**MEDIA STATEMENT**

**DEFENCE AND MILITARY VETERANS COMMITTEE WELCOMES NEW MILITARY OMBUD AND IS BRIEFED ON APPROPRIATE INSTITUTIONAL FORM TO ENSURE INDEPENDENCE**

**Parliament, Wednesday, 13 November 2019 –**The Portfolio Committee on Defence and Military Veterans today welcomed the new Military Ombud, Lieutenant General Vusumuzi Masondo, who was officially sworn into office on 8 November 2019. The committee received a briefing on the activities and actions taken by the office of the Military Ombud to determine the most appropriate institutional form to ensure independence.

According to officials, key challenges to the independence of the office include the fact that the Military Ombud Act (MOA) does not expressly state the legal nature of the office. As a result, it has not been defined as a “national public entity” in terms of Section 1 of the Public Finance Management Act. Secondly, the office operates as a unit within the Department of Defence (DOD) with limited institutional independence. Its office budget is located within the DOD, of which the Secretary of Defence is the Accounting Officer.

The committee heard that consultations with the Government Technical Advisory Centre on the best institutional model to give effect to the independence of the office resulted in two, not mutually exclusive, recommendations. The first is to focus on enhancing the autonomy and operational independence of the office by giving the Military Ombud autonomy over certain areas. The second is to classify the office as a Schedule 3A Public Entity, which itself comes with large budgetary implications.

The committee welcomes the progress in enhancing autonomy, which was received through the Minister’s approval for the Military to be delegated certain functions and authority for approval, such as travel, training and human resources, among other things. The Chairperson of the Committee, Mr Cyril Xaba, said: “The budgetary implications and the constraints limited against the classification of the office as a public entity is to be expected, given the economic situation of the country”.

The committee takes cognisance of the opinion provided by Parliament’s legal services, which states that the Act provides sufficient grounds for the independent operations of the Military Ombud. However, there are issues of institutional arrangements that may be undermining the independence of the office. This, legal services said, might not necessarily be issues of legislation, but rather how the Ministry and the Department relate to the office.

Mr Xaba requested that the committee be provided with an analysis of outstanding cases currently being investigated, as well as quarterly reports on this to monitor and ensure that the intentions of the Act are given effect.

Meanwhile, the committee welcomes the promotion of a number of senior generals to key positions in the South African National Defence Force (SANDF). During a ceremony held at the South African Army College in Tshwane on Thursday, 31 October, Major General Rudzani Maphwanya was promoted to Lieutenant-General and appointed as Chief of the SANDF joint operations. Major-General Zola Dabula was promoted to Lieutenant-General and subsequently appointed as Surgeon-General of the South African Military Health Service and Rear-Admiral Elias Kubu was promoted to the rank of Vice-Admiral and subsequently appointed as Chief of SANDF Human Resources. Lieutenant-General Lindile Yam takes over from Lieutenant-General Vusumuzi Masondo as Chief of Staff.

The committee congratulates the generals on their new positions and wishes them well in leading the SANDF.

The committee also extends its appreciation and well wishes to their predecessors who have led the SAND with pride and diligence. These include former Military Ombud, Lieutenant-General Temba Matanzima, former Chief of the SANDF joint operations Lieutenant-General Barney Hlatshwayo, former Surgeon-General Aubrey Sedibe and Lieutenant-General Norman Yengeni, the former Chief of SANDF Human Resources.

**ISSUED BY PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON DEFENCE AND MILITARY VETERANS, MR CYRIL XABA.**