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**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)**

Case No: 19976/19

In the matter between:

#UNITEBEHIND

Applicant

and

MINISTER OF TRANSPORT

First Respondent

**SECHABA PROTECTION SERVICES
WESTERN CAPE (PTY) LTD**
(Reg No: 1995/02930/07)

Second Respondent

**HIGH GOALS INVESTMENTS CC T/A
CHUMA SECURITY SERVICES**
(CK 1995/13594/23)

Third Respondent

SUPREME SECURITY SERVICES CC
(Reg No.: 97/22077/23)

Fourth Respondent

VUSA-ISIZWE SECURITY (PTY) LTD

Fifth Respondent

PASSENGER RAIL AGENCY OF SOUTH AFRICA LTD

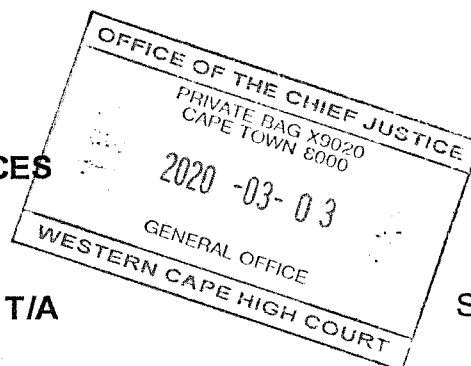
Sixth Respondent

BONGISIZWE MPONDO

Seventh Respondent

In re the matter between:

**SECHABA PROTECTION SERVICES
WESTERN CAPE (PTY) LTD**
(Reg No: 1995/02930/07)



First Applicant

**HIGH GOALS INVESTMENTS CC T/A
CHUMA SECURITY SERVICES**
(CK 1995/13594/23)

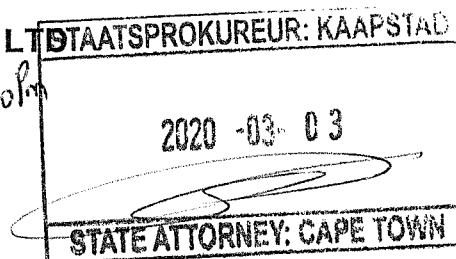
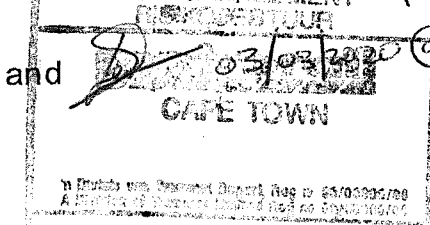
Second Applicant

SUPREME SECURITY SERVICES CC
(Reg No.: 97/22077/23)

Third Applicant

VUSA-ISIZWE SECURITY (PTY) LTD

Fourth Applicant



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PASSENGER RAIL AGENCY OF SOUTH AFRICA LTD

First Respondent

BONGISIZWE MPONDO

Second Respondent

and

#UNITEBEHIND

Amicus Curiae


FOUNDING AFFIDAVIT

I, the undersigned,

ABDURRAZACK "ZACKIE" ACHMAT

hereby solemnly affirm:


1. I am an adult male political activist and a founding member of the organising secretariat of #UniteBehind, the applicant in this matter, whose offices are situated on the 1st Floor, Methodist House, 46 Church Street, Cape Town. I am duly authorised to bring this application on behalf of the #UniteBehind.
2. The facts deposed to herein are within my personal knowledge or belief, unless the contrary appears from the context, and are to the best of my knowledge both true and correct. Where I make reference to facts outside of my personal knowledge, I submit they are admissible under section 3 of the Law of Evidence Amendment Act 45 of 1988.
3. Where I make legal submissions, I do so on the advice of #UniteBehind's legal representatives whose advice I accept as correct.


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4. To distinguish between various applications before this Court:
- 4.1. I refer to this application as “*#UniteBehind’s application*”;
- 4.2. I refer to the contempt application of Sechaba Protection Services Western Cape (Pty) Ltd, High Goals Investments CC a/a Chuma Security Services, and Supreme Security Services CC (**the security contracts applicants**) dated 28 February 2020 as the “*Enforcement application*”; and
- 4.3. I refer to the original application launched by the security contracts applicants in November 2019 as the “*Main application*”.
5. I have read the security contracts applicants’ founding papers in the Enforcement application. Not only do I intend to provide further relevant information to the Court to assist the Court in granting an appropriate order, but #UniteBehind also seeks further relief.

INTRODUCTION


6. On 19 November 2019, the security contracts applicants were granted an order by Hlophe JP (**the Hlophe JP Order**) in the Main application. In terms of the Hlophe JP Order, the First Respondent in the Enforcement application (**PRASA**) was directed:
- 6.1. First, to continue to use the services of the security contract applicants on the same terms and conditions they had been contracted on previously, pending the completion and implementation of a tender and/or an adequate contingency plan;

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- 6.2. Second, to report to the Court on affidavit within 30 days regarding: the status of the tender; and to present an adequate contingency plan approved by the Railway Safety Regulator meeting various requirements;
- 6.3. Third, failing compliance with the time periods, to file an affidavit explaining the reasons for non-compliance; and
- 6.4. Fourth, in the event that the Court is satisfied with the adequacy of the plan, that it be implemented forthwith.
7. In terms of the order, #UniteBehind was admitted as an *amicus curiae* in the Main application.
8. Since November 2019 there have been two developments.
9. The first is that PRASA has failed to comply with the Hlophe JP Order:
 - 9.1. It has failed to comply with the terms and conditions of the security contracts applicants contracts – it has not paid for the services provided by them over the last three months;
 - 9.2. It has also failed to file any affidavit setting out the status of the tender, or presenting a contingency plan. PRASA has further not filed an affidavit explaining its reasons for not complying with the time periods.
10. Its failure led to a further application by the security contracts applicants to enforce the terms of the Hlophe JP Order, i.e. the Enforcement application.

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11. The second development is that the Minister of Transport dissolved PRASA's board of control in December 2019 and appointed a so-called "administrator", Mr Bongisizwe Mpondo (the second respondent in the Enforcement proceedings). #UniteBehind has challenged the Minister's decision to appoint an administrator for having no legal basis in separate proceedings.
12. In this application, #UniteBehind supports the orders sought by the security contracts applicants in the enforcement application, but goes further than the relief sought in terms of part B of the relief claimed in the Enforcement application. In this regard, #UniteBehind seeks orders:
 - 12.1. First, granting #UniteBehind leave to intervene in the matter as the fifth applicant in the Main and Enforcement applications. As I explain below, #UniteBehind has a direct interest in ensuring that an adequate safety plan is adopted by PRASA as per the Hlophe JP Order;
 - 12.2. Second, joining the Minister of Transport in his official capacity, as a respondent in the Main and Enforcement applications;
 - 12.3. Third, declaring that the Minister is obliged to oversee and ensure that PRASA meets its obligations in terms of the Hlophe JP Order;
 - 12.4. Fourth, requiring the Minister to report to this Court under oath within 20 days regarding: what steps are being taken to adopt and implement an adequate contingency plan for rail-commuters' safety; what steps are being taken in regard to the tender for security contracts; and the reasons why the Hlophe JP order has not been complied with by PRASA.


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13. In the rest of this affidavit, I deal with the following issues:
- 13.1. First, I set out the parties' details;
 - 13.2. Second, I set out #UniteBehind's interest and standing in the matter to explain why it should be granted leave to intervene as a co-applicant in the Main and Enforcement applications;
 - 13.3. Third, I explain why the Minister ought to be joined as a respondent in the Main and Enforcement applications and why he is responsible for ensuring that PRASA complies with the Hlophe JP order;
 - 13.4. Fourth, I advance reasons why the Minister must be required to file reports under oath in that regard; and
 - 13.5. Finally, I explain why this application is urgent.

THE PARTIES

14. The applicant is #UniteBehind. I set out more facts about the applicant in the next section.
15. The first respondent is the **MINISTER OF TRANSPORT** who is cited in his official capacity and the executive authority for PRASA in terms of the Legal Succession to the South African Transport Services Act 9 of 1989 (**SSA**), care of the State Attorney at 22 Long Street Cape Town.
16. Given that the matter is urgent, to avoid prolixity I refer the Court to the details of the rest of the respondents contained in paragraphs 21 to 27 of the security contracts applicants founding affidavit in the Enforcement application. This

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application will be served on the parties' legal representatives where appropriate.


