###### National Assembly

###### Question Number: 2704

**Mr M S F de Freitas (DA) to ask the Minister of Transport:**

What are the reasons for not instituting disciplinary action against a certain person (name and details furnished), for contravening the Public Finance Management Act, Act 1 of 1999, as amended, after the specified person was provided with legal opinion by certain attorneys (names furnished);

(2) are there any other recommendations in this regard that his department has acted on; if so, (a) what are the recommendations and (b) in respect of each recommendation, what are the (i) timelines and (ii) deadlines;

(3) are there (a) processes and (b) mechanisms in place to ensure recommendations are executed; if not, why not; if so, what are the relevant details;

(4) (a) which recommendations have not been acted on and (b) what are the reasons? NW3195E

**Answers**

1. I am informed that the furthermore, as the investigations are still underway and in putting the interest of the company first, the Board decided not to put Mr Maseko on suspension, but imposed stringent conditions during this period at work

2. (a)The Board has adopted the findings and recommendations of the Report to conduct further investigations on some of the allegations with a view to institute disciplinary proceedings. Where recommended, the Board is in the process of reporting any criminal acitivity to the South African Police Service. In addition, certain implicated individuals have been placed on suspension pending the said further investigation.

(b) (i) and (ii): The timelines and deadlines for the period of suspension and finalisation of the further investigations is 3 February 2017.

3. (a) and (b): Yes, there are processes and mechanisms in place to ensure recommendations are executed. Furthermore investigations into the recommendations are underway; the process of reporting criminal activity to the South African Police Services is underway and suspension of certain individuals, where warranted, has been executed. The Board has further delegated to some of its members some of the actions to be taken to ensure the execution of the findings and recommendations, subject to due process, and as per applicable legal prescripts.

4. (a) and (b): All recommendations have been adopted by the board save for one part regarding the City Lodge contract of 2007 to discipline the then Tender Board and Executives. The reason being that due to the passage of time, most of the individuals mentioned are no longer in the employ of the company and further, that the reversal of that contract would not be in the interest of the Company, nor will it make commercial sense to do so.