



16 February 2026

Hon. A. T. Didiza MP
Speaker of the National Assembly
Houses of Parliament
CAPE TOWN

By e-mail

Dear Madam Speaker,

ALLEGATIONS OF CONFLICT OF INTEREST: THE SECRETARY TO PARLIAMENT AND THE PUBLIC PROTECTOR

With reference to your letter dated 9 February 2026.

We wish to note at the outset that we have delivered a letter to the Public Protector of the Republic of South Africa (“**the Public Protector**”), in tandem with our correspondence to you of the same date as abovementioned, to inquire into the same possible conflict of interest as raised in our prior letter.

In her response, dated 11 February 2026, a copy of which enclosed herewith, the Public Protector confirmed, *inter alia*, that:

“In line with section 3(14) and (15) of the Public Protector Act 23 of 1994, [she] immediately disclosed to Adv N Nkabinde, the Chief Operations Officer and to the Head of Legal Services, Adv N vd Merwe, that [she] may reasonably be perceived to have a conflict between [her] private interests and [her] official duties in this matter.”

The Public Protector further confirmed that she has accordingly recused herself from handling the current complaint as lodged with her office, as well as from taking any decisions arising from the same.

Although we note your concerns as raised in your correspondence under reply, that these allegations concern a personal matter and that the same should be dealt with by the Public Protector and not your office, we respectfully disagree.

It is our view that, owing to the nature of the allegations raised in the complaint in question, the central role of the Secretary to Parliament in the same, the importance of ensuring the independence of the Public Protector, and your own duty of oversight as flows from your office as one leg of the Executive Authority of Parliament, that an equal obligation lies with the Secretary to Parliament to disclose possible conflicts of interest to you, in full.

A disclosure of that nature is not a one-way street.

Regardless of the fact that the Public Protector has now made such a disclosure, that does not relieve the Secretary to Parliament of his own ethical obligations to do the same. Indeed, it is not the duty of the Public Protector to resolve possible conflicts of interest in a branch of government to which she does not belong, nor on behalf of a parliamentary functionary who does not report to her.

Owing to your position as one part of the Executive Authority of Parliament, to whom the Secretary of Parliament is accountable in law, it is our view that it is your clear responsibility to ensure that possible conflicts of interest are not only appropriately declared, but dealt with accordingly.

This is especially important in light of the fact that the alleged conflict of interest arises as between the most senior staff member in our national legislature and a crucial Chapter 9 functionary. A functionary who it must have been reasonably expected may, at some point in future, undertake an investigation into matters which could, whether directly or indirectly, implicate or involve the Secretary to Parliament or his functions – as is her constitutional mandate.

The seriousness of this matter, and the possible implications which it may have for the perceived or actual independence of the Public Protector, and the ethical obligations of the Executive Authority of Parliament and its top functionary to uphold the integrity of Parliament can, then, not be understated.

Accordingly, we wish to inquire, once more, whether the current Secretary to Parliament has declared to you whether a relationship exists between him and the Public Protector, which could give rise to a conflict of interest.

In addition, and in the event that such a disclosure was indeed made, we wish to inquire further as to when the same was undertaken; whether prior to the current complaint or subsequent thereto.

We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Michalakis', is written over a horizontal line.

**Mr G Michalakis MP
Chief Whip of the Democratic Alliance**