STANDING AND INTEREST IN THE MATTER

17. #UniteBehind's standing and interest are apparent in the founding affidavit of #UniteBehind's application to be admitted as *amicus curiae* in the Main application. For the sake of convenience, I repeat a portion from that application in order to establish #UniteBehind's interest in the matter. I also refer the Court to the description of the parties
18. #UniteBehind is a coalition of people's movements joined by legal, policy and research organisations, all working for a just and equal South Africa where the country's wealth shall be shared by the people and the environment sustainably protected for future generations.
19. The affiliate member organisations of #UniteBehind include Reclaim the City, Social Justice Coalition, Equal Education, Trust for Community Organising and Education, Alternative Information Development Centre, Ndifuna Ukwazi and Right2Know (Western Cape). Our affiliates struggle for justice and equality in transport, education, safety, land, housing, gender and the environment.
20. #UniteBehind is supported, among others, by the United Democratic Front (UDF), Veterans' Network, the Western Cape Religious Leaders' Forum and the South African Council of Churches.
21. #UniteBehind is a corporate entity, registered as a Non-Profit Company under registration number 2018/255673/08, with separate legal identity from its office

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bearers and members. It has perpetual succession and has capacity to sue and be sued.

22. In addition to supporting the campaigns of its affiliate member organisations, #UniteBehind develops its own campaigns. One of #UniteBehind's major and ongoing campaigns is the #FixOurTrains campaign, launched in mid-2017. The campaign aims to turn around the unsafe and dysfunctional commuter-rail services provided by PRASA. The unacceptable state of the commuter rail services in the country prejudices poor and working-class commuters especially, as they have no option but to use the public train system.
23. #UniteBehind believes that, at the root of South Africa's dysfunctional commuter-rail service is poor governance, maladministration and corruption in PRASA. This has resulted in the loss and theft of billions of Rands in public funds, which ought to have been spent on improving the quality of commuter-rail services; increasing the numbers of trains that are running; and ensuring that adequate safety measures and security services are provided on all trains and platforms. The #FixOurTrains campaign accordingly aims to fix the dysfunctional commuter-rail services by addressing the governance issues at PRASA and by rooting out corruption and maladministration in the Agency.
24. On almost every journey, passengers of PRASA trains fear violations of their rights to life, freedom and security of the person, human dignity, privacy, earn an income, education and health. All too often these fears become a reality. These fears derive from the gross mismanagement of PRASA which has seen the deterioration of security services within trains to the point of a nullity. #UniteBehind is currently engaged in court proceedings in the Western Cape


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High Court to gain access to security contracts entered into between PRASA and security contractors to assess the lawfulness of those contracts.


25. #UniteBehind therefore has a direct interest in ensuring that the terms of the Hlophe JP Order are complied with – particularly those pertaining to the adoption and implementation of a safety plan. In the relief sought in this application, #UniteBehind seeks to go further than the security contracts applicants in holding the Minister of Transport accountable and in ensuring a reliable and safe public train system.

26. The security contracts applicants, if retained and sufficiently reimbursed in terms of their contractual agreements with PRASA, may not have the desire, or the standing, to pursue the enforcement of the security plan parts of the Hlophe JP order. #UniteBehind wishes to be granted leave to intervene as a co-applicant so that it can drive this endeavour.

27. As the relief sought implicates constitutional rights, I am advised that #UniteBehind has standing under section 38(a), (b), (d) and (e) of the Constitution to intervene as a co-applicant:

27.1. In terms of section 38(a) of the Constitution, in its own interest;

27.2. In terms of section 38(b) and (c), on behalf of the thousands of commuters who suffer using the dysfunctional and dangerous commuter rail system in Cape Town on a daily basis, including members of, and whose interests are pursued by, #UniteBehind's affiliate organisations, in particular: worker members, whose struggles on daily commutes induce psychological distress and employment problems associated


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with delays and cancellations; women and girls, groups particularly vulnerable to violence, theft, assault, rape, and sexual in Metrorail stations and trains; and school-going learners whose right to education is compromised by dysfunctional Metrorail services.

27.3. In terms of section 38(e), on behalf of its member organisations, which have a direct interest in uncovering corruption and maladministration in PRASA; and

27.4. In terms of section 38(d), in the public interest. All rail-commuters in Cape Town spend large portions of their income on an inefficient and decaying service. The general public have interest in a safe commuter system and clean and accountable government.

THE JOINING OF THE MINISTER OF TRANSPORT AND HIS RESPONSIBILITY IN RESPECT OF THE ORDER

28. PRASA has failed to file a report setting out a safety contingency plan. It has also not filed an affidavit explaining why such report has not been filed timeously.

29. In order to ensure that there is accountability for this state of affairs, #UniteBehind seeks to join the Minister as a respondent and require him to report to the Court.

30. Whilst it must be PRASA, in the end, that produces and carries out the safety plan, in light of the current state of corporate governance at PRASA, I submit that the Minister is at least partially responsible for the Order not yet having been adhered to. I furthermore submit that in light of the exceptional situation


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PRASA finds itself in without proper corporate governance, the Hlophe JP Order will not be complied with without the Minister's oversight and instruction.

31. In order to substantiate why the Minister must be joined, I provide a brief summary and history of the governance structure of PRASA below.
32. PRASA was established in terms of the section 22(1) of the SSA. Its objects and main business are the provision of rail services, at the request of the Department of Transport, within South Africa, in the public interest.
33. Section 24(1) of the SSA provides that the affairs of the Corporation (defined as meaning PRASA) are to be managed by a Board of control, who are appointed or dismissed by the Minister.
34. Section 30 of the SSA provides that the Minister may make regulations in connection with: (a) the activities, powers, functions and duties of the Corporation, the Board of Control or a member of the Board of Control; and (b) any matter considered desirable for the purpose of the realisation of the objects of the Corporation.
35. Since 2008, there have been eight different boards of control at PRASA. Since 2017, there has not been a permanent board appointed by the Minister or his predecessor. Instead, "*interim*" boards have appointed which are inquorate and generally are in place for too short a time to make any substantial intervention in remedying the abysmal state of PRASA.
36. On 9 December 2019 – after the Hlophe JP Order was granted – as noted in the security contracts applicants' founding papers and above, the Minister


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dissolved the then-interim board of PRASA, and appointed Mr Mpondo as its administrator.

37. His appointment as administrator has no foundation in law and is unlawful. To this end, #UniteBehind launched an application seeking orders reviewing and setting aside Mr Mpondo's appointment and directing the Minister to appoint a permanent board of control of PRASA within three months. This application will be heard in this Court on 17 March 2020.
38. Given the above, it is no wonder that PRASA has been so dysfunctional, given that it has not had a permanent board of control for some time. Furthermore, the removal of the board and the appointment of the administrator after the Hlophe JP Order was granted undoubtedly led to discontinuity and a failure to ensure the orders being complied with.
39. #UniteBehind wrote to Mr Mpondo on 31 January 2020. A copy of this letter is attached as annexure "ZA1". In the letter, #UniteBehind referred to PRASA's failure to comply with the Hlophe JP Order. #UniteBehind furthermore offered the administrator a further indulgence of two weeks from the date of the letter for the order to be complied with before #UniteBehind would seek to have the Order enforced.
40. The administrator responded to #UniteBehind's letter in email the same day, a copy of which is attached as annexure "ZA2", stating:

"Greetings,

I will refer to my colleagues who would have background on the matter."

41. #UniteBehind has received no further communication from Mr Mpondo.


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42. In light of the exceptional circumstances where the Minister has failed to appoint a board of control for PRASA, I submit that the Minister ought to be joined to these proceedings as a respondent, and ordered to ensure that the Hlophe JP Order is carried out by PRASA. This is particularly so in light of the following:

42.1. the history of disruption of the governance of PRASA thus far, driven by a failure of the Minister and his predecessor to appoint a permanent board of control;

42.2. the Minister having failed to comply with his legal obligations (1) to appoint a board in terms of the SSA; and (2) to ensure that PRASA complies with the Public Finance Management Act 1 of 1999 and the financial policies arising out of the Act;

42.3. the imminent disruption that may be caused if the administrator is removed from office that may arise as a result of #UniteBehind's review application referred to above;

42.4. at best, a permanent board of control will only be appointed within three months – it is suggested that on his terms, a permanent board may only be appointed within 12 months (a copy of an article confirming this is attached marked ZA3);

42.5. PRASA provides public transport at the request of the Department of Transport; and

42.6. the Minister is required to promulgate regulations in terms of the Section 30 of the SSA in connection with PRASA's legal duties.


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43. As there is no lawfully appointed permanent Board of control, the Minister must hold a responsibility to ensure that PRASA complies with the Hlophe JP Order and adopts and implements an adequate safety plan.

