

**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

FILING NOTICE

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|-----------|--------------------------|---|
| 1. | Date on the roll: | Not available |
| 2. | Document filed: | Affidavit for Eight Respondent |
| 3. | Filed by: | Office of State Attorney: Pretoria |

Signed and dated at Pretoria this 3rd day of August 2020.



Ms P Khosa
Attorney for Respondent
Office of State Attorney: Pretoria
Ground Floor, SALU Building
No 316 Thabo Sehume Street
PRETORIA
Tel: 012 309 1629/1523
Cell: 067 906 1154/076 951 9352
Fax: 086 4673 908
E-mail: PrKhosa@justice.gov.za

To: The Registrar of the High Court
Gauteng Division
PRETORIA

And to: Attorneys for Applicants
Section 27
First Floor, South Point Corner
87 De Korte Street
Braamfontein
JOHANNESBURG
Tel: 011 356 4100
E-mail: [stevenson@section 27.org.za](mailto:stevenson@section27.org.za)

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

AFFIDAVIT

I, the undersigned

ONEWANG MOGATLE

do hereby declare under oath as follows:

1. I am a major male, appointed as the Director of Legal Services for the Northern Cape Department of Education, with the address of my office and that of the Department situated at No 156 Barkly Road, Kimberley.
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, Northern Cape 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. I report as follows on the plan and program of the Provincial Department for the continued feeding of qualifying learners under the NSNP during the break.

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- 4.1 Circular 28 of 2020 was issued to remind school principals and the relevant support staff to report daily at school so as to prepare and cook for learners during the break. This was implemented on 27 July 2020.
- 4.2 Flyers were distributed to remind beneficiaries and schools that cooked meals and/or a food parcel could be collected at all participating schools. This was implemented on 28 July 2020, and a further round of cluster meetings at districts are planned for 3 August 2020 in order to monitor the situation.
- 4.3 Correspondence was directed to the individual parents and/or guardians, requiring their formal consent for their children to collect meals at school. This was implemented on 30 July 2020.
- 4.4 On 30 July 2028 a community announcement was made on local radio stations regarding the arrangements for the collection of meals at school (similar to the community announcements that were made on the local radio stations between 19-23 June 2020).
- 4.5 On 2 August 2020, a press conference is to be held during which it is expected that an opportunity for questions and answers be given and where and update on education matters will be given.
- 4.6 A daily advertisement plan is proposed to inform qualifying learners of the

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arrangements to collect meals and/or food parcels from school during the break period, with the Department of Basic Education to liaise with the National Television Station in this regard. The target date for this proposal is 3 August 2020.


Deponent: O Mogatle

I certify that the Deponent acknowledged that he knows and understands the contents of this affidavit, that he has no objection to the making of the prescribed oath and that he considers this oath to be binding on his conscience. I also certify that this affidavit was signed in my presence at Kimberley on this 3rd 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:

LULAMA GIDEON LOBI

Commissioner of Oaths
Practising Attorney RSA

LULAMA LOBI INC.

28 St Cyprian Street
KIMBERLEY NORTH