



THE PRESIDENCY: REPUBLIC OF SOUTH AFRICA

Private Bag X1000, Pretoria, 0001

Our ref: 7/5/1- Thelma Melk

Mr Senkhu Maimane
South African History Archive
P.O. Box 31719
BRAAMFONTEIN
2017

Per fax/e-mail 011 717 1964 / info@saha.org.za

Dear Mr Maimane,

SAHA/REQUEST FOR ACCESS TO THE RECORDS IN TERMS OF PROMOTION OF ACCESS TO INFORMATION ACT, ACT 2 OF 2000

1. Your request for access, dated 5 June 2012, to following records:

- 1.1. **The resignation letters of six (6) SABC Board Members that have resigned since 2010 to date;**
- 1.2. **The minutes pertaining to the resignations of six (6) SABC Board Members those have resigned since 2010 to date;**

refers.

2. After due consideration of your request, I advise as follows:

3. The Presidency, acting in terms of section 48 of PAIA, notified the six (6) SABC Board members of the request for access to their resignation letters and of the Presidency's intention to release same.
4. Five (5) of the six (6) SABC Board members consented to their resignation letters to be release. One of the Board members who was given notice in terms of section 48 of the Act objected to the release of the resignation letter.
5. In light of the above I hereby advise that the resignation letters of the five (5) consenting SABC Board members are herewith attached.
6. The resignation letter of the member who has lodged an Appeal will be withheld pending the outcome of the Appeal.
7. As advised, the minutes of Board meetings are not in the possession of or within the control of the Presidency.

8. You are informed of your right to lodge an internal appeal with the Relevant Authority in terms of section 74 read with section 75 of PAIA.

Yours faithfully,



Dr Batandwa Siswana
Deputy Information Officer

Date: 19/11/2012



The Chairman

Dr. Ben Ngubane

SABC Board

Date: 1st August 2010

Dear Dr. Ngubane,

I am resigning from The SABC Board with effect from 1st August 2010, cognisant of the three month notice period.

Over recent months, many reasons have converged to force my decision. The latest reason is the circumstances surrounding the process leading to the announcement and irregular appointment of the GE – News and Current Affairs.

As part of the interviewing panel, my views were not taken into consideration in respect of the evaluation of the candidates. In retrospect the whole process was forced to realise a pre-conceived result.

I abstained from the subsequent scoring because I believe that the interview panel had been compromised and the process tainted by two members of the five member panel. I was not able to exercise my unfettered discretion.

As the preferred candidate had already concluded a contract of employment with The SABC, the evaluation process and my scoring would have been rendered post facto and therefore a futile exercise. The Chairperson and the CEO had already proceeded in contravention of The Board Resolution and the Memorandum and Articles of Association. Relevant information had been deliberately withheld from the Board.

I recognise that given the present operational conditions at the SABC, which have led to the R1.473bn Government Guarantee to meet the Corporation's financial exigencies, any Board would be faced with formidable challenges. Among these challenges are:

- An entrenched culture that has defied genuine transformation;
- A crisis management style characterised by non-compliance with corporate governance;
- Management control by excessive, unprocessed and tardy documentation;

- A selective approach to the complexities of modern day broadcasting which divorces the core service of content over production and programming from its financial imperatives and;
- Management by sub-committee.

We have lurched on from one crisis to another, relegating corporate governance to the bottom of the pile, thus operating without instituted regulation to govern our own behaviour as a Board.

Aware of the crippling debt to the Public Purse we have not moved an iota to address the excessive wage bill.

Sadly our own internal debates as a Board have taken precedence over our responsibility to the public audience, the majority of who depend on the SABC as their sole access to information.

I take full responsibility for the failure to address the substantial problems of the SABC while tinkering with the entrenched formalities.

Ultimately, my decision comes with deep anguish and disappointment. I have not been able to live up to expectations of those who nominated me, neither have I been able to live up to the honour of my appointment.

Shasekela

Barbara Masekela

101 Riviera Mansions,

11 Main Avenue,

Riviera, 2193.



