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 **Memorandum from the Parliamentary Office**

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 2340**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 17/08/2018**

**(INTERNAL QUESTION PAPER NO 23 OF 2018)**

**Ms N Nolutshungu (EFF) to ask the Minister of Higher Education and Training:**

(1) (a) What is the total number of instances of corruption at each institution of higher learning in the country that have been reported to her department or which her department has been made aware of by the police in the 2017-18 financial year, (b) what are the reported allegations in each case, (c) was each allegation investigated, (d) what was the outcome of each investigation and (e) what is the name of each person who is implicated;

**NW2517E**

**REPLY:**

1. (a) In terms of South African criminal law, corruption is defined as follows: Anybody who accepts any gratification from anybody else, or offers or gives any gratification (benefit) to anybody else in order to influence the receiver to conduct herself, himself or itself in a way, which amounts to the unlawful or irregular exercise of any duties.

Six cases of corruption at universities were reported to the Department in the 2017/18 financial year. The South African Police Services has not brought any cases to the attention of the Department.

It is important to note that this response does not include a variety of general complaints and allegations received by the Department in 2017/18 against institutions. These complaints are often of a vague nature and do not contain any evidence to support allegations of corruption. Such complaints have been referred to universities to investigate, and they have been requested to provide reports on these matters to the Department.

The details of the cases reported in the 2017/18 financial year are listed below.

| **Institution** | **(b) Cases reported** | **(c) Status of investigation** | **(d) Outcome** | **(e) Person(s) allegedly involved** |
| --- | --- | --- | --- | --- |
| 1. **University of Johannesburg (UJ)**
 | 1. Activities and transactions relating to certain UJ commercial ventures.
 | The University concluded a forensic investigation. | Both persons have left the University. The University has laid criminal charges against the implicated persons and is implementing the recommendations of the forensic report. | The former Chairperson of Council Professor Marcus and the former Deputy Vice-Chancellor: Finance Professor van Schoor. |
| 1. UJ uncovered irregularities with regard to payments made to the President of their Convocation. The President of Convocation was a member of Council at the time and was paid for a service that he did not provide. He also failed to disclose his business interests to the University Council.
 | The University concluded a forensic investigation. | The President of the Convocation resigned from the UJ Council. | Mr Mbali Mkhonto. |
| 1. Improper use of a credit card by the Vice-Chancellor.
 | The University concluded a forensic investigation. | The University is implementing the recommendations of the forensic report. | Former Vice-Chancellor, Prof Ihron Rensburg. |
| 1. **University of Venda (Univen)**
 | 1. During a monitoring visit to Univen at the end of August 2017, the Department discovered that there were a number of abandoned infrastructure projects. The Department queried the reasons for the contractors abandoning the projects, and due to the cost implications and the possibility of corruption allegations, requested Univen to investigate the matter.
 | In October 2017, the Univen Council instituted an independent forensic investigation into the abandoned infrastructure projects. The university has informed the Minister that the results of this investigation are currently being finalised and will be submitted to Council at its next meeting, after which the Minister will be fully informed of the outcome. | Awaiting the forensic report. | Awaiting the forensic report.  |
| 1. In early 2018, the Department was made aware that in 2017, Univen, through its investment company, the Univen Innovate Growth Company (UIGC), entered into various agreements with private companies to develop infrastructure at the university campus in Thohoyandou. Univen did not request Ministerial approval for the proposed developments as is required by Higher Education Act, and there were alleged irregularities in the process.
 | The Minister issued a directive to Univen in terms of section 42 of the Higher Education Act, instructing the Univen Council not to restart the process of procuring or developing any new infrastructure, including through the UIGC. The Minister informed Univen of her intention to appoint an Independent Assessor to undertake an investigation into the affairs of Univen in terms of section 44 of the Act and provided the university an opportunity to respond before acting. | Departmental officials are currently assessing Univen’s response to the Minister’s directive. The Minister will apply her mind to the matter and decide on further action once this assessment is complete. | UIGC, university management and Council. |
| 1. **University of KwaZulu-Natal (UKZN)**
 | 1. UKZN is conducting forensic investigations into admissions fraud at UKZN. This has also been reported to the HAWKS.
 | The investigation is ongoing. | Awaiting the outcome of the investigation. | Awaiting the outcome of the investigation. |