



Portfolio Committee on Communications
Chairperson: Ms JC Moloi-Moropa

Committee Secretary:
Mr Thembinkosi Ngoma
Tel: 021 403 3733
Cell: 083 709 8407
Email: tngoma@parliament.gov.za

23 September 2014

Ms Zandile Ellen Tshabalala
Board Chairperson
South African Broadcasting Corporation

Dear Ms Tshabalala

**RE: UNFAIR TREATMENT BY PORTFOLIO COMMITTEE ON COMMUNICATIONS
VITAE**

Your letter dated 17/09/14 refers.

I confirm that the Committee took a decision to conduct an enquiry in terms of section 15A (1) of the Broadcasting Act, 1999 (Act No. 4 of 1999) into allegation that you misrepresented your academic qualification to the National Assembly and/or the Portfolio Committee on Communications when you were nominated to serve on the South African Broadcasting Corporation (SABC) Board during July 2013.

On 30 July 2014 you were informed in writing of the allegations against you and requested to respond to the allegation by no later than 12 August 2014. You requested an extension date by which to respond, which extension was granted for the submission of your response by no later than 26 August 2014. Needless to state the obvious, you have to date failed and/or refused to furnish the Committee with your written response to our letter of 30 July 2014 or furnish the Committee with proof of your academic qualifications.

Please be advised that the National Assembly and its Committees are constitutionally obliged to conduct its business in an open manner and to hold its meetings in public, unless excluding the public, including the media is reasonable and justifiably in an open and democratic society. As the Committee meeting on 16 September 2014 was an open meeting, the public, including the media, were entitled to attend the Committee meeting. However, the public's presence at the meeting was not at the Committee's invitation as alleged by yourself. Therefore, your accusation that the Committee "arranged for the media to broadcast its discussions on the issue of my qualifications and its recommendations that I should be suspended as Chairman of SABC" lacks the factual basis. Therefore no "malice" on the part of the Committee was intended as suggested by you.

I further confirm the Committee's resolution to request the President of the Republic of South Africa to suspend you from office pending the outcome of section 15A (1) Inquiry.

Please be advised that the President of Republic of South Africa, and not the Committee, is the appointing body with the authority to suspend Board members. It is therefore the appointing body and not the Committee, that is legally obliged to afford you a hearing prior to an intended suspension. Therefore your "demand" to the Committee for a hearing prior the requested suspension by the Committee lacks a legal basis and is misdirected towards the Committee. It is for this reason that the Committee has decided against acceding to your "demand".

I look forward to seeing you at the hearing on Tuesday, 14 October 2014.

Yours sincerely



Ms JC Moloi-Moropa, MP

Chairperson: Portfolio Committee on Communications

Cc Ms B Mbete, MP
Speaker of the National Assembly

Dr RC Lubisi
Director General: Presidency

Ms F Muthambi, MP
Minister of Communications