service Seta..... (from 2012-2018)
 3.4 Reports presented to parliament by Services Seta (from 2012-2018)
 3.5 Report presented to RSA Presidency by Service Seta..... (from 2012-2018)

E. Fees

- (a) A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.
 (b) You will be notified of the amount required to be paid as the request fee.
 (c) The **fee payable for access** to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
 (d) If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

...HBR Foundation is a non profit organisation, and as well a non government organisation,

Striving to empower the poor of the poorest and the historically Disadvantaged Society

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability:

Form in which record is required:

Mark the appropriate box with an X.

NOTES:

- (a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
 (b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
 (c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:

<input type="checkbox"/>	copy of record*	<input checked="" type="checkbox"/>	inspection of record	<input type="checkbox"/>	
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2. If record consists of visual images -

(this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):

<input type="checkbox"/>	view the images	<input type="checkbox"/>	copy of the images*	<input checked="" type="checkbox"/>	transcription of the images*	<input type="checkbox"/>
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18-433

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

3. If record consists of recorded words or information which can be reproduced in sound:					
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)	X	
4. If record is held on computer or in an electronic or machine-readable form:					
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc) X

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO
	X	
Note that if the record is not available in the language you prefer, access may be granted in the language in which the record is available.		
In which language would you prefer the record? English		

G. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.
--

How would you prefer to be informed of the decision regarding your request for access to the record?

Written email and a face to face is also welcomed.....

Signed atJohannesburg..... this day ...16.... ofOctober..... year ...2019....



.....
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

ANNEXURE 34
2-1



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

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42631



GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 1060

12 AUGUST 2019

SKILLS DEVELOPMENT ACT, 1998 (ACT NO. 97 OF 1988) AS AMENDED

CALL FOR NOMINATIONS FOR THE APPOINTMENT OF CHAIRPERSONS OF ACCOUNTING AUTHORITIES FOR ALL SECTOR EDUCATION AND TRAINING AUTHORITIES FOR THE TERM 1 APRIL 2020 TO 31 MARCH 2025

1, Dr BE Nzimande, Minister of Higher Education, Science and Technology, in terms of section 9(11)(1)(b) of the Skills Development Act, (Act No. 97 of 1998) as amended, hereby invite nominations for the appointment of Chairpersons of the Accounting Authorities for twenty (20) Sector Education and Training Authorities listed hereunder from interested and relevant stakeholders in the respective sectors:

1. Agricultural Sector Education and Training Authority (AGRISETA)
2. Banking Sector Education and Training Authority (BANKSETA)
3. Culture, Arts, Tourism, Hospitality and Sports Sector Education and Training Authority (CATHSSETA)
4. Construction Sector Education and Training Authority (CETA)
5. Chemical Industries Sector Education and Training Authority (CHIETA)
6. Education, Training and Development Practices Sector Education and Training Authority (ETDPSETA)
7. Energy and Water Sector Education and Training Authority (EWSETA)
8. Finance and Accounting Services Sector Education and Training Authority (FASSET)
9. Food and Beverages Sector Education and Training Authority (FOODBEV)
10. Fibre Processing and Manufacturing Sector Education and Training (FP&MSETA)
11. Health and Welfare Sector Education and Training Authority (HWSETA)
12. Local Government Sector Education and Training Authority (LGSETA)
13. Manufacturing and Engineering Related Services Sector Education and Training Authority (MERSETA)
14. Media, Information and Communication Technology Sector Education and Training Authority (MICTSETA)
15. Public Services Sector Education and Training Authority (PSETA)
16. Safety and Security Sector Education and Training Authority (SASSETA)

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17. Services Sector Education and Training Authority (Services-SETA)
18. Transport Sector Education and Training Authority (TETA)
19. Wholesale and Retail Sector Education and Training Authority (W&RSETA)
20. Insurance Sector Education and Training Authority (INSETA)

Written nominations from nominating stakeholders must contain the following:

- A motivation letter why the nominee must be considered for appointment;
- Full names of individuals or organisations making a nomination;
- The nominee's curriculum vitae and certified copies of qualifications; and
- The nominee's signed written acceptance of the nomination.

