



**MINISTER IN THE PRESIDENCY
REPUBLIC OF SOUTH AFRICA**

Private Bag X1000, Pretoria, 0001; Tel: 012 300 5200 / 021 464 2100

The Honorable NP Mapulane (MP)
Chairperson: Powers and Privileges Committee
Parliament Street
Cape Town
8001

31 May 2021

Dear Chairperson,

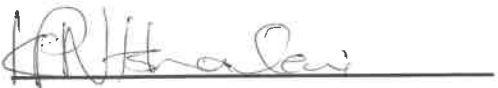
**SUBJECT: ALLEGED MISREPRESENTATION BEFORE PORTFOLIO COMMITTEE –
REPORT ON CIRCUMSTANCES THAT LED TO DR KM MAKHUBELA
LEAVING BRANDSA AS THE CHIEF EXECUTIVE OFFICER (CEO)**

1. Your letter dated 06th May 2021, read with Dr KM Makhubela's letter dated 12th March 2021, refers and the record of events as per the team that supported the late Minister Mthembu is detailed below.
2. Dr Makhubela was appointed as the Chief Executive Officer for Brand South Africa (a schedule 3A entity of the state) from 01 August 2015 to 31 July 2020.
3. The matter was inherited from the previous Ministers of Communications who were overseeing GCIS.
4. In the years 2019 and 2020, the then Minister in the Presidency, the late Mr. Jackson Mthembu, dealt with the matters of the outcome of the disciplinary proceedings against Dr Makhubela, as decided by the Board.
5. The background to the matter is as follows:

- a. The former Board of Trustees did not seek the previous Minister's (Communications) concurrence to proceed with disciplinary processes against the former CEO as per the provisions of the Deed of Trust of BrandSA.
 - b. The former Board of Trustees proceeded with the disciplinary process against the former CEO without giving the former Minister of Communications an opportunity to comprehensively deal with the allegations and the counter-allegations between the former CEO and the former Board of Trustees.
6. The late Minister Mthembu declined to concur to the decision of the current Board of Trustees – wherein they accepted the outcomes of the former Board's disciplinary process and decided to dismiss the former CEO
 7. The Board of Trustees did not have the authority to decide on dismissal without the concurrence of the Executive Authority. The late Minister then engaged with the current Board of Trustees on his non-concurrence and agreed on an amicable way forward.
 8. After this interaction with the Minister, the Board of Trustees started a process to engage with the former CEO on resolving the impasse, but the contract expired on 31 July 2020.
 9. Then Board of Trustee and former CEO then entered into a Mutually Agreed Separation Agreement and did not consider the renewal of his contract due to the envisaged rationalization of Brand SA with Tourism SA and other related entities

I trust you will find this to be in order.

Yours sincerely



Ms Khumbudzo Ntshavheni (MP)
Minister in the Presidency (acting)