THE CONTEMPT OF COURT ORDER AND REMEDY

44. The consequences of failing to comply with the Hlophe JP Order and to produce and implement the safety plan cannot be overstated. Deaths and violent crimes are occurring regularly on PRASA trains, and on PRASA property, as a direct result of inadequate safety measures. These deaths and violent crimes are being suffered by employees of PRASA and daily, working class, commuters. Many of these victims are women and children.
45. That PRASA has thus far failed to comply with the order is of serious concern, and may warrant a finding of contempt of court.
46. Furthermore, the Order contains a structural interdict. Hlophe JP required PRASA to report on how it was to go about adopting and implementing a safety plan to ensure the safety and security of commuters of trains and its employees. That the structural interdict has not been complied with is cause for more concern, given that it is sought to be used as a tool by this court in ensuring PRASA's compliance with the constitution.

URGENCY

47. #UniteBehind brings this application within the security contractors applicants urgent application. #UniteBehind recognizes the urgency contained in their papers, which largely surrounds the fact that the applicants have not been paid, and the consequences flowing from that.


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48. #UniteBehind submits that there is further urgency in that every day commuters, employees and subcontractors suffer as a result of inadequate safety on trains. The nature of the urgency associated with this was delved into in the main application and the court found it to be urgent and accordingly ordered that a safety plan must be prepared and presented to court within 30 (thirty) days.
49. The safety plan was due on the 19th of December 2019. With the appointment of the administrator on 9 December 2019, #UniteBehind thought it necessary to indulge the administrator further time to produce the plan, so that the plan would be carefully and adequately prepared. As set out above, on the 31 January 2020, #UniteBehind wrote to the administrator reminding him of the need for a plan, and warning of possible contempt of court, and granted a further indulgence to the 14th of February 2020.
50. PRASA has therefore had almost four months to produce the plan.
51. Since then, PRASA has been at the centre of myriad problems, *inter alia*:
- 51.1. it has failed to pay its security services providers, risking losing the services they provide;
- 51.2. it has failed to pay its legal representatives and risked losing representation as a result in many matters (a copy of an article confirming this is attached marked "ZA4");
- 51.3. it has had a directive issued to it by the Railway Safety Regulator that its trains are unsafe due to unavailability of working brakes (a copy of an article confirming this is attached marked "ZA5");

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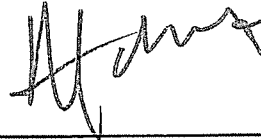
- 51.4. it has had to cease certain train services after a fatal train crash in Roodepoort (a copy of an article confirming this is attached marked "ZA6");
- 51.5. it has had one of its train drivers stoned to death in her cabin (a copy of an article confirming this is attached marked "ZA7"); and
- 51.6. it has had its operations in Cape Town shut down due to non-payment to Eskom for electricity (a copy of an article confirming this is attached marked "ZA8").
52. Most importantly, working class people who have no other options but to use trains to travel to and from their work are being subjected to unsafe, and I submit unconstitutional, conditions.
53. Notwithstanding the fact that this court has already found this matter to be urgent, as per the Hlophe JP Order, the necessity for treating this matter as urgent for the public interest's sake is clear given the above.

CONCLUSION

54. Therefore, #UniteBehind submits that the Minister ought to be joined as a respondent and be required to report to this Court under oath what steps have been taken by him and PRASA to give effect to the Hlophe JP Order within 20 days.
55. #UniteBehind is acting in the public interest in an attempt to rectify what on the face of the facts appears to be a national disaster. In the event of opposition to

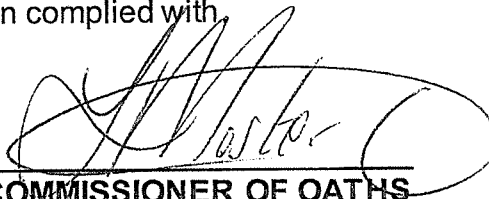
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this application by any party, #UniteBehind seeks its costs. Should the application be dismissed, the usual rules in constitutional litigation should apply.



ABDURRAZACK "ZACKIE" ACHMAT

I certify that the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and affirmed before me at CAPE TOWN on this the 2nd day of **MARCH 2020**, the regulations contained in Government Notice No. 1258 of 21 July 1972, as amended by Government Notice No. 1648 of 17 August 1977, as amended having been complied with.



**COMMISSIONER OF OATHS
DESIGNATION**

LIZANNE MOSTERT
COMMISSIONER OF OATHS
Practising Attorney
10th Floor, Vunani Chambers
33 Church Street, CAPE TOWN
Tel: 021 422 4855

#UNITE BEHIND

A JUST AND EQUAL SOCIETY

31 January 2020

Dear Administrator Bongisizwe Mpondo,

By email:

bongisizwe.mpondo@prasa.com

RE: POTENTIAL CONTEMPT OF COURT PROCEEDINGS

We write to you in your purported capacity as administrator of PRASA.

On the 10th of December #UniteBehind addressed a letter to the Minister of Transport questioning the lawfulness of your appointment. While we assume that you are familiar with this fact, we attach a copy of the letter for your convenience, which sufficiently sets out our concerns.

Whether or not you intend to carry out the duties of an administrator of PRASA in good faith or not, #UniteBehind is concerned that the unlawfulness of your appointment will render any action by yourself as administrator subject to judicial review - even if you are able to institute positive change and development within PRASA an aggrieved third party without an interest in daily commuters will be at liberty to reverse such actions by yourself.

In light of the above, #UniteBehind is taking legal advice and we reserve our rights in this regard. In the meantime, however, until such time that a court pronounces on the lawfulness of your appointment your actions as an administrator, whether lawfully appointed or not, will have legal consequences. Similarly, whatever obligations PRASA had, or the board of PRASA had, will have become your obligations. In this regard, as a matter of courtesy we wish to draw your attention to two matters:

1) Under Western Cape High Court case number 3310/19 by order of the the same court on the 26th of November 2019, PRASA is required to provide #UniteBehind with:

a) all the security contracts, including any extensions thereto, which were concluded for PRASA/ Metrorail's Western Cape operations and that were effective over the period 12 January 2018 to date or that informed the

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provision of security services (including the initial appointment of the contractor that provided security services) over the same period;

b) any and all Memoranda of Agreement or Understanding entered into between PRASA/ Metrorail Western Cape and the City of Cape Town, the Western Cape Provincial Government and/or the South African Police Service;

c) any and all annual performance reports pertaining to any of the Security Contracts concluded for PRASA/ Metrorail's Western Cape operation that were effective over the period 12 January 2018 to date or that informed the provision of security services (including the initial appointment of the of the contractor that provided security services) over the same period;

d) records of the levels of training of security personnel and firearm competencies employed at PRASA/ Metrorail's Western Cape operation.

The above must be provided to UniteBehind within 30 days of the order being granted. We expected such by the end of December 2019.

2) Under Western Cape High Court case number 19976/2019 by order of the same court on the 19th of November 2020, PRASA is required to report to the Court, on affidavit:

a) the status of the completion and implementation of tender number HO/SEC/290/05/2019

b) an adequate contingency safety plan approved by the Railway Safety Regulator, which is to include the following:


i) A description of the preventative and response measures to be used to manage theft, vandalism, assault, sexual assault and other criminal acts or other sources of harm;

ii) The allocation of security roles (including the South African Police and Metro) and responsibilities to appropriate personal;

The above must be completed within 30 days of the order being granted and we expected such also, by the end of December 2019.

The two orders have not been complied with, potentially placing PRASA, and yourself, in contempt of court.

We hereby provide you a further indulgence of two weeks and demand that the orders are complied with by 16:00 on 14 February 2020.


L.M.

ZA2

From: Bongisizwe Mpondo <Bongisizwe.Mpondo@prasa.com>
Date: 31 January 2020 at 13:35:24 SAST
To: #UniteBehind - Info <info@unitebehind.org.za>, Fani Dingiswayo <Fani.dingiswayo@prasa.com>, Martha Ngoye <martha.ngoye@prasa.com>, Mmeli Dube <mmelidube09@gmail.com>, "zukie. vuka" <zukie.vuka@gmail.com>, Zackie Achmat <zackie.achmat@gmail.com>, james stent <jimistent@gmail.com>
Subject: RE: LETTER RE: POTENTIAL CONTEMPT OF COURT PROCEEDINGS

Greetings,

I will refer to my colleagues who would have a background on this matter.

