**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 776**

**DATE OF QUESTION: 08 MAY 2020**

**DATE OF SUBMISSION: 22 MAY 2020**

**Mr M Waters (DA) to ask the Minister of Justice and Correctional Services:**

With reference to the reply of the Minister of Employment and Labour to question 1554 on 13 December 2019, regarding a matter referred to the Public Prosecutor in Kempton Park pertaining to asbestos classrooms at the Chloorkop Primary School, what (a) is the status of the matter, (b) is the case number and (c) was the outcome of the matter after it was finalised?

 **NW978E**

**REPLY:**

1. The matter was never reported to the SAPS. Instead, the Department of Labour’s file (19005/27 September 2016) was opened as per the provisions of the Occupational Health and Safety Act. In terms of the Act, Labour inspectors have the power to investigate certain health and safety issues and after completion, submit their findings to the NPA for a decision to prosecute or not.

The NPA became aware of the case when the Principal of Chloorkop Primary School was summoned by the Department of Labour to appear in court in January 2020 on certain Health and Safety provisions. The prosecution was not satisfied with the readiness of the case for enrolment and declined to enroll it.

1. Consequently, there is no case number.
2. The matter is not finalized, the senior public prosecutor has requested submission of the investigation file for a determination on whether or not to prosecute.