E-mail: Mbatiajn@sabc.co.za

www.sabc.co.za

From: Cliff Motsepe [<mailto:cliffmotsepe@gmail.com>]
Sent: 26 March 2012 11:45 AM
To: Jane Mbatia
Subject: Resignation as a board member

President of RSA

Private Bag X 1000

Pretoria

0001

Sir

Re: Resignation as a board member of SABC



I would like to take this opportunity to thank you for the confidence you have shown in me by appointing me as a board member of the South African Broadcasting Corporation (SABC).

I hereby resign as a board member of the SABC.

I wish to state that, although I have to serve a three months' notice, I can be available for board activities only until 13 April 2012

The reason for my resignation is that I have been appointed as a Member of Executive Council (MEC) in the Limpopo Province. I would like to take this opportunity to sincerely thank the President of RSA for the confidence he had in me.

I would like to thank all Ministers who presided over the corporation in the last two years and in particular Hon. Dina Pule for her unparalleled and decisive leadership. Many thanks to colleagues in the board under the capable leadership of Dr. Ben Ngubane. I learned a lot from their robust and frank engagements.

Thanks to the staff members of the Corporation who were always available when I needed their support.

Yours sincerely,



Clifford Motsepe

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David Nkomo

71 Highland Road, Kensington 2094, Johannesburg, Gauteng

13 October 2010

The Hon President Jacob Zuma
The President of the Republic of South Africa

Resignation as a director of the SABC

Mr President

I hereby tender my resignation with immediate effect as a director of the South African Broadcasting Corporation (SABC), cognisant of my statutory obligation to serve notice of three months. My last day in office will be 12 December 2010.

I thank you for the faith and trust placed in me and the honour afforded me through my appointment.

I submit this resignation with a deep sense of regret, but believe resignation is the only reasonable option for the non-executive directors appointed in January in their nine months in office, the current Board of Directors has comprehensively failed to discharge its statutory responsibility to ensure that the SABC meets the broadcasting needs of all South Africans, and particularly of the millions of South Africans who, for reasons of historical inequality, depend exclusively upon its radio and television services. Under the prevailing circumstances, I believe continued participation on the board is an exercise in futility. Without wishing to excuse the board or otherwise deny directors' collective statutory and political responsibility for the failure to address the SABC's many shortcomings, I believe the failure was largely a consequence of factors beyond the board's control. Primary among these has been a comprehensive and sustained failure of oversight by the organs charged in law with this function, and specifically the executive authority, that is the Minister of Communications.

The effect of this failure of oversight has been to comprehensively undermine the ability of a board, already facing unusual and major challenges, to properly and effectively fulfil its fiduciary and other statutory responsibilities. This has been compounded by a corresponding failure by the Parliamentary Portfolio Committee on Communications (PCC) to exercise full oversight over both the SABC and the Minister and Department of Communications, both of which fall under its remit.

The resignations of directors – of which I am the fourth – are all a consequence of this failure of oversight. It is to be noted that all directors who have resigned are active members of the African National Congress (ANC). Their resignations can therefore not be characterised as arising from party-political differences or from what the media consistently and inaccurately describes as resistance by the board of attempts by the Minister to establish ANC control over the SABC. The resignations are, rather, a consequence of frustration over the board's inability to resolve the challenges facing the SABC and a corresponding frustration over the refusal of the state and legislative organs charged with oversight and support to provide such support.

While the board collectively and directors individually must accept responsibility for their failure over the past nine months, I believe the circumstances under which they have operated made such

failure virtually inevitable. Under circumstances in which the board was denied the support it needed through the means prescribed by statute, I believe it is inevitable that proper governance procedures would come under pressure and, eventually, begin to crack. Nearly six months after the board first approached the Minister for support in addressing the related issues of multiple breaches of law by the chief executive officer and the chairperson, this is precisely what has begun to happen.

In closing, I wish to state my continued support for and commitment to public broadcasting in South Africa generally, and to the SABC in particular. I intend to retain my interest and involvement in public broadcasting through the ANC and Alliance structures, and to submit proposals to the planned ANC conference on public broadcasting flowing from resolutions of the September 2010 NGC.

