

SIU files leave to appeal in Telkom case

The Special Investigating Unit (SIU) is expected to file an application for leave to appeal a High Court judgment which deemed its authorisation to investigate the affairs of Telkom as invalid.



Image source: Brian Jackson – [123RF.com](https://www.123RF.com)

The judgment was delivered last month after the unit was authorised through a proclamation by President Cyril Ramaphosa to investigate allegations of “serious maladministration, malpractice, and possible corruption” at the telecommunications company.

“The High Court found that Telkom is not a state institution and therefore, the SIU could not investigate allegations of serious maladministration, malpractice, and possible corruption in the affairs of Telkom.

“After consulting with our legal team, the SIU is of the opinion that there is reason for an appeal,” the SIU said.



High Court declares SIU authorisation to investigate Telkom 'invalid'

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The unit insists that the court must “give a fuller picture of what constitutes a state institution as this can set a legal precedent” on which institutions it can investigate.

Currently, government directly holds a 40.5% shareholding in Telkom with a further 15.3% shareholding through the Public Investment Corporation.

“It is important that the issue of the 'state institution' must be decided and settled. If this is not clarified, it may create an unwelcome precedent that some public institutions may inadvertently be shielded from investigation by the SIU,” the unit concluded.

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