Kind regards,

Bongisizwe Mpondo
Administrator: PRASA



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From: #UniteBehind - Info [<mailto:info@unitebehind.org.za>]
Sent: Friday, 31 January 2020 12:27
To: Bongisizwe Mpondo <Bongisizwe.Mpondo@prasa.com>; Fani Dingiswayo <fani.dingiswayo@prasa.com>; Martha Ngoye <martha.ngoye@prasa.com>; Mmeli Dube <mmelidube09@gmail.com>; zukie. vuka <zukie.vuka@gmail.com>; Zackie Achmat <zackie.achmat@gmail.com>; james stent <jimistent@gmail.com>
Subject: LETTER RE: POTENTIAL CONTEMPT OF COURT PROCEEDINGS

Good day.

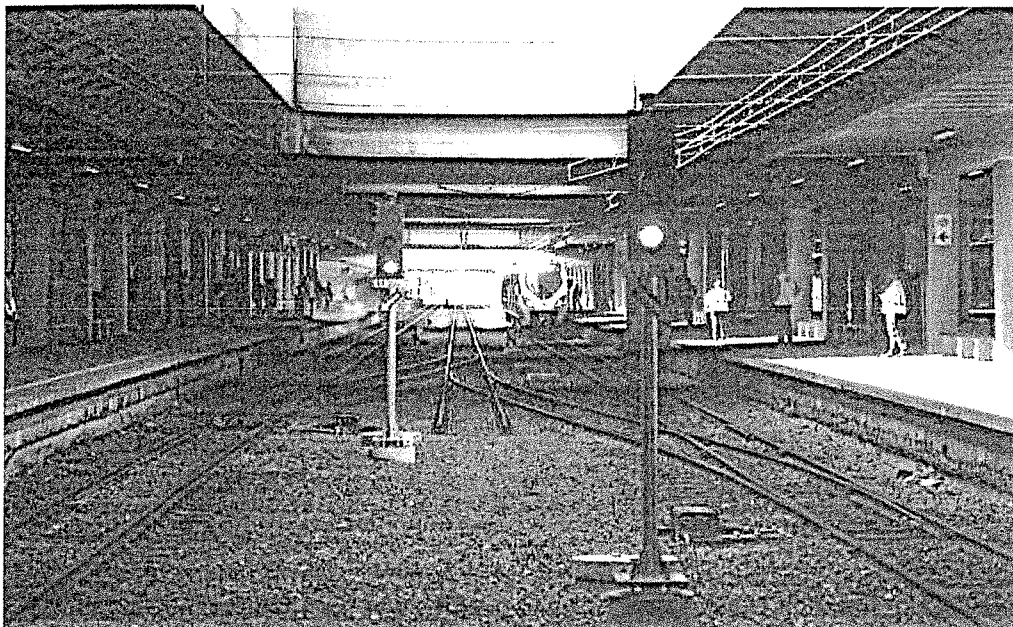
Please find attached a letter RE: POTENTIAL CONTEMPT OF COURT PROCEEDINGS

Yours sincerely,

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PRASA ADMINISTRATOR BONGISIZWE MPONDO READY TO MAKE TOUGH DECISIONS

The troubled state-owned entity has been placed under administration with immediate effect while the interim board has been axed.



Prasa unveiled the new models that form part of its modernisation programme. Picture: EWN

PRASA (<https://ewn.co.za/topic/prasa>) Fikile Mbalula (<https://ewn.co.za/topic/fikile-mbalula>)
Mia Lindeque (<https://ewn.co.za/contributors/mia-lindeque>) 13 months ago (84 days ago) Bongisizwe Mpondo (<https://ewn.co.za/topic/bongisizwe-mpondo>)

JOHANNESBURG - Newly appointed [Prasa](https://ewn.co.za/2019/12/09/prasa-placed-under-administration) administrator Bongisizwe Mpondo admits the task of stabilising the state company is daunting, but he said it was possible.

The troubled state-owned entity has been placed under administration with immediate effect while the interim board has been axed.

The action comes off the back of the Auditor-General's latest report which named the parastatal as one of the top offenders when it comes to irregular expenditure in the public sector.

- [Mbalula: Placing Prasa under administration will get it back on track](https://ewn.co.za/2019/12/09/mbalula-placing-prasa-under-administration-will-get-it-back-on-track) (<https://ewn.co.za/2019/12/09/mbalula-placing-prasa-under-administration-will-get-it-back-on-track>)

Mpondo has a track record having worked with public institutions before, including South African Express and South African Airways.

He was also involved in project management for the transport department during the 2010 Fifa World Cup.

Mphondo's latest task, the cleaning up of Prasa, is sure to be a challenging one and he doesn't plan to waste any time.

"Twelve months is not a long period of time, so we need to be targeted with our decisions."

Among his duties will be a review of Prasa's organisational design and business model, as well as ensuring there are consequences for those found guilty of mismanagement in the past.

Mpondo has been given 12 months to execute the plan to stabilise the company after which a permanent board will then be appointed to take over.

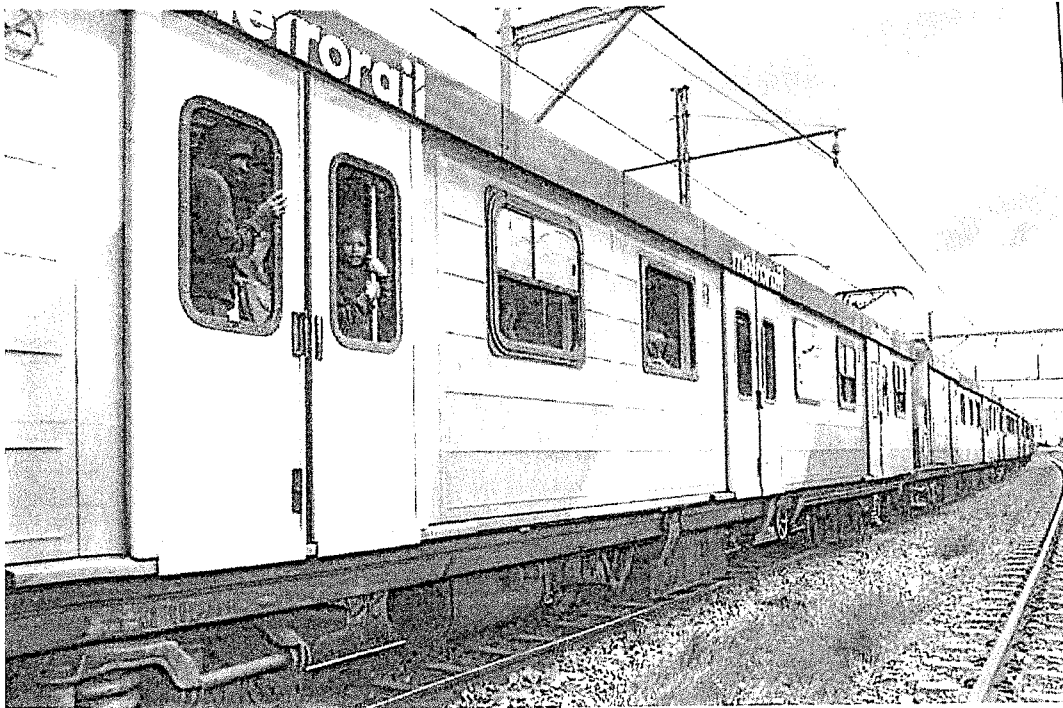
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SOUTH AFRICA

Lawyers dump PRASA after failure to pay R19 million

17 January 2020 - 09:55

BY GROUNDUP



The chairperson of Werksmans Attorneys has sent an explosive letter to Prasa after the rail association allegedly failed to pay the legal company outstanding fees for its services.

Image: Archive photo: Ashraf Hendricks/GroundUp

Werksmans Attorneys, a law firm that has been representing the Passenger Rail Association of South Africa (PRASA) in many court battles to regain stolen money and terminate contracts with corrupt contractors, has withdrawn its services. This follows PRASA's failure to pay Werksmans R19 million in outstanding fees, according to an explosive letter by David Hertz, chairman of Werksmans, addressed to Bongiziwe Mpondo, the Administrator of PRASA.

The payment, according to the letter, is more than six months overdue. The letter is dated 16 January, but this appears to be an error because GroundUp was leaked a copy of it earlier.

The letter states that the counsel (the advocates) representing PRASA in the

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Werksmans has already, on 14 January, filed withdrawal (here and here) as PRASA's representatives in cases involving Siyangena in the Pretoria High Court.

"The disastrous effect of this will be that the Siyangena matter will not proceed on an opposed basis on the allocated dates with the result that PRASA's application will in all likelihood be dismissed by default," writes Hertz.