Nominations should be submitted within 30 working days after publication of this notice, to:

The Director-General: Higher Education and Training

For the attention of: Mr MZ Ngubane

Room 219, 123 Francis Baard Street, Pretoria or Private Bag X174, Pretoria, 0001

Contact details for enquiries:

Tel : 012 312 5896

Fax : 012 323 7603

E-mail : Ngubane.M@dhet.gov.za

All Chairpersons of the Accounting Authorities will assume duty on 1 April 2020 until 31 March 2025.



Dr BE Nzimande, MP

Minister of Higher Education, Science and Technology

Date: 3/07/2019

ANNEXURE 31



TABLE 1 - SERVICE SETA INCOME RECEIVED AS PER AUDIT GENERAL

The below is indicates the income of Services Seta as outlined in the Annual reports of 2014, 2015, 2016, 2017, 2018, 2019 respective,

Table 1:

Years	Income Declared	Annual Report	Page(s)	Description	Point
2014	1,343,787,000	2014/2015	89	Revenue	Note 17
2015	1,433,820,000	2014/2015	89	Revenue	Note 17
2016	1,459,740,000	2016/2017	98	Revenue	Note 16
2017	1,776,243,000	2016/2017	98	Revenue	Note 16
2018	1,698,359,000	2017/2018	87	Revenue	Note 16
2019	1,745,123,000	2018/2019	73	revenue	Note 16

TABLE 2 : COMMITMENT ISSUES RAISED BY THE AUDIT GENERAL

The below is indicates Commitments of Services Seta as outlined in the Annual reports of 2014, 2015, 2016, 2017, 2018, 2019 respective,

Table 2:

Years	Commitments Declared	Annual Report	Page(s)	Description	Point
2014	1,567,759,000	2014/2015	89	Commitments	Note 24
2015	1,836,115,000	2014/2015	89	Commitments	Note 24

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2016	1,859,135,000	2016/2017	93	Commitments	Notes 22
2017	2,811,689,000	2016/2017	93	commitment-	Notes 22
2016	1,868,282,000	2017/2018	130	Commitment - revised	Note 30
2017	2,920,948,000	2017/2018	130	Commitment -revised	Note 30
2018	3,590,358,000	2017/2019	118	commitment	Note 22
2019	3,972,849,000	2018/2019	100	Commitment	Notes 23

TABLE 3 INVESTMENT MADE BY SERVICES SETA AS PER AUDITOR GENERAL:

The below is indicates Investments of Services Seta as outlined in the Annual reports of 2014, 2015, 2016, 2017, 2018, 2019 respective,

Table 3:

Years	Amount Declared	Annual Report	Page(s)	Description	Point
2014	1,478,480,000	2014/2015	111	Short term investment	Note 6
2015	1,213,503,000	2014/2015	111	Short term investment	Note 6
2016	2,108,765,000	2016/2017	68	Short term investment	Note 6
2017	2,056,672,000	2016/2017	68	Short term investment	Note 6
2018	1,242,992,000	2017/2018	105	Short-term investments	Note 6
2019	241,948,000	2018/2019	88	Short term investment	Note 6

FUNDS AS PER AUDITOR GENERAL:

The below is indicates Funds of Service Seta returned to National Skills Fund as uncommitted funds as outlined in the Annual reports of 2016, 2017 respective,

Table 4:

Years	Returned Funds Amount Declared	Annual Report	Page(s)	Description	Point
2016/2017	1,577,028,000	2016/2017	86	National Skills Fund Receivable: Uncommitted funds	For the period 2014/2015

TABLE 5 : INTEREST EARNED FROM INVESTMENT AS PER AUDITOR GENERAL:

The below is indicates Interested received by Services Seta from investment of funds as outlined in the Annual reports of 2014, 2015, 2016, 2017, 2018, 2019 respective,

Table 5:

Years	Amount Declared	Annual Report	Page(s)	Description	Point
2014	95,807,000	2014/2015	119	Investment revenue	Note 16
2015	136,846,000	2014/2015	119	Investment revenue	Note 16
2016	124,397,000	2016/2017	68	Investment revenue	Note 15
2017	165,088,000	2016/2017	68	Investment revenue	Note 15

