**NATIONAL ASSEMBLY**

**Question N0. 358-2020**

**FOR WRITTEN REPLY**

**Internal QUESTION PAPER NO. 358-2020 DATED: 06 MARCH 2020:**

**“Mrs V van Dyk (DA): to ask the Minister of Sports, Arts and Culture:**

1. Whether a certain person (name and details furnished) resigned from the Pan South African Language Board (PanSALB); if so, what are the relevant details;
2. Whether the specified person was offered a settlement by PanSALB; if so, what are (a) was the reason for the settlement and (b) total amount was paid out;
3. What total amount has PanSALB paid in legal fees over the past five years;
4. What number of (a) disciplinary cases have been opened and (b) the specified cases did PanSALB (i) win and (ii) lose?

**NW513E**

**REPLY:**

1. Yes, the specified person settled to resigned from PanSALB.
2. **(a)** The specified person was facing 18 charges of serious misconduct emanating from Gobodo Forensic Report. His legal representative proposed a settlement in the middle of his disciplinary hearing held on 21st of August 2019, and adjourned for the 26th – 30th August 2019. Although the Board had a strong case, the reason for the consideration of a settlement was solemnly informed by the financial risk appetite conducted on this complex disciplinary hearing of evidence that constituted 8 lever arch files and multiple witnesses amongst whom would be the forensic investigator which would have come at a phenomenal cost. Furthermore, additional costs and time to be consumed in possible escalation of the matter to CCMA and Labour Court were considered. More so, the PanSALB Board was thoughtful that more efforts were necessary in the rebuilding this institution, thus all decisions taken were first and foremost in the best interest of the institution.

**(b)** The above-mentioned settlement agreement is subject to a   
confidentiality clause that states that it cannot be disclosed unless   
the disclosure is to the Registrar, SARS or in terms of the law.

1. The total legal expenditure PanSALB incurred in the past 5 years, that is between 2015 and 2019, is R21 121 557.95. This, as stated above, informed the new Board’s decision to reduce legal costs in any possible way, including through ‘non-financial’ settlements.
2. Since the new Board was appointed five (5) disciplinary cases were opened. (i) Three (3) were won. Two (2) were settled with similar conditions. (ii) No losses to date.