"Ultimately, PRASA will be called upon to pay in excess of R6 billion to the very persons and entities who have been identified as the key role players in the corruption frenzy at PRASA which was highlighted both by the former Public Protector and in Werksmans' investigations which precipitated PRASA taking this matter to court."

Siyangena is an information technology and security company hired in 2010 under PRASA's former Chief Executive Officer Lucky Montana to improve access security at railway stations. PRASA applied to court to get Siyangena's contract set aside in March 2018, supported by activist group #UniteBehind.


In affidavits submitted to court last year, PRASA accused Siyangena of installing outdated, overpriced and ineffective security systems, including spending millions on automated gates that don't work. PRASA told the courts that the contracts had been awarded without proper tender procedures.

PRASA has reportedly paid R3 billion already to Siyangena. However the company is trying to get billions more from PRASA. The matter is set for a court hearing on 24 February.

A second litigant mentioned in Hertz's letter is Auswell Mashaba, former director of Swifambo Rail Leasing. Swifambo was responsible for delivering trains imported from Spain to PRASA. Notoriously, these did not fit South African railway tracks. In 2017 the Gauteng High Court ruled that Swifambo had received the contract through a corrupt tender process, and that the contract should be set aside. This decision was upheld by the Supreme Court of Appeals (SCA) in 2018. Swifambo went into liquidation shortly after.

In August last year, Mashaba lodged an application to avoid being held financially responsible for the botched contract.

The Werksmans letter highlights that if this liquidation process against Mashaba is set aside, and PRASA fails to oppose the application this "may result in PRASA losing an interim dividend of approximately R80 million".


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billion thus far” including the “successful defeat of fake doctor Mtimkulu”.

Daniel Mthimkhulu was a former PRASA executive involved in the Swifambo train scandal. He was ordered to pay over R5 million to PRASA by the High Court last year after it was revealed that he lied about his qualifications to obtain a senior position at PRASA.

The letter says that “several hundred matters” that Werksmans’ Western Cape office has been working on “will be affected by our unavoidable decision to withdraw as PRASA’s attorneys on record”.

Hertz writes that “unless all our accounts which are already overdue ... are discharged within five days ... we will regrettably have to institute appropriate proceedings against PRASA for the recovery of all amounts owing.”

This article was first published by GroundUp

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Prasa's train fleet needs brakes

Sipho Masondo

© 2020-02-03 00:01

NEWS

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EDITOR'S CHOICE

The shortage of brake blocks is not the only problem. The rail utility is falling apart as it does not have oil to lubricate wheels, coach windows are missing and wiring has been stolen



Prasa's train fleet needs brakes. The shortage of brake blocks is not the only problem. The rail utility is falling apart as it does not have oil to lubricate wheels, coach windows are missing and wiring has been stolen

Passenger rail agency Prasa has until Tuesday to submit plans on how to stock up with much-needed brake blocks for Metrorail trains – or face the music.

Should it fail to do so, executives and the rail company could be fined or sentenced to up to 15 years in jail.

This is the message sent by the Railway Safety Regulator (RSR) to Zwelakhe Mayaba, a manager at Prasa Rail, on January 22, following the regulator's impromptu and unannounced inspection of Prasa's rolling stock maintenance facility in Braamfontein, Johannesburg, on January 16.

In the letter to Mayaba, Deon Bouwer, the RSR's inspector for central region compliance, noted that the inspectors found that:

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- Prasa has no new brake blocks available or in stock for the replacement of worn brake blocks on its train sets; and
- In view of the above, the RSR "hereby issues an improvement directive to Prasa in terms of section 36 of the Act [referring to the National Railway Safety Regulator Act], which provides that 'if a railway safety inspector believes that a condition is a threat, or might be a threat, to safe railway operations, the railway safety inspector may issue a directive to any person responsible for the condition or activity to the effect that action be taken within a specified time by the person concerned to remove the threat'".

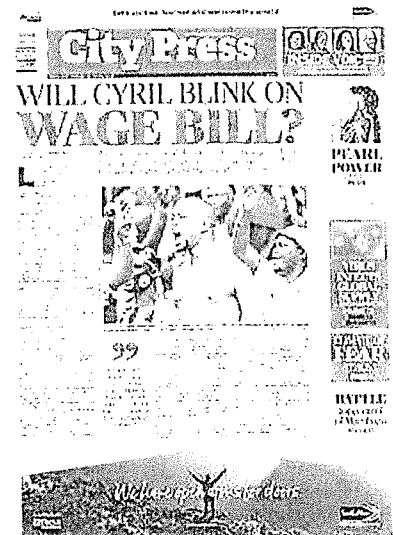
Bouwer then demanded Prasa submit a corrective action plan by Tuesday, and that such a plan should contain "a permanent solution to provide an adequate number of new replacement brake blocks at each of their rolling stock maintenance facilities for installation on their rolling stock when the said blocks are worn out. Prasa shall keep auditable evidence showing that all trains sets that are in use have brake blocks that are within the wear limits "

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Prasa's train fleet needs brakes



Prasa's train fleet needs brakes

Prasa's train fleet needs brakes

Prasa's train fleet needs brakes

Handwritten signature and initials: L.M.

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The location of the dock says that those who have tampered with the dock can be fined or jailed for up to 15 years.

While the regulator's inspection was conducted in the Braamfontein facility only, a Prasa service provider — who spoke to City Press on condition of anonymity — claimed that, with the exception of Durban, Prasa had not bought brakes in the past six months.



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COMMUTERS' LIVES IN DANGER

Braamfontein is one of Prasa's biggest maintenance facilities across the country, servicing Soweto, East Rand, Vereeniging and West Rand lines.

The supplier said the agency "uses up to 1 500 brake blocks a month, and in the last six months they haven't ordered anything".

The supplier added: "It is really a miracle that there has not been any train accident. Operating a train without brake blocks is like operating without a heart. If a train does not have brake blocks, it cannot stop. It is pretty much like running a car without brakes."

A Prasa technician, who witnessed the RSR inspection and spoke on condition of anonymity, claimed that most of the agency's trains were "unrailworthy" because they did not have brakes and windows.

"We have not bought brakes in a long time because we do not have money. None of the trains running here has brakes within the wear limit. When the brakes are finished, we remove them and replace them with sets that are worn out and equally bad, but better."

Braamfontein was running a reduced fleet of 32 trains instead of 114, the technician claimed, adding that the reduction of the fleet had happened gradually over the past two to three years.

"The situation obviously became worse over the last six months since we simply cannot run coaches without brakes," he said.

"We have over 300 coaches lying around here in need of wiring as cables have been stolen, and windows and doors have been ripped apart. In Cape Town, Metrorail has reduced its fleet from 104 to 33.

"The situation is not bad; it is very bad. About a month ago, in Cape Town they had replaced more than 1 000 windows in one weekend. But they are all gone and need to be replaced again."

It was a matter of time, added the technician, before Prasa was forced to completely stop all operations.

"We do not have spares and basic things. We did not have crater oil for the longest time. Crater oil is a lubricant that we use to lubricate the wheels. They did not order it. Not having crater oil means trains cannot run because there is no lubrication on the wheels. You cannot run a train without lubrication.

"We do not have any spares here, no crater oil, no brake blocks, no wheels and no windows. The cranes we use have not been repaired in months.

"It is not safe and it is dangerous, you know."

Prasa spokesperson Nana Zenani did not respond to questions sent on Friday.

PRASA TERMINALLY ILL

In December, Transport Minister Fikile Mbalula axed the Prasa board and the chief executive officer, and placed the agency under administration because it was "broken".

A 2020 to 2022 corporate plan for the agency shows that the current service

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Metrorail system. This has further resulted in an unwillingness to buy tickets, increasing the loss in revenue earned," the document says.

The company, which has the capacity to transport up to 3 million commuters daily, is currently transporting up to 700 000 commuters a day.

"This further exacerbated an unpredictable service due to rolling stock availability and reliability of operational infrastructure, which had been deteriorating over a number of years."

The document shows that officials want to increase the number of passengers from 213 million in 2019 to 314 million in 2022.

Mesela Nhlapo, chief executive of the Rail Road Association of SA (RRA), said the RRA agreed with the view recently expressed by the administrator that Prasa is a broken business.

"We are also encouraged by the administrator's commitment to work with the RRA and other stakeholders to fix Prasa. The administrator has to be given space to do his work and address a range of issues, including procurement. In the meantime the RRA will continue to work with Prasa."

What do you think?

What do you make of the sorry state of affairs of our trains? What would you do as a commuter?

