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ATM BUILDS A HOME FOR THE NTINI FAMILY IN KZN

The African Transformation Movement notes with suspicion, the president's decision to withdraw his review application on the section 89 independent panel.

On the 30th of November 2022, Parliament's section 89 independent panel led by former Chief Justice Sandile Ngcobo, found that President Cyril Ramaphosa may have seriously violated the constitution of the Republic.

The independent panel had further found that there was a prima facie impeachable case against the president, with respect to paid work while in office and failing to report the theft on his farm.

On the 2nd of December, President Cyril Ramaphosa announced that he will take the Section 89 panel report on review. This announcement by the president became the cornerstone of the ANC's argument in parliament when they used their majority to squash the report.

On the 13th of December in parliament, Minister of Justice, Ronald Lamola said that we ought to allow the president to take the report on review, suggesting that the report cannot be accepted pending legal scrutiny. This was not just Minister Lamola's position, but that of the ANC. However, now that the report was rejected by the ANC's majority in parliament, the President has decided not to take the report on review anymore.

It is now clear to the African Transformation Movement that the president lied and misled the people of this country. It is now clear that the president had no real intention of taking the report on review. What the president was trying to achieve, was a *get-out-of-jail-free card* from parliament, which he received, thanks to the ANC's continued abuse of power.

Parliament has already violated its constitutional mandate in this matter, after failing to scrutinize the executive as instructed to parliament by section 42(3) of the constitution. As stated above, the ANC's reasoning for this (Although flawed and legally unsound) was that the President should be given an opportunity to review the panel's report. Well, the President is not reviewing it anymore, and contrary to the President's view that the report is now moot, we are of the firm view that the report still stands. The report and its contents have not been successfully challenged in a court of law; therefore, the President still has a prima facie impeachable case to answer to, as was found by former Chief Justice Sandile Ngcobo.



Additionally. As many South Africans will know, the African Transformation Movement is currently in the Supreme Court of Appeal, in an attempt to overturn the High Court judgement on this matter. We will argue in the Supreme Court that it was unconstitutional for parliament to reject a report which was born out of parliament's own processes, especially on the basis that the president ought to be given an opportunity to send it on judicial review.

South Africans cannot be expected to tolerate this behaviour from the President and parliament any longer. The President should be held accountable for any laws that he violated in the Phala Phala matter and parliament should not be allowed to stand in between the president and accountability.

Issued by the African Transformation Movement.

Media & Communications Department

National Spokesperson

Zama Ntshona 063 943 0893

National Communications Manager

Mxolisi Makhubu 073 387 4934