

Press Release – 08 October 2018

In re: Myeni vs ANC and Others Case No: 397/18

An urgent application was brought by Mr Vincent Myeni, a member of the African National Congress, applying for the election of the Top 6 at the 54th National Elective Conference held in December 2017 to be declared null and void and set aside. This application was based on two allegations:

- 1) That the elective process was tainted with procedural irregularities and that there was “*sufficient reason to suspect that a fraud was perpetrated*”; and
- 2) That the Chief Executive Officer of the Elexions Agency, which was appointed to conduct the election process, Ms Bontle Mpakanyane (“**Ms Mpakanyane**”), had a conflict of interest which she did not disclose – the alleged conflict of interest on the part of Ms Mpakanyane was that she was involved in a romantic relationship with Mr Paul Mashatile, the fifth respondent in the application, and that they had a child together.

It should be noted that this application was removed from the roll by the Applicant’s attorneys, who then failed to re-enrol the matter. This, in itself, brought the motive of the Applicant into question. A decision was then taken by the Elexions Agency to take the steps necessary to ensure that the matter is heard - this in an attempt to ensure that the truth prevails and that the reputation of the Elexions Agency remains intact. The application was heard on the 8 October 2018, by Honourable Judge J Tuchten, who, in giving due regard to the conduct of the Applicant, in that he had made several bald and unfounded allegations and made no attempt to prove same, dismissed the Applicant’s *mala fide* application and awarded costs to the Elexions Agency on an attorney and client scale, including the costs of two counsel.

The Directors of the Agency are vindicated by the court judgement and regret that the allegations were made in the first instance as they were blatantly untrue and extremely vexatious and brought into question the integrity, independence and impartiality of the Directors and the reputation of the Elexions Agency. The Directors, Dren Nupen and Bontle Mpakanyane have been conducting elections in South Africa since 1983 and for the ANC since 1991. They feel vindicated by the judgement and continue to do their work in a transparent, inclusive and impartial manner they have done since 1983.