

**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: GAUTENG DEPARTMENT OF EDUCATION**

I, the undersigned,

LEHLOHONOLO MAGQOKI

hereby declare under oath as follows:

1

1.1 I am a major male, Director for School Nutrition of the Department of Basic Education.

1.2 My office is situated at 6 Hollard Street, Talis Building, Johannesburg.

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

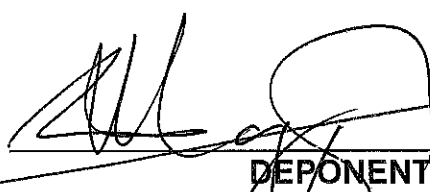
2 This is a further Affidavit, reporting back to the above Honourable Court in terms of paragraph 103.12 of the Order dated 17 July 2020.

3 I also refer to the previous affidavits filed by the Gauteng Department of Education.

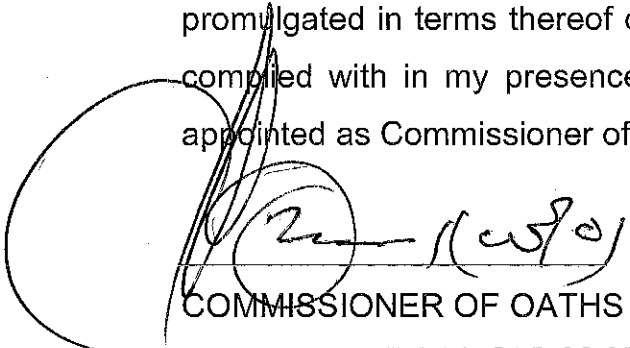
4 Up and until 11 September 2020 a total number of 1,513,641 (one million five hundred and thirteen thousand six hundred and forty-one) learners were provided with cooked meals. The Provincial Department provides equitable share for quintile four and five schools, and included the learner numbers provided with meals in these schools.

5 The COVID-19 pandemic has prompted the Provincial Department to change its standard operating procedures in respect of the NSNP to prevent and manage the spread of the virus at schools. The NSNP has been effected in three areas of operations, namely the serving of the meals, food preparation, delivery and the transport of food.

6 In terms of the learner numbers to qualify to be provided meals in terms of the NSNP, namely 1,545,562 (one million five hundred and forty-five thousand five hundred and sixty-two) the Provincial Department is furnishing almost all qualifying learners with meals.


DEPONENT

SIGNED and sworn to before me at JHB CENTRAL on the 22 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.


COMMISSIONER OF OATHS

Capacity: **ABSALOM V. KUMALO**
SERVICE No: 0454533-8
Full names: WARRANT OFFICER
JHB CENTRAL SAPS
1 COMMISSIONER STREET
Physical address: TEL: (011) 497-7184
CELL: 078 614 1985

SOUTH AFRICAN POLICE SERVICE
COMMUNITY SERVICE CENTRE
2020 -09- 22
JOHANNESBURG CENTRAL
SUID AFRIKAANSE POLISIEDIENS