

NATIONAL ASSEMBLY

**QUESTION FOR WRITTEN REPLY**

# QUESTION NO. 1899

**DATE OF PUBLICATION: Friday, 16 September 2016**

## INTERNAL QUESTION PAPER 28 OF 2016

**1899. Mr J Selfe (DA) to ask the Minister of Home Affairs:**

(1) What steps has (a) he and/or (b) the Electoral Commission taken to date to (i) implement and (ii) comply with the Public Protector’s recommendations on the Riverside Office Park following the Constitutional Court’s recent affirmation of the Public Protector’s powers;

(2) what is the status of the current legal review of the Riverside Office Park lease before the courts?

 NW2210E

**REPLY:**

**A response as provided by IEC:**

(1)(i-ii) The EC has proceeded with legal action in two respects based on the recommendations made by the PP, namely, instituting disciplinary proceedings against the responsible employees and launching an application to review and set aside the Riverside Office Park lease. Both matters are well under way. The review process is dealt with in the response to part 2 of this parliamentary question. Insofar as the disciplinary proceedings are concerned, disciplinary charges were served on the affected employees on 12 November 2014. The hearing commenced on 29 January 2015. The employees concerned took certain technical issues arising out of their disciplinary process on review to the Labour Court which ruled in favour of the Electoral Commission in 2015. These employees then obtained leave to appeal the Labour Court’s ruling, and all that is awaited now is a date for the hearing of the appeal in the Labour Appeal Court.

(2) There has been a lengthy exchange of affidavits between all the parties involved in the matter in the course of legal proceedings with the volume of documents in excess of 2500 pages. From a procedural point of view the EC has complied with its part and is awaiting Abland’s heads of arguments which is due in the course of next week. Only once the EC has received Abland’s heads of argument can a date be obtained for the hearing. This is in accordance with the practice directives of the High Court. Whilst the EC will procure a date for the hearing in October 2016, it is anticipated the matter will only be set down for hearing in early 2017 as a result of an overly burdened court roll.