

NATIONAL ASSEMBLY

**QUESTION FOR WRITTEN REPLY**

# QUESTION NO. 2128

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## INTERNAL QUESTION PAPER 21 OF 2018

**2128. Mr M Waters (DA) to ask the Minister of Home Affairs**

(1) With regard to his reply to question 839 on 17 April 2018, where he states that the details of the complainant in the matter is currently unknown to the Commission, why did the Electoral Commission of South Africa not file a complaint in relation to the Public Protector’s report;

(2) whether he has found that the Commission complied with section 34 of the Prevention and Combating of Corrupt Activities Act, Act 12 of 2004; if not, how was this conclusion reached; if so, what are the relevant details? NW2283E

**REPLY:**

The question was referred to the Electoral Commission which responded as follows:

1. A hitherto unknown complainant filed a complaint with the Directorate for Priority Crimes Investigations (DPCI). The Commission became aware that a complaint had been lodged whilst it was still considering the report of the Public Protector and when some of its officials were being interviewed as part of the DPCI investigation.
2. Having noted that a complaint had already been laid and that an investigation was already under way, the Commission regarded the reporting required under section 34 of the Prevention and Combating of Corrupt Activities Act (POCCA), Act 12 of 2004 as no longer needing its further consideration as the investigation in terms of section 22 of the POCCA Act had already commenced.