

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

Case No: 22588/2020

In the matter between:

<b>EQUAL EDUCATION</b>	1 <sup>st</sup> Applicant
<b>THE SCHOOL GOVERNING BODY OF VHULAUDZI SECONDARY SCHOOL</b>	2 <sup>nd</sup> Applicant
<b>THE SCHOOL GOVERNING BODY OF MASHAO HIGH SCHOOL</b>	3 <sup>rd</sup> Applicant

and

<b>MINISTER OF BASIC EDUCATION</b>	1 <sup>st</sup> Respondent
<b>MEC EDUCATION, EASTERN CAPE</b>	2 <sup>nd</sup> Respondent
<b>MEC EDUCATION, FREE STATE</b>	3 <sup>rd</sup> Respondent
<b>MEC EDUCATION, GAUTENG</b>	4 <sup>th</sup> Respondent
<b>MEC EDUCATION, KWAZULU-NATAL</b>	5 <sup>th</sup> Respondent
<b>MEC EDUCATION, LIMPOPO</b>	6 <sup>th</sup> Respondent
<b>MEC EDUCATION, MPUMALANGA</b>	7 <sup>th</sup> Respondent
<b>MEC EDUCATION, NORTHERN CAPE</b>	8 <sup>th</sup> Respondent
<b>MEC EDUCATION, NORTH WEST</b>	9 <sup>th</sup> Respondent
<b>MEC EDUCATION, WESTERN CAPE</b>	10 <sup>th</sup> Respondent
<b>CHILDREN'S INSTITUTE</b>	<i>Amicus curiae</i>

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

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*H.M.M.*

*[Signature]*

I, the undersigned,

**JABULANI ROLLAND NKOSI**

hereby declare under oath as follows:

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1.1 I am a major male, Acting Head of the Mpumalanga Department of Basic Education.

1.2 My office is situated at Ikhamanga Building, Government Boulevard, Riverside Park, Mbombela.

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

1 This is a further Affidavit, reporting back to the above Honourable Court in terms of paragraph 103.12 of the Order dated 17 July 2020.

2 I also refer to the previous affidavits filed by the Mpumalanga Department of Education.

3 A total number of 915,533 (nine hundred and fifteen thousand five hundred and thirty-three) learners qualify for the NSNP. The total number, namely 915,533 (nine hundred and fifteen thousand five hundred and thirty-three) received meals at school in Mpumalanga as at 11 September 2020.

*H.M.N.*



- 4 Learners in all grades, both primary and secondary schools have since returned to their respective schools as from 31 August 2020.
- 5 Schools however do experience challenges in terms of learning spaces, namely the shortage of classrooms and that physical distancing cannot be always observed. As a result schools have revisited their time tables so that learners come to school on alternative days, or weeks in some instances.
- 6 To be consistent in terms of providing meals under these challenging circumstances, the Provincial Department of Education adopted the following approach:
  - 6.1 Meals are provided to learners attending school on alternative days (rotational basis);
  - 6.2 The learners are therefore provided with meals on the days that they are physically present at school, which normally equates to 10 days in September 2020;
  - 6.3 The same group of learners are provided once off with food parcels to cater for the other 11 days during December 2020;
  - 6.4 In respect of learners attending school on alternative weeks, the same principle applies.

Hmm



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**DEPONENT**

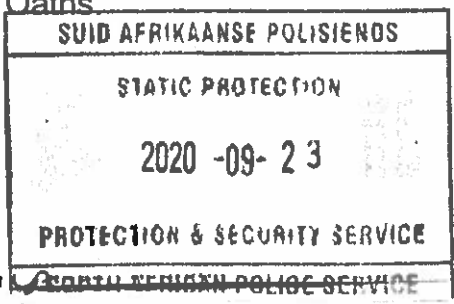
SIGNED and sworn to before me at HELSPRUIT on the 23<sup>rd</sup> day of SEPTEMBER 2020, the deponent having acknowledged that he/she knows and understands the contents of this affidavit and all the provisions of Act 16 of 1963 and the Regulations promulgated in terms thereof concerning the taking of the oath having been complied with in my presence and within the area for which I have been appointed as Commissioner of Oaths

[Signature]  
7046451  
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COMMISSIONER OF OATHS

Capacity: SERGEANT

Full names: H.M. MASASU



Physical address: no 17 51 BLU ROAD GOVERNMENT COMPLEX  
BLD NO: 8 LOWIE SPOND  
RIVERSIDE PARK X 2  
HELSPRUIT.

HMM