

High Court dismisses Motsoeneng's leave to appeal application

The Special Investigating Unit (SIU) has welcomed the dismissal of former SABC Chief Operations Officer Hlaudi Motsoeneng's application for leave to appeal an order compelling him to pay back at least R11.5m to the SABC.



Image archive: Hlaudi Motsoeneng

In December last year, Motsoeneng was ordered to pay back at least R11.5m in a “success fee” paid to him by the SABC in 2016.

SIU Spokesperson Kaizer Kganyago explained that Motsoeneng will have to pay back the money with interest backdated to 2016.

“In December 2021, the court declared that the 19 August 2016 decision by the then SABC Board to pay Motsoeneng a success fee amounting to over R11.5m for clinching a MultiChoice deal was unlawful and invalid. The MultiChoice deal gave the pay-television service provider access to the SABC’s archives.

“The SIU together with the SABC approached the High Court to review and set aside a decision by the former SABC board to pay Motsoeneng a success fee and recover financial losses suffered by the SABC. The court action was informed by

the SIU investigation in the affairs of the SABC, which revealed that the SABC irregularly paid monies to individuals and entered into contracts to the detriment of the public broadcaster,” Kganyago said.

He said the investigation into the public broadcaster was authorised following a proclamation by President Cyril Ramaphosa.

“The SIU investigated the SABC in terms of Proclamation R29 of 2017, authorised by President Cyril Ramaphosa, to investigate allegations of corruption, maladministration, malpractice and payments made by the SABC together with the conduct of its employees.

“Where required, the SIU was authorised to institute civil proceedings, refer evidence pointing to criminality to the National Prosecuting Authority (NPA) for prosecution in line with the Special Investigating Units and Special Tribunals Act 74 of 1996,” Kganyago said.

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