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**MEDIA STATEMENT  
FOR IMMEDIATE RELEASE  
25 JANUARY 2023**

**HLAUDI MOTSOENENG LOSES APPEAL BID TO AVOID PAYING R11.5 MILLION PAID TO HIM AS SUCCESS FEE FOR MULTICHOICE DEAL**

On 19 January 2023, the Supreme Court of Appeal dismissed with costs an application brought by Hlaudi Motsoeneng to appeal the order of the High Court of South Africa: Gauteng Local Division, Johannesburg, declaring the decision of the then SABC Board to pay him R11.5 million as unlawful and invalid. Around August 2016, the then SABC board took a decision to pay Motsoeneng a success fee for clinching the MultiChoice deal.

In February 2018, the Special Investigating Unit (SIU) and the SABC jointly brought issued summons against Motsoeneng in the High Court, Gauteng Local Division to recover the success fee. In December 2021, the High Court reviewed and set aside the former board's decision and found that the decision was unlawful and invalid. The High Court ordered Motsoeneng, former SABC chief operations officer, to repay R11,508,549.12 within seven days of the order, with interest at the rate of 15,5% per annum calculated from 13 September 2016 to date of payment.

Should Motsoeneng fail to pay within seven days, the High Court ordered the SABC Pension Fund to pay the amount to the SABC or all the pension proceeds where the pension proceeds do not amount to R11,508,549.12.

The SIU welcomes the order of the Supreme Court of Appeal as it paves way for the Unit to recover the financial losses suffered by the SABC, because of unlawful and invalid decisions.

Justices Van Der Merwe JA and Kathree-Setiloane AJA dismissed the application on the grounds that there is no reasonable prospect of success in an appeal and there is no other compelling reason why an appeal should be heard.

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**@RSASIU** **RSASIU** **Special Investigating Unit - South Africa** **youtube.com/@specialinvestigatingunit3657**

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**SIU** SA  
STRIKING AGAINST CORRUPTION

The SIU was, in terms of Proclamation R29 of 2017, directed by President Cyril Ramaphosa to investigate allegations of corruption, maladministration, malpractice and payments made by the SABC together with the conducts of its employees, and recover financial losses suffered by the SABC. In line with SIU Act 74 of 1996, the SIU is authorised to institute civil proceedings, and refer evidence pointing to criminal conduct to National Prosecuting Authority (NPA) for prosecution.

**END**

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**ABOUT THE SIU:**

*The SIU is an independent statutory body with a primary mandate to investigate allegations of corruption, malpractice and maladministration in the affairs of government departments, municipalities and State-Owned Entities, and to recover financial losses suffered by State institutions. The SIU was established in terms of the Special Investigating Units and Special Tribunal Act, Act No 74 of 1996 (SIU Act).*

*The SIU has powers to subpoena witnesses, bank statements and cell phone records, search, seize evidence and interrogate witnesses under oath. The SIU can take civil action to correct any wrongdoing it uncovers in its investigations. Where criminal conduct is uncovered during investigations, the SIU will bring the matter to the attention of its partners Hawks in the South African Police Service (SAPS), as well as the National Prosecuting Authority (NPA).*

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