



**THE OFFICIAL OPPOSITION
FREE STATE PROVINCIAL LEGISLATURE**

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| Date: | 29 January 2018 |
| To: | Ms M Qabathe (MPL) The Speaker of the Free State Provincial Legislature |
| Cc: | Mr L Mofokeng The Secretary to the Free State Provincial Legislature Mr N van Rooyen (MPL) The Chief Whip Mr K Morapela (MPL) The Leader of the EFF in the Free State Provincial Legislature Ms T Wessels (MPL) The Leader of the FF+ in the Free State Provincial Legislature |
| From: | Roy Jankielsohn (MPL) The Leader of the Official Opposition |
| Subject: | Matter of Urgent Public Importance - Motion of No Confidence in the Premier |

Dear Speaker,

We write to you in terms of Section 114(2)(a) and (b) of the Constitution of the Republic of South Africa (1996) and Rule 73 of the Standing Rules and Orders (Eighth Edition 2014), to urgently convene a special sitting of the Free State Provincial Legislature at the very earliest opportunity, to discuss a matter of urgent public importance.

In terms of Rule 64, as Leader of the Official Opposition and on behalf of the Democratic Alliance, we herewith serve notice that this House resolves, in terms of Section 130(3)(a), (b) and (c) of the Constitution of the Republic of South Africa (1996), that it has no confidence in Mr Segobelo Elias Magashule (MPL) as Premier of the Free State Province on the grounds that he has been implicated in serious violations of the Constitution and the Law, most notably with regards to, but not limited to, the controversial Vrede Dairy Project.

Furthermore, that Premier Magashule has since inception of the Vrede Dairy Project known about the controversies surrounding project and failed to intervene even after a National Treasury report into the project found gross irregularities. That Premier Magashule has on numerous occasions been informed of the corrupt and illegal activities taking place at the project. His failure to investigate allegations and continued support for funding towards this project in spite of holding such knowledge is clear breach of his oath of office to uphold the Constitution and the Rule of Law.

In addition, following the internal party election of Premier Magashule to serve as the Secretary-General of the ANC in December last year which is generally accepted as a full-time remunerated official position, Premier Magashule is unable to adequately perform the executive functions associated with the Office of the Premier.

FREEDOM. FAIRNESS. OPPORTUNITY.

LEADER: Mmusi Maimane

CHAIRPERSON: Athol Trollip

Furthermore, the Code of Conduct for Members of the Free State Legislature states that:

“A Member may only engage in remunerated employment outside the Legislature when such employment is:

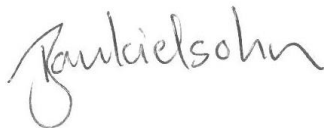
- a) sanctioned by the political party to which the Member belongs and*
- b) compatible with that Member’s function as a public representative.”*

The position of Secretary-General of the ANC, which is a full-time administrative position within his party, is not compatible with a full-time position as Premier in which he has to serve the interests of all the people of the Free State regardless of political affiliation.

Considering the serious violation of Law, wilful misconduct as well as the full-time position of Secretary-General, Premier Magashule should be removed from Office without delay.

Your favourable and urgent consideration would be appreciated. Should you require any further information, please feel free to contact me at any time.

Thank you,

A handwritten signature in dark ink, appearing to read 'Roy Jankielsohn'. The signature is fluid and cursive, with a large initial 'R' and 'J'.

Roy Jankielsohn
Member of the Free State Provincial Legislature
Leader of the Official Opposition
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