



**public works**

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**Media Statement**

**IMMEDIATE RELEASE**

**PUBLIC WORKS MINISTER THULAS NXESI REJECTS BASELESS CLAIMS FROM THE DEMOCRATIC ALLIANCE AND SETS THE RECORD ON THE NKANDLA SECURITY PROJECT**

Once again the Democratic Alliance (DA) is desperately trying to score party political points over the Nkandla Security Upgrade, now trying their luck in the courts.

I have said that on matters of the President's security, I will not play politics.

At the same time, I have also said that public officials must be held accountable for the use of public funds. Hence I established a Task Team to look into the Nkandla security upgrade. In January I released the findings of the Task Team that found that there were indeed irregularities in the procurement processes for the security upgrade, and recommended further investigations take place by the appropriate authorities – such as the Special Investigating Unit (SIU) and the Auditor-General. The Task Team said that should they find unlawful wrong-doing, then the law enforcement agencies must ensure that the culprits face the full might of the law.

Since then, two further processes have unfolded:

First, there is an on-going parliamentary process. The Task Team Report has been tabled appropriately with the Joint Standing Committee for Intelligence (JSCI). When the JSCI completes its work, it will give guidance on the process by which the report should be debated in Parliament and later released to the public.

On 31 July 2013, the Task Team Report was presented to the JSCI – a multi-party committee which includes representatives of the opposition parties including the DA.

Second, the DA is well aware that the Public Protector is conducting her investigations into the security upgrade – partly at their request. As the Department of Public Works, we have cooperated fully with her office, handing over all the necessary documents that are required for her investigations.

The Public Protector has announced the imminent release of her report. Perhaps the DA fears that once her report is tabled, the opportunity will disappear for publicity stunts such as this latest approach to the courts.

Returning to the court case, I am not a lawyer, but my trade union background has taught me that you need to have compelling reasons to satisfy the court when launching an urgent application. And in my view, the DA has failed dismally to make such a convincing argument. In simple terms by approaching the court urgently you are saying the court must dispense with its normal rules of procedure and attend to your matter as it is a matter that cannot wait or be dealt with under normal rules of court.

The DA is taking me to court on an urgent basis yet it knew about the existence of the report since January this year. The DA knows that the report was tabled before the Joint Standing Committee of Intelligence for consideration. They know that the Public Protector has full access to the report and will be releasing her own report shortly.

To show that the DA has a political agenda, in court papers the applicant Lindiwe Mazibuko has cited President Jacob Zuma as a third respondent. Yet she concedes that she does not seek any relief against the President.

The truth is that the DA is so obsessed with the President to such an extent they cannot differentiate between their own narrow political interest and the public interest.

In her affidavit, Mazibuko claims that the *“Nkandla report should be placed in the public domain in order for the electorate to make responsible choices in the forthcoming general elections”*. This is the crux of the application: a cheap political point scoring adventure by Mazibuko and the DA.

Based on the above, the only conclusion one can draw is that Mazibuko and the DA already have an eye on the forthcoming 2014 elections. This point was admitted in Mazibuko’s affidavit in court that the report must be made available before the election.

Let me deal with the DA’s attempts to subvert the Parliamentary processes. It is trying to abuse our judicial processes to interfere with the parliamentary process. This is against the spirit of the separation of powers. Mazibuko and the DA should refrain from abusing our courts in their attempts to win petty political battles.

That has nothing to with the public interest. The electorate cannot be fooled by a minority party that does not have their interests at heart.

ENDS

**Issued by the Ministry of Public Works.**

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