I appeal to you, as the President and as the ultimate executive and political authority, to consider intervening to protect the SABC and to ensure that directors are individually and collectively able to fulfil the duties and responsibilities for which you appointed them. I make this appeal mindful of your extremely busy schedule. Should you wish it, I and, I am sure, the other directors who have resigned, will make themselves available for exit interviews, or for informal discussions on the lessons learned over the past nine months.

Yours respectfully



David Niddrie



COPY

FELLENG SEKHA
P.O. Box 782534, Sandton, 2146

Gen (Ret) Siphwe Nyanda, MP
Minister of Communications
Ministry of Communications
Private Bag X860
Pretoria
0001

13th September 2010

RESIGNATION FROM THE BOARD OF THE SOUTH AFRICAN BROADCASTING CORPORATION (SABC)

Dear Minister Nyanda,

Please accept this as notice of my resignation from the board of the SABC, with effect from the 13th September 2010, in accordance with the provisions of section 15 (2) of the Broadcasting Act (Act No 4 of 1999) as amended.

My decision to resign is informed by the fact that circumstances prevailing in the Board make it impossible for me properly to discharge my fiduciary duties and statutory obligations. The majority of the members of the Board have repeatedly attempted to raise and address these problems through appropriate channels, but these attempts have been to no avail.

This has been a difficult decision and has been reached after much deliberation, pursuant to which I have been driven to the conclusion that it would be inappropriate for me to remain in office in circumstances where there appears to be no reasonable prospect that the problems referred to above will be remedied in the foreseeable future. I am sad to have to leave the SABC under such circumstances.

I am grateful to have had the opportunity to serve the country in this capacity, for which I thank you.

Sincerely yours,


Felleng L. Sekha

Peter Harris
P O Box 413460
Craighall
2024

30 June 2011

The Honourable Jacob Zuma
President of the Republic of South Africa
Union Buildings
Government Avenue
Pretoria

AND TO:
The Minister of Communications
IParioli Office Park
399 Duncan Street
Hatfield
Pretoria

AND TO:
Dr B Ngubane
Chairperson
South African Broadcasting Corporation
Radio Park
Henley Road
Auckland Park



Dear Mr President

Re: RESIGNATION AS A NON-EXECUTIVE DIRECTOR OF THE SABC

It is with regret that I have to inform you of my resignation as a non-executive member of the Board of Directors of the South African Broadcasting Corporation (SABC). This resignation from the Board and all of its sub-committees is with immediate effect.

When I was appointed to the Board of the SABC, I viewed it as a great honour and made a firm commitment to serve the interests of the public broadcaster with dedication and integrity.

Over the last few months I have given serious thought to resigning from the Board. The primary reason I have remained is that I believe I have a duty to do all in my power to address the numerous issues and challenges facing the SABC.

I believe that the SABC has made great progress in addressing the numerous challenges it faces, particularly in relation to very significantly reducing the deficit that we, as a Board, inherited when we came into office in January 2010. In addition, the restructuring process is well underway and I do

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believe that the turn-around strategy is a world class strategy which, if the Board is allowed to implement it, will address many of the challenges which it has faced historically.

I have scrupulously fulfilled my Board and sub-committee obligations.

I have resisted setting out in detail the concerns which I have in relation to certain areas of the functioning of the Board, including its interaction with the Ministry and the intolerable interference from the Ministry in the affairs of the Board.

As you will be aware, the Board has been operating under immense pressure since the resignation of four members of the Board in the latter part of 2010. The appointment of the directors by the President has now taken place and therefore my resignation should not hinder the operations of the Board in terms of its quorum.

I am aware that I am required to give three months' notice in terms of the Broadcasting Act 4 of 1999, however, the position of the Presidency in relation to the resignation of directors who resigned in 2010 was that their resignation should be immediate. I therefore request that my resignation should be with immediate effect. If however you would like me to serve my three months' notice period, please do not hesitate to let me know.

Yours sincerely



PETER HARRIS

