

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

Annexure 07

NOTE: This document was filed electronically by the Registrar on 10/12/2025 at 5:29:54 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

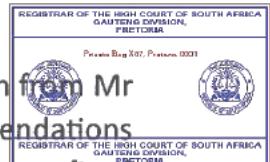
15 October 2025

TO: Minister of Department of Higher Education
Mr. Buti Manamela
PER: (Email) [REDACTED]

CC: Bayanda Mzoneli [REDACTED]

Dear Mr Buti Manamela

Concerns w.r.t. possible appointment of SETA CEO's



1. It has come to our attention that you have received a communication from Mr Mabuza Ngubane (dated 1 October 2025), on the subject of "Recommendations for appointment of SETA Chief Executive Officers for a further five-year fixed term and the appointment of Acting CEO's of SETAS for a 6-Month Fixed Term". See Annexure attached.

2. The matter we are raising, pertains to the proposed appointment of the seven prior CEO's of the seven SETA's (namely FASSET, CHIETA, INSETA, MICTSETA, FP&MSETA, W&RSETA and MQA), as is contained in points 1 and 4 of the recommendations in the attached Annexure.

3. If indeed you have / or you intend to take the advice provided therein, we would like to caution you against this decision, based largely (but not limited) to the following grounds:
 - a. The past / outgoing CEO's employment contracts have expired on 30th September 2025 and they are no longer employed by the SETA's.

 - b. We do not believe that many of the points raised in the recommendations and or the Act (Skills Development Act, 1998 - Act No. 97 of 1998), have been attended or adhered to.

 - c. More specifically, aside from the fact that the AGSA reports pertaining to significant concerns regarding the financial management of some of

these SETA's, more so some like INSETA who have repeated qualified audits and / or references to irregularities during the tenure of these CEO's , this is a serious matter which should disqualify such individuals from being reappointed.

- d. In point 10 of this communication by Mr Ngubane, it would appear this process of the recently appointed Accounting Authorities was hastily convened a meeting on the last day of the extended employment period of the said CEOs, in order to give substance and legitimacy to the compilation of this recommendation. We believe this is highly irrational, irregular and has not followed due process.
- e. The recommendation in Point 12 makes reference to "... Such recommendation must be based on the satisfactory performance of the same incumbent as the CEO...". We believe there is sufficient grounds to advocate that the performance of these CEO's or some of them, has not been satisfactory, which would make some of these appointments highly irregular and irrational.
- f. Point 13 suggests that "each SETA recommendation was accompanied by a brief summary of candidates' profiles, Board resolutions, three reports on performance and three audit reports on governance." We would like to have sight of these summaries and recommendations, along with a list of which board members were present at these interviews with the respective incumbents and how they arrived at their decisions / resolutions.
- g. As referenced in Point 15 of the recommendation, of Sub-regulation 8, "... the AA must submit three names of suitable candidates for consideration by the Minister..." One must presume that the purpose thereof is that all three candidates were thoroughly interviewed for the position. We suspect this was not the case and would like to receive feedback and all documentation pertaining to these interviews.

- h. We furthermore believe that required process of advertising and recruitment for these positions was not followed.
- 4. It would appear to us that this recommendation is a weak attempt to try and backdate an appointment process that is grossly flawed and if proceeded with, will be met with significant resistance from civil society and business at large.
- 5. We respectfully request that as the Minister, you do not proceed with the suggestions as presented to you in this or any similar version of thereof, for purposes of ensuring that these SETA's follow a thorough process of ensuring the best possible candidates are appointed to lead these entities, in order to address the significant irregularities and incidents of corruption and gross maladministration that has been taking place within some of these mentioned SETA's.
- 6. As you may be aware, we have written on several occasions to your office over the past number of months, to seek an audience with you, the intention of which is to provide you with a list of our concerns pertaining to blatant corruption, along with maladministration that is hampering the effective use levies attributed to the SETAs. There are many serious example of abuse of power, irregularities, inconsistencies and fraudulent conduct that is unbecoming of people within these leadership positions. We sincerely believe that once you have sight of these concerns, you will be well apprised of the need for leadership change in some of these SETA's, as well as a need for a "summit style" meeting of various stakeholders to obtain meaningful input on recommendations for amendments to the regulations and due processes that have been unfolding in SETA environment.

We look forward to your earliest response to this letter.

Yours sincerely



Wayne Duvenage

CEO

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