

IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA

Case No: 22588/2020

In the matter between:

**Equal Education** **First Applicant**

**School Governing Body of Vhulaudzi Secondary School** **Second Applicant**

**School Governing Body of Mashao High School** **Third Applicant**

and

**Minister of Basic Education** **First Respondent**

**MEC of Education, Eastern Cape** **Second Respondent**

**MEC of Education, Free State** **Third Respondent**

**MEC of Education, Gauteng** **Fourth Respondent**

**MEC of Education, KwaZulu-Natal** **Fifth Respondent**

**MEC of Education, Limpopo** **Sixth Respondent**

**MEC of Education, Mpumalanga** **Seventh Respondent**

**MEC of Education, Northern Cape** **Eighth Respondent**

**MEC of Education, North West** **Ninth Respondent**

**MEC of Education, Western Cape** **Tenth Respondent**

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**FILING NOTICE**

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1. Date on the roll: Not available
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Signed and dated at Pretoria this 3<sup>rd</sup> day of August 2020.



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**PRETORIA**

**And to:       Attorneys for Applicants**  
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MEC of Education, Mpumalanga  
MEC of Education, Northern Cape  
MEC of Education, North West  
MEC of Education, Western Cape

First Respondent  
Second Respondent  
Third Respondent  
Fourth Respondent  
Fifth Respondent  
Sixth Respondent  
Seventh Respondent  
Eighth Respondent  
Ninth Respondent  
Tenth Respondent

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AFFIDAVIT

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I, the undersigned

ONICA DEDEREN

do hereby declare under oath as follows:

1. I am a major female, appointed as the Acting Head of Department of the Limpopo Department of Education, with the address of my office and that of the Department situated at No 113 Biccard Street, Polokwane.
2. The contents of this affidavit fall within my personal knowledge, unless the context indicates otherwise, and are to the best of my belief and knowledge both

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true and correct. I am duly authorised by the MEC of Education, Limpopo to depose to this affidavit and, by virtue of my office, I qualify as a witness.

3. The purpose of this affidavit is to comply with the order of the Honourable Court made on 17 July 2020 in paragraph 103.11 of the judgment delivered on the same date, namely, that the MEC must within 10 days file this affidavit this Court under oath, and provide a copy to the applicants, on the plan and programme which the MEC will implement without delay so as to comply with the duties of the MEC, and which address the following matters:
  - 3.1 in respect of each school under the jurisdiction of the MEC, when all of the qualifying learners will receive a daily meal under the NSNP, whether they are attending school or studying away from school as a result of the Covid-19 pandemic;
  - 3.2 what steps the MEC has ~~have~~ taken to achieve that;
  - 3.3 what further steps the MEC will take to implement that plan and programme; and
  - 3.4 when they will take each such step.
4. The steps that will be taken by the MEC to ensure that all qualifying learners will be provided with food under the NSNP during this State of Disaster are as



follows:

- 4.1 Starting from 08 June 2020, 196 028 learners were served meals at school when grade 7 and 12 were re-introduced to school.
- 4.2 Meals were served during feeding times as stipulated in the ~~in the~~ NSNP policy and guidelines.
5. The further steps to be taken by the MEC in this regard are as follows:
  - 5.1 On 25 June 2020, preparations to feed 240 386 learners in grade 6 and 11 was made together with all grades who were yet to be phased.
  - 5.2 Some school started feeding on 25 June whereas the majority of schools started with effective feeding on 01 July 2020.
  - 5.3 This arrangement was done to accommodate all learners qualifying under the NSNP.
  - 5.4 All qualifying learners who cannot reach the school because of transport problems, will on 27 and 30 July be assisted with a learner transport service to reach their institution to receive a cooked meal.
  - 5.5 From 1 August 2020, learners in this category will receive food hampers

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for the month at school.

- 5.6 The School Governing Bodies will, together with all relevant structures such as Ward Councilors, ward committees, parents and social workers in the communities, create a workable plan to assist in distribution of food hampers to the relevant beneficiaries.
  - 5.7 Foodstuff was delivered at school for all learners. School were advised to serve learners meal at school, monitored by teachers and Voluntary Food Handlers. Schools were also advised to provide workable arrangement to provide meals to learners who are staying in the far-flung areas through a repackaged food items.
  - 5.8 Parents were requested and urged to collect food hampers for their children for control purposes.
6. With regard to when the MEC will take these steps:
- 6.1 the NSNP has started on 08 June 2020 and is ongoing, having been rolled out to all qualifying learners;
  - 6.2 a media statement has been released to all media houses in the Province, both public and commercial, to communicate the content of Circular No 119, instructing schools to continue serving qualifying

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learners with meals at school during the break and after the school break;

6.3 parents were urged to assist qualifying learners in collecting the food hampers;

6.4 learner transport services are already also assisting those learners in farflung areas;

6.5 during a radio interview with a regional radio station on Monday, 27 July 2020, parents and learners were again encouraged to continue collecting food at school.



Deponent: O Dederen

I certify that the Deponent acknowledged that she knows and understands the contents of this affidavit, that she has no objection to the making of the prescribed oath and that she considers this oath to be binding on her conscience. I also certify that this affidavit was signed in my presence at POLOKWANE on this 03 day of August 2020 and that the Regulations contained in Government Notice R1258 of 21 July 1972, as amended by Government Notice R1648 of 19 August 1977, have been complied with.

COMMISSIONER OF OATHS

FULL NAMES:

STREET ADDRESS:

CAPACITY:

AREA:

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