SMS us on 35697 using the keyword TRAIN and tell us what you think. Please include your name and province. SMSes cost R1.50. By participating, you agree to receive occasional marketing material



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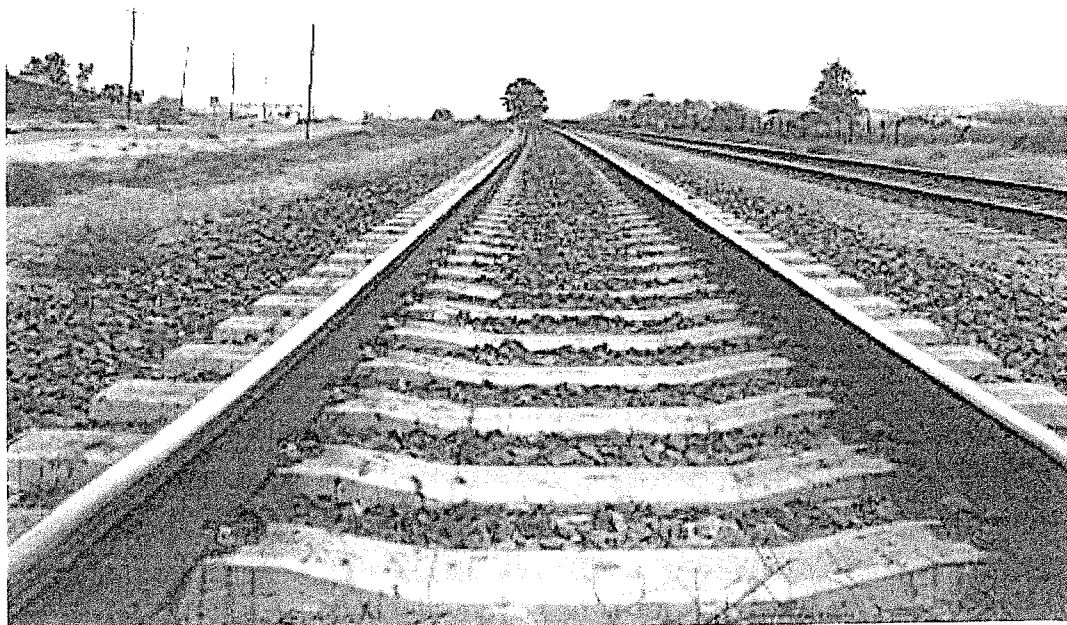
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SOUTH AFRICA

Prasa complies with Railway Safety Regulator's directive to close Shosholoza Meyl

21 February 2020 - 15:35

BY NOMAHLUBI JORDAAN



The Passenger Rail Agency of SA said it has complied with the Railway Safety Regulator's order for Shosholoza Meyl to stop operating.

Image: Chuck Coker (Flickr)

The Passenger Rail Agency of SA (Prasa) on Friday said it had complied with the Railway Safety Regulator's (RSR's) directive for Shosholoza Meyl to stop running.

The directive followed findings by the RSR against the Prasa-operated train service after a fatal crash on February 12.

One man was killed and several injured when a Shosholoza Meyl train collided with a goods train near Bonny Doone Road in Horizon View, Roodepoort.

lim

In a statement on Tuesday night, the RSR said it had concluded its preliminary investigation.

The findings were that the two trains were manually authorised on to the section of the track. The speed data showed the Prasa train was "travelling at 60km/h at the time of impact".

"Management is in the process of reorganising all affected personnel and assets. There will be limited movement of empty MLPS [Main Line Passenger Services] trains for stabling and safeguarding," said Prasa spokesperson Makhosini Mgitywa.

He said communication had been issued to all directly affected passengers.

"Where applicable, refunds are being processed," said Mgitywa.

In addressing the suspension of MLPS train services, Prasa engaged with the RSR on Wednesday.

Mgitywa said the agency was developing an intervention plan which would be submitted to the regulator by Friday.

"The plan addresses the immediate risks associated with manual train authorisations, driver behaviour, and underlying issues of security and infrastructure."

Key elements of the plan are:

- In the short term, review and strengthening of controls to effectively manage the risks of collisions/derailments inherent in manual authorisation of trains.
- Medium-term implementation of the Prasa Re-Signalling Programme to modernise and provide signalling in Gauteng, Western Cape and KwaZulu Natal. This intervention includes the creation of a centralised Gauteng nerve centre that consolidates region-wide trains. Key benefits of this are standardisation of processes, compliance and supervision.
- Engineering plan for all infrastructure and rolling stock interventions. This plan includes the installation of fencing and reinstatement of vandalised signalling.
- Recovery of the Mabopane and central line services which entails the installation of fencing, electrical and signalling to normalise operations and improve safety.
- Responding to the Competition Commission's finding that Prasa was not allowing competition in the market, Mgitywa said: "Prasa is not the sole provider of inter-modal facilities as it is a function of local authorities who have several formal and informal inter-modal


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THE MERCURY / NEWS

Passengers sit on the front of a train as it approaches the platform at Durban Station. Sibusiso Ndlovu African News Agency (ANA)

PICS: Prasa staff battle 'horrific' conditions

By KAREN SINGH  Feb 28, 2020



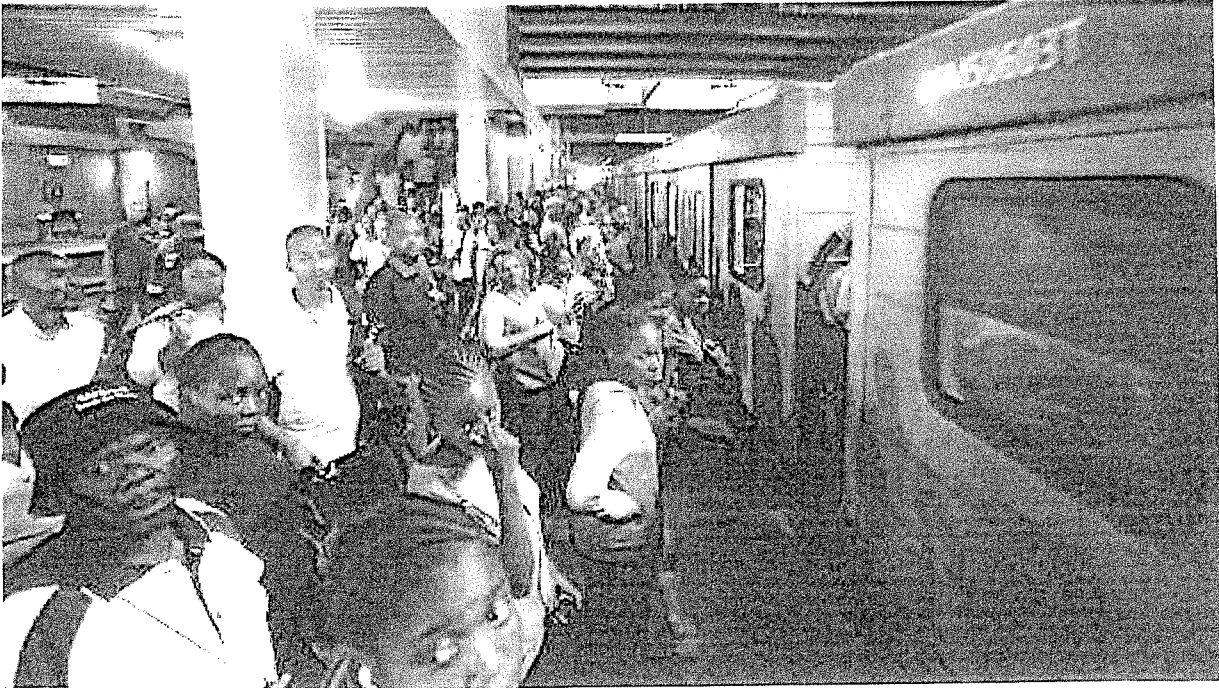
Durban - Lack of security, vandalism, ageing infrastructure and attacks on train drivers by angry commuters are some of the challenges affecting the rail sector in KwaZulu-Natal.

United National Transport Union (Untu) spokesperson Sonja Carstens described the working conditions of employees of the Passenger Rail Agency of South Africa (Prasa) as horrific across the country.

The union said that last week a 38-year-old female train driver of Metrorail, a division of Prasa, was stoned in her cabin while travelling from Durban to Stanger by a mob of furious commuters for refusing to make an unauthorised stop.

Carstens said employees had no security.


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Passengers get ready to board a train home after a long day's work Picture: Sibusiso Ndlovu African News Agency (ANA)

"The disbanded Prasa board decided not to renew the contracts of the security companies at the end of October last year, leaving all Prasa employees without any form of protection," she said.

