

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

Case No: 22588/2020

In the matter between:

EQUAL EDUCATION 1st Applicant

**THE SCHOOL GOVERNING BODY OF
VHULAUDZI SECONDARY SCHOOL** 2nd Applicant

**THE SCHOOL GOVERNING BODY OF
MASHAO HIGH SCHOOL** 3rd Applicant

and

MINISTER OF BASIC EDUCATION 1st Respondent

MEC EDUCATION, EASTERN CAPE 2nd Respondent

MEC EDUCATION, FREE STATE 3rd Respondent

MEC EDUCATION, GAUTENG 4th Respondent

MEC EDUCATION, KWAZULU-NATAL 5th Respondent

MEC EDUCATION, LIMPOPO 6th Respondent

MEC EDUCATION, MPUMALANGA 7th Respondent

MEC EDUCATION, NORTHERN CAPE 8th Respondent

MEC EDUCATION, NORTH WEST 9th Respondent

MEC EDUCATION, WESTERN CAPE 10th Respondent

CHILDREN'S INSTITUTE *Amicus curiae*

**AFFIDAVIT IN TERMS OF PARAGRAPH 103.12 OF THE ORDER OF
COURT: NORTH WEST DEPARTMENT OF EDUCATION**



I, the undersigned,

JOHANNES NKHONO MOHLALA

hereby declare under oath as follows:

1

1.1 I am a major male, appointed as Administrator for the North West Department of Education, in terms of Section 100(1)(b) of the Constitution of the Republic of South Africa, 1996.

1.2 My office is situated at Second Floor, Garona Building, Mmabatho.


1.3 The facts deposed to herein are within my person knowledge, save where otherwise stated, and are true and correct.

2 The purpose of this Affidavit is to report back to the above Honourable Court in terms of paragraph 103.12 of the Order of the above Honourable Court dated 17 July 2020.


3 In respect of the steps that the Provincial Education Department ("PED") has taken, I first of all refer the above Honourable Court to the previous Affidavit filed on behalf of the PED, dated 31 July 2020.



- 4 In respect of the number of learners fed, I refer the above Honourable Court to an update as contained in a report, consisting of one page, annexed hereunto as annexure "JM1".
- 5 In respect of the remainder of the feedback, I annex hereunto a further report, under the heading **NORTH WEST RESPONSE TO SECTION 27 LETTER DATED 18 AUGUST 2020**, which I annex hereunto as annexure "JM2".
- 6 In order to improve the provision of nutritional meals to learners, I refer the above Honourable Court to the monitoring tool, which is implemented by the North West Department of Education, which I annex hereunto as annexure "JM3".


DEPONENT

SIGNED and sworn to before me at Midrand SAPS on the 27 day of August 2020, the deponent having acknowledged that he/she knows and understands the contents of this affidavit and all the provisions of Act 16 of 1963 and the Regulations promulgated in terms thereof concerning the taking of the oath having been complied with in my presence and within the area for which I have been appointed as Commissioner of Oaths.


Themina Makharang Malutaka

COMMISSIONER OF OATHS

Capacity: constatable

Full names: Themina Makharang Malutaka

Physical address: CNR omuto and grade close
Halfway Gardens
Midrand

SOUTH AFRICAN POLICE SERVICE	CLIENT SERVICE CENTRE	MIDRAND	127 AUG 2020	SUID AFRIKAANSE POLISIEDIENS
------------------------------	-----------------------	---------	--------------	------------------------------