

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

Case No: 22588/2020

In the matter between:

EQUAL EDUCATION	1 st Applicant
THE SCHOOL GOVERNING BODY OF VHULAUDZI SECONDARY SCHOOL	2 nd Applicant
THE SCHOOL GOVERNING BODY OF MASHAO HIGH SCHOOL	3 rd Applicant

and

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

**AFFIDAVIT IN TERMS OF PARAGRAPH 103.12 OF THE ORDER OF COURT:
KWAZULU-NATAL DEPARTMENT OF EDUCATION**



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I, the undersigned,

ENOCK VUSUMUZI NZAMA

hereby declare under oath as follows:

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1.1 I am a major male, Head of the Department of the KwaZulu-Natal Department of Education.

1.2 My office is situated at 247 Burger Street, Anton Lembebe Building, Pietermaritzburg.

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 KwaZulu-Natal Department of Education.

3 As at 11 September 2020 a total number of 1,785,041 (one million seven hundred and eighty-five thousand and forty-one) learners receive meals in terms of the NSNP. This is out of a total number of 2,292,896 (two million two hundred and ninety-two thousand eight hundred and ninety-six) learners qualifying for the NSNP.

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4 While all the grades have since been phased-in by end of August, it can be noted that not all the learners are attending school every school day. There are many reasons for such non-attendance which include but not limited to the following:

4.1 Learners exempted from attending school for the rest of the year due to Covid-19 pandemic;

4.2 Learners attending schools on a rotation basis as part of maintaining social distancing by schools that do not have sufficient space to accommodate all the learners; and

4.3 Learners absent from schools for various unknown reasons.

5 In order to allow the maximum number of learners to receive meals in terms of the NSNP the following options are being followed and will still be applicable for making the meals and/or food accessible to all learners qualifying for the NSNP:

5.1 Option 1: Learners attending school to be provided with a cooked meal at school;

5.2 Option 2: Learners not attending school on account of being exempted or rotational basis - to be provided with a cooked meal at school;



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- 5.3 Option 3: Learners not attending school on account of being exempted or rotational basis - parents to collect a cooked meal at school on behalf of the learners;
- 5.4 Option 4: Learners not attending school on account of being exempted or rotational basis - to collect food parcel at school on a weekly or monthly basis;
- 5.5 Option 5: Learners not attending school on account of being exempted or rotational basis - parents to collect food parcel at school on behalf of the learners on a weekly or monthly basis;
- 5.6 Option 6 (Other): Learners not attending school on account of being exempted or rotational basis to be provided with NSNP food through other means that may be deemed suitable by the school concerned.

SIGNED and sworn to before me at PMB on the 29th 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

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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:

Full names:

Physical address:

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COMMISSIONER OF OATHS
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