She added that the union had taken the matter up with the newly appointed administrator. She said there was a Rapid Rail Police Unit that had 3000 officers, but "you can't find them at the station, on the platform and you most definitely won't find them on the trains doing a patrol", said Carstens.

The Mercury visited Durban train station last week to ask commuters about the issues affecting them.

The commuters, who did not want to be named, complained about overcrowding, delayed trains and safety concerns.

A commuter said she was concerned for her safety, but had no choice but to use the trains. She said the trains were often delayed with no indication when the next would arrive.

Another young commuter, who said she was waiting for the next train home to uMlazi because the first one had been overcrowded, said she had once seen fresh blood on the floor of the train.

"I was so scared. Even if you bump someone by accident you never know how they are going to react," she said.

Another commuter said that as a result of overcrowding, passengers were forced to stand for the entire trip.

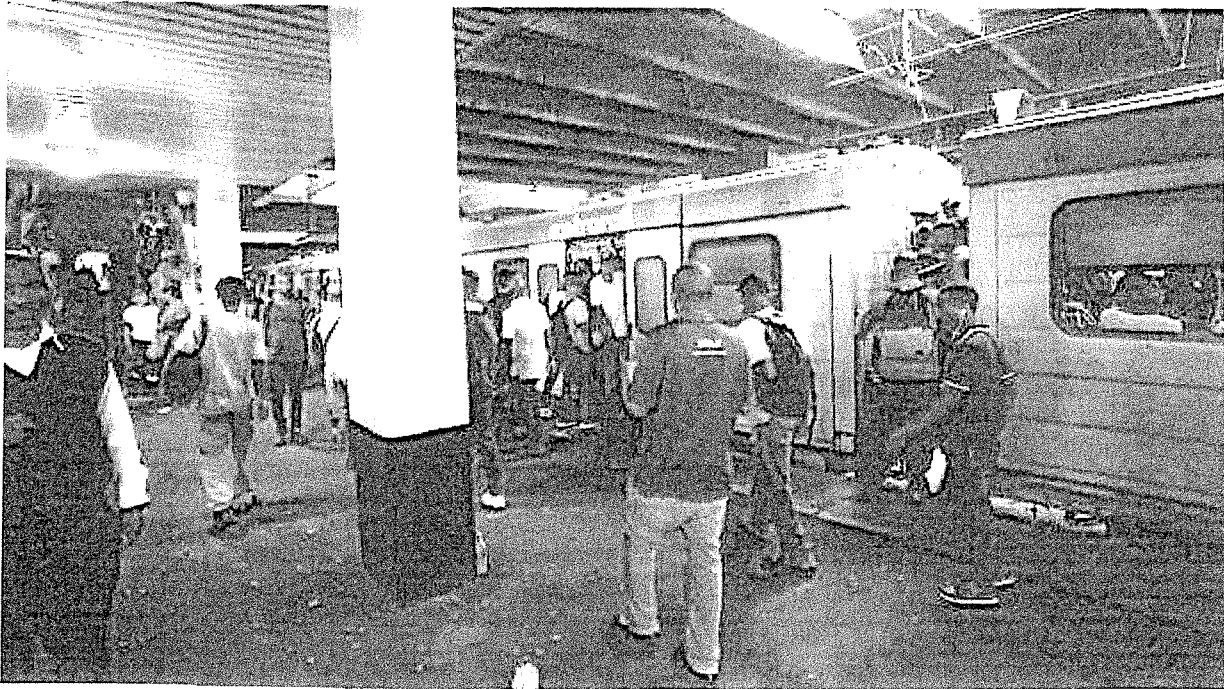
"I have to stand the whole way. An hour of waiting (for the train) and an hour to get home."

Several commuters said it was safer for them to hold their cellphones in their hands rather than

h.m.

"Someone stole my ID, wallet and phone out of my bag," one said.

Overcrowding was also a risk, said a commuter, because some people fell out the coaches accidentally, while others hung on to the outside of the train or sat on the roof.



Passengers squeeze in between the coaches of an overcrowded uMlazi train rather than waiting hours for the next one to arrive at Durban Station. Picture: Sibusiso Ndlovu African News Agency (ANA)

A young commuter said he had witnessed the anger of commuters who took their frustration out on drivers.

"Drivers are going to suffer because passengers are always angry. Last year they burnt a train," he said.

Carstens said there was a rapid increase of vandalism of infrastructure, and attacks on train drivers by furious mobs of commuters that occurred at least twice a week in KZN.

Carstens added that there was an increase in train hijackings in KZN.

She said the drivers were forced to continue on a route that they were not trained to navigate, which was extremely dangerous.

In addition, Carstens said that across the country manual authorisation of trains had also become the norm due to Prasa's poor procurement system and increased vandalism.

"The signalling system is ailing, old, it is not maintained and needs to be replaced," she said. She added that manual authorisation was only supposed to be used in an emergency, however, in the past financial year there had been 1.4million manual authorisations.

She said most train collisions in the past four years were due to manual authorisations.

"Usually, if the signal is functional, the train driver would have a red or green signal to continue or

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OFF THE RAILS (AGAIN)

Prasa misses debt deadline, Eskom throws the switch and Cape Town's rush hour turns dystopian

By Suné Payne • 28 February 2020



📷 Minister of transport Fikile Mbalula. (Photo: Brenton Geach / Gallo Images via Getty Images)

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How does a state-owned enterprise not pay its electricity bill, leaving hundreds of thousands of commuters — in peak hour Cape Town — stranded and needing to find alternative transport at the shortest of notice?

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On Thursday afternoon chaos struck stations across the Western Cape after Eskom shut off Metrorail's electricity supply during Cape Town's rush hour(s). Just as swiftly, Transport Minister Fikile Mbalula intervened and power was restored, but this left knock-on delays for commuters coming home from work.

According to Eskom, the Passenger Rail Agency of South Africa (Prasa), had not paid an outstanding R4-million, which was due 34 days ago. In the afternoon, four power supply substations were cut. After Eskom switched the power back on, there were of course delays. According to Metrorail's Twitter account, by the time services were restored there were residual delays of up to an hour on all lines across the province.

Metrorail estimates that about half a million commuters use rail transport in the greater Cape Town area daily.

Mbalula held a press briefing at Cape Town station in the evening to explain the mess. He apologised to commuters affected by what he termed "disruption".

"The suspension of commuter rail services in the Western Cape immediately affects 289,000 commuters who rely on the Metrorail service during the afternoon peak," Mbalula said. "Equally, this action represents the deepening of the crisis facing Prasa," he said.

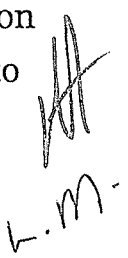
"It is a matter of public record that Prasa is experiencing a cash flow crisis as a result of a depleted operational budget while a significant amount in excess of R18-billion remains tied in the capital budget... This afternoon Prasa settled the outstanding Eskom debt and the restoration of power on the Metrorail lines is currently under way."

Mbalula, who is on a stabilisation mission at the embattled rail agency, said:

"Eskom has cited overdue payment of 34 days of their Western Cape electricity account of R4-million. This is despite the fact that other regions have not been subjected to a similar treatment. Of equal concern is the fact that Eskom had declared Metrorail a priority user at the start of load shedding and cuts of traction power is unprecedented."

But Eskom dismissed these claims:

"Eskom wishes to highlight that the disruptions at Prasa are due to the disconnection of electricity supply following the non-payment of their account only, and not due to load shedding. Eskom has engaged the entity for an extended period to avert the



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disconnection of supply without success,” said Trish de Silva, middle manager: communication and stakeholder management, in a statement to *Daily Maverick*.

But Mbalula was quick to stress that money that could have been added to fix rail has been shifted from Prasa, according to Finance Minister Tito Mboweni’s Budget speech on Wednesday.

Mboweni said that “public transport spending is adjusted by R13.2-billion, mainly on allocations to the Passenger Rail Agency of South Africa and the public transport network grant”.

This means that money will be taken from the struggling entity. Mbalula is not happy about this:

“Nobody asked me about my analysis of the Budget. R13-billion has been taken away from me,” he told journalists, adding that “the trade-offs that we make as a country in the light of the dire economic climate must be responsible and not adversely affect the livelihoods of the poor who rely on public transport. As part of this engagement, we will brief Cabinet on our efforts to stabilise our commuter rail service.”

Mbalula said that the electricity debt issue preceded his appointment in May 2019, but he and his team had been negotiating with Eskom to resolve this. When asked if it would happen again, Mbalula said that once that (Prasa’s debt to Eskom) had been addressed, it would not recur.

