

COURT ONLINE COVER PAGE

IN THE HIGH COURT OF SOUTH AFRICA
Gauteng Division, Pretoria

CASE NO: 2025-240916

In the matter between:

ORGANISATION UNDOING TAX ABUSE Plaintiff / Applicant / Appellant
NPC

and

**MINISTER OF HIGHER EDUCATION AND
TRADING, MEMBERS OF THE INSETA
ACCOUNTING
AUTHORITY, DEPARTMENT OF HIGHER
EDUCATION, INSURANCE SECTOR
EDUCATION AND TRADING
AUTHORITY, IGNATIA GUGU MKHIZE**
Defendant / Respondent

Notice of Motion

NOTE: This document was filed electronically by the Registrar on 10/12/2025 at 5:27:19 AM South African Standard Time (SAST). The time and date the document was filed by the party is presented on the header of each page of this document.



ELECTRONICALLY SIGNED BY:

Registrar of High Court of South
Africa , Gauteng Division, Pretoria

IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

Case No: _____

In the matter between

ORGANISATION AGAINST TAX ABUSE NPC

Applicant

(Registration no: 2012/064213/08)

and

**MINISTER OF HIGHER EDUCATION AND TRAINING**

First Respondent

MEMBERS OF THE INSETA ACCOUNTING AUTHORITY

Second Respondent

**DEPARTMENT OF HIGHER EDUCATION
AND TRAINING**

Third Respondent

**INSURANCE SECTOR EDUCATION AND
TRAINING AUTHORITY**

Fourth Respondent

IGNATIA GUGU MKHIZE

Fifth Respondent

NOTICE OF MOTION

TAKE NOTICE that the applicant intends to make application for an order in the following terms:

1. Reviewing and setting aside the second respondent's recommendation that the fifth respondent be appointed as the fourth respondent's Chief Executive Officer (CEO) for a further 5-year term.
2. Declaring that the first respondent's decision to appoint the fifth respondent as the fourth respondent's CEO for a further term is invalid and unconstitutional.
3. That the decision taken by the first respondent to reappoint the fifth respondent as the second respondent's CEO is reviewed and set aside.

4. That the second respondent initiate and follow a new transparent process for the nomination of a new CEO to the first respondent as contemplated under section 13B of the Skills Development Act, No. 97 of 1998, read with Regulations for the Conditions of Service and Appointment of the CEO.
5. The first, second and fourth respondents, jointly and severally, are ordered to pay the costs of this application on the on a party and party scale, including the costs of counsel on scale C.
6. Further and/or alternative relief.

TAKE NOTICE FURTHER that the first to fourth respondents are called upon, in terms of Uniform Rule of Court 53(1)(a), to show cause why the decision taken by the first respondent and recommendations made by the second respondent referred to above should not be reviewed, declared constitutionally invalid and set aside.

TAKE NOTICE FURTHER that the first to fourth respondents are hereby called upon to dispatch within 15 (fifteen) days after receipt of this notice of motion, to the Registrar of the above honourable Court:

- a) all records, including internal memoranda, recommendations, delegations of authority from the Accounting Authority to the CEO, records of the recruitment process followed by the AA, the CEO's job specification and her appointment letters, CEO's performance contract, relevant directives, relevant policy documents, records of deliberations, records of recommendations, records of decisions, minutes of meetings and any other documents relating to the entire process of recruiting and reappointing the fifth respondent as the fourth respondent's chief executive officer;
- b) such full reasons for the decision referred to above, as the first respondent can give in relation thereto, and
- c) to notify the applicant that it has done so and to fully comply with Rule 53(1)(b) of the High Court Rules.



TAKE FURTHER NOTICE that the facts and circumstances upon which the applicant relies to have the decision set aside appear from the affidavit deposed to by Stefanie Fick attached hereto.

TAKE FURTHER NOTICE that the applicant may, within 10 days after the Registrar of this Court has made the record filed by the first to fourth respondents available to them, amend, add to or vary the terms of this notice of motion and supplement same with a supporting affidavit.

TAKE FURTHER NOTICE that if the first to fifth respondents desire to oppose the granting of the order prayed in this notice of motion, it shall:

- a. within 15 days after receipt by them of this notice of motion or any amendment thereof in terms of Rule 53(4), deliver to the applicant a notice stating that they intend to oppose the relief sought in this notice of motion and shall in such notice appoint an address within 15 kilometres of the office of the Registrar of this Court at which they shall accept notice and service of all process in these proceedings; and
- b. within 30 days after the expiry of the time referred to in Rule 53(4), deliver any affidavits they may desire to deliver in answer to the allegations made by the applicants in these proceedings.



TAKE NOTICE FURTHER that the applicant appoints as its attorneys the attorneys whose address is set out hereunder, at whose offices it shall accept notice and service of all process in these proceedings.

TAKE FURTHER NOTICE if no such intention to oppose is given, the application will be set down for hearing at a date and time to be arranged with the Registrar of the above honourable Court.

Kindly enrol this application accordingly.

Signed at Pretoria on this 3rd day of December 2025

Jennings
 JENNINGS INCORPORATED
 ATTORNEYS FOR THE APPLICANT

56 JEROME ROAD
 LEOPARD COURT
 GROUND FLOOR
 LYNNWOOD GLEN
 PRETORIA

Tel: 012 110 4442

Ref: A Jennings/OUT44

Email: [REDACTED]



**TO: THE REGISTRAR OF THE HIGH COURT GAUTENG DIVISION,
 PRETORIA**

AND TO: MINISTER OF HIGHER EDUCATION AND TRAINING

The First Respondent

123 Francis Baard Street

Pretoria

c/o State Attorney, Salu Building

316 Thabo Sehume Street

Pretoria

Service by Sheriff

AND TO: MEMBERS OF THE INSETA ACCOUNTING AUTHORITY

The Second Respondent

18 Fricker Road

Illovo

Sandton

Service by Sheriff



Service by Sheriff

AND TO: DEPARTMENT OF HIGHER EDUCATION AND TRAINING

The Third Respondent

123 Francis Baard Street

Pretoria

Service by Sheriff

AND TO: INSURANCE SECTOR EDUCATION AND TRAINING AUTHORITY

The Fourth Respondent

18 Fricker Road

Illovo

Sandton

Service by Sheriff

AND TO: IGNATIA GUGU MKHIZE

The Fifth Respondent

18 Fricker Road

Illovo

Sandton

Service by Sheriff