

Muthambi tells MPs she objected to Hlaudi getting top SABC job

By [Bekezela Phakathi](#)

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Communications Minister Faith Muthambi says she recently objected to an SABC board recommendation to appoint Hlaudi Motsoeneng as permanent chief operating officer as it would have been in contempt of court.



Muthambi told a Parliamentary inquiry into the SABC crisis on Wednesday that while she initially supported Motsoeneng's appointment in 2014, she backtracked after the courts clarified that the public protector's recommendations were binding.

"Nobody mentioned that recently in the meeting in October 2016 I refused to appoint Motsoeneng as acting chief operating officer because it would have been in contempt of court following the [Supreme Court of Appeal] ruling," said Muthambi.

Motsoeneng was appointed in 2014, despite a damning report by the public protector that he had fabricated a matric qualification, purged those he disagreed with and irregularly increased his salary from R1.5m to R2.4m in one year. The public protector recommended that he be disciplined. The recruitment process, including interviews, was not complied with and the position never advertised.

The DA approached the courts to challenge Motsoeneng's appointment, and in 2015 the matter ended up in the Supreme Court of Appeal, which ruled that the public protector's reports could not be rejected for irrational reasons.

Meanwhile, the Constitutional Court ruled in the Nkandla matter earlier in 2016 that the public protector's findings were binding.

"By the time the matter was further clarified by the Constitutional Court ruling, I had urged the SABC to comply [with the public protector's report]," said Muthambi.

She said that when Motsoeneng was appointed in 2014, "there was justification".

"At that time I must say there was justification to appoint him, this person had been acting for three years," she said.

Motsoeneng was recently re-appointed group executive of corporate affairs, the post he held before becoming chief operating officer.

He lost his job as SABC chief operating officer in September after the Supreme Court of Appeal dismissed his application for leave to appeal against a ruling by the High Court in Cape Town, setting aside his permanent appointment.

The SABC then announced that it had re-appointed him to his previous post of group executive for corporate affairs. This precipitated the resignation of two board members in Parliament in October.

On Monday, the High Court in Cape Town ruled that Motsoeneng was not entitled to occupy any position at SABC until the public protector's 2014 report was set aside or new disciplinary processes against him were finalised.

The court said the initial disciplinary hearing that cleared Motsoeneng of any wrongdoing was "wholly inadequate".

Asked to explain her relationship with Motsoeneng, Muthambi said she had a "professional relationship" with the former chief operating officer.

She said the current crisis at the SABC existed before her time.

"The governance failure of SABC should be a collective responsibility, I inherited a dysfunctional board. I am not exonerating myself, problems at SABC did not start when I was there they have been there and I am happy with this process [inquiry]. Board failing to exercise its fiduciary duty, that's not my competence that's why we are here," said Muthambi.

Asked if she would recommend that Mbulaheni Maguvhe, the last remaining board member, continue serving on the SABC board, she said: "It would be unfair to comment this person [Maguvhe] was appointed by the same Parliament I think at the end of the day I do not appoint board members and I think it's for this house to take a decision."

Source: BDpro

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