Mbalula then repeated his oft-stated claim that he was there to get things back on track with the entity and stated that in a year’s time “we will have reached stability”.

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**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)**

Case No: 19976/19

In the matter between:

#UNITEBEHIND

Applicant

and

MINISTER OF TRANSPORT

First Respondent

**SECHABA PROTECTION SERVICES
WESTERN CAPE (PTY) LTD**
(Reg No: 1995/02930/07)

Second Respondent

**HIGH GOALS INVESTMENTS CC T/A
CHUMA SECURITY SERVICES**
(CK 1995/13594/23)

Third Respondent

SUPREME SECURITY SERVICES CC
(Reg No.: 97/22077/23)

Fourth Respondent

VUSA-ISIZWE SECURITY (PTY) LTD

Fifth Respondent

PASSENGER RAIL AGENCY OF SOUTH AFRICA LTD

Sixth Respondent

BONGISIZWE MPONDO

Seventh Respondent

In re the matter between:

**SECHABA PROTECTION SERVICES
WESTERN CAPE (PTY) LTD**
(Reg No: 1995/02930/07)

First Applicant

**HIGH GOALS INVESTMENTS CC T/A
CHUMA SECURITY SERVICES**
(CK 1995/13594/23)

Second Applicant

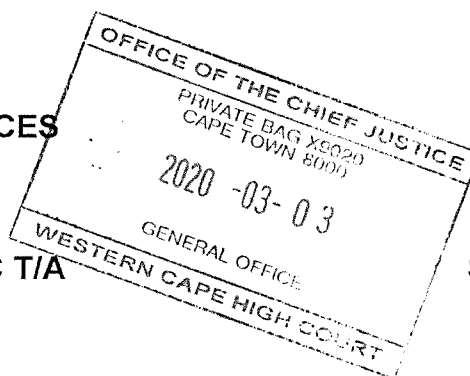
SUPREME SECURITY SERVICES CC
(Reg No.: 97/22077/23)

Third Applicant

VUSA-ISIZWE SECURITY (PTY) LTD

Fourth Applicant

and



PASSENGER RAIL AGENCY OF SOUTH AFRICA LTD
BONGISIZWE MPONDO

First Respondent
Second Respondent

and

#UNITEBEHIND

Amicus Curiae

NOTICE OF MOTION

TAKE NOTICE that the abovementioned applicant intends making application to this Honourable Court, on **FRIDAY 6 March 2020 at 10h00** or as soon thereafter as the matter may be heard, for an order in the following terms:

1. Dispensing with the forms and service provided for in the Uniform Rules of Court and directing that the application be heard as a matter of urgency in terms of Rule 6(12).
2. That #UniteBehind is granted leave to intervene as the fifth applicant in the Main and Enforcement applications under the above case number.
3. That the Minister of Transport (**the Minister**) be joined as the third respondent in the Main and Enforcement applications under the above case number.
4. Declaring that the Minister is obliged to oversee and ensure that the Passenger Rail Agency Of South Africa Ltd, the First Respondent in the Main and Enforcement applications (**PRASA**) complies with its obligations under the order issued by Judge President Hlophe dated 19 November 2019 ("the Order").

5. Directing that the Minister file an affidavit with this Court within 20 days in order to:
 - 5.1. explain PRASA's failure to comply with the Order;
 - 5.2. state what steps he and/or PRASA have taken in order to ensure compliance with the Order;
 - 5.3. state what further steps will be taken by him and/or PRASA to ensure compliance with the Order and when those steps will be taken;
 - 5.4. show cause why PRASA should not be found to be in contempt of Court;
and
 - 5.5. show cause why PRASA should not pay #UniteBehind's and the security contracts applicants' costs on a punitive scale of attorney own client, the one paying the other to be absolved, as the case may be.
6. That #UniteBehind and or any other interested party (with sufficient standing):
 - 6.1. is granted leave to file an affidavit, if any, to place any aspect of the affidavit(s) referred to in paragraph 5 above in issue.
 - 6.2. The affidavit(s) referred to in paragraph 6.1 above is to be filed within 7 court days after receipt of the affidavit(s) referred to in paragraph 4 above.
7. That, after the filing of the affidavit(s) in paragraphs 5 or 6, that the matter will be set down for hearing on a date to be determined by this Honourable Court.
8. That any respondent opposing this application be ordered to pay #UniteBehind's costs.

9. Further and or alternative relief.

AND FURTHER TAKE NOTICE that the Affidavit of **Abdurrazack “Zackie” Achmat** annexed hereto, will be used in support of this Application.

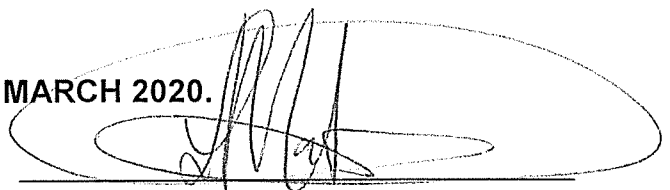
AND TAKE NOTICE FURTHER that #UniteBehind has appointed **Mathewson Gess Attorneys** at **33 Church Street, Cape Town**, as the address at which they will accept service and notice of all process in these proceedings.

AND TAKE NOTICE FURTHER that if you intend opposing this Application you are required:

- (a) to notify the Applicant’s Attorneys in writing on or before **12h00** on **WEDNESDAY 4 MARCH 2020**;
- (b) appoint in such notification an address which is within fifteen (15) kilometres of the office of the Registrar of the High Court at which you will accept notice and service of any documents and processes;
- (c) to file your Answering Affidavit **16h00** on **THURSDAY 5 MARCH 2020** if any.

KINDLY PLACE the matter on the roll accordingly.

Dated at **CAPE TOWN** on this the **3rd** day of **MARCH 2020**.

A handwritten signature in black ink, appearing to read 'Lundi Maki', is written over a horizontal line. The signature is enclosed within a large, hand-drawn oval.

Mathewson Gess Incorporated Attorneys

LUNDI MAKI

lundi@mgia.co.za

Applicant’s Attorneys

9th Floor, Vunani Chambers

33 Church Street, Cape Town, 8001

Tel No.: 021 – 422 5333 / Fax No.: 021 – 422 5338

TO:

THE REGISTRAR

HIGH COURT

CAPE TOWN

AND TO:

**SECHABA PROTECTION SERVICES
WESTERN CAPE (PTY) LTD**
(Reg No: 1995/02930/07)

**HIGH GOALS INVESTMENTS CC T/A
CHUMA SECURITY SERVICES**
(CK 1995/13594/23)

SUPREME SECURITY SERVICES CC
(Reg No.: 97/22077/23)

MARK HESS ATTORNEYS

23 Franklin Road

Claremont

Cape Town

Tel No.: 021 671 1378

Email: anne@hessattorneys.co.za (Ref: MHISEC1/0055)

AND TO:

VUSA-ISIWE SECURITY (PTY) LTD

DUNSTERS ATTORNEYS INC

Suite 405, 4th Floor

42 Keerom Street

Cape Town

Tel: 021 422 3020

Email: bridget@dunster.co.za

AND TO:

**PASSENGER RAIL AGENCY
OF SOUTH AFRICA LTD**

1 Adderley Street

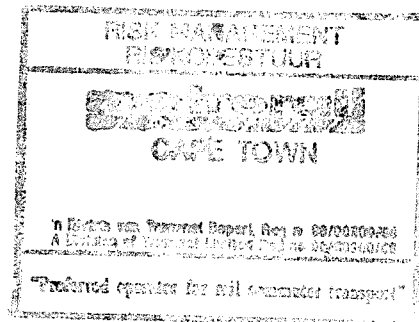
1st Floor Admin Wing,

Cape Town Station

Cape Town

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03/03/2020 @ 12:10Pm.



AND TO:

BONGISIZWE MPONDO

PRASA OFFICE

1 Adderley Street

1st Floor Admin Wing,

Cape Town Station

Cape Town

Email: Bongisizwe.Mpondo@prasa.com

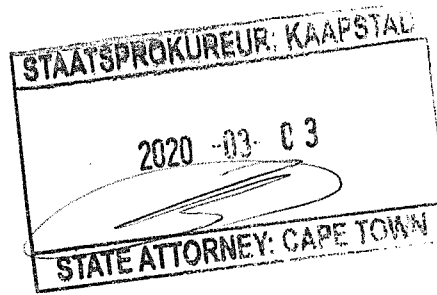
AND TO:

THE MINISTER OF TRANSPORT

c/o **State Attorney**

22 Long Street

Cape Town



11630.