

**IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA  
(CONSTITUTIONAL HILL, BRAAMFONTEIN)**

Case No: CCT 115/12

WC High Court Case No: 21990/2012

In the matter between:

**LINDIWE MAZIBUKO, LEADER OF THE  
OPPOSITION IN THE NATIONAL ASSEMBLY**

Applicant

and

**MAX VUYISILE SISULU, MP,  
SPEAKER OF THE NATIONAL ASSEMBLY**

First Respondent

**DR MATHOLE SEROFO MOTSHEKGA, MP,  
THE CHIEF WHIP OF THE AFRICAN  
NATIONAL CONGRESS**

Second Respondent

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**FIRST RESPONDENT'S ANSWERING AFFIDAVIT**

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I, the undersigned,

**MAX VUYISILE SISULU,**

do hereby make oath and state as follows:

1. I am the Speaker of the National Assembly of the Parliament of the Republic of South Africa. I am the First Respondent in this matter.
2. The facts deposed to herein are, unless the contrary appears from the

context, within my own knowledge and true and correct. Where I make legal submissions, I do so on the basis of advice given to me by my legal representatives and I believe such advice to be correct.

3. I refer to my answering affidavit in the High Court application, which is attached to the Applicant's founding affidavit. In view of the limited time at my disposal I confirm the correctness thereof and ask that the contents thereof be incorporated herein.

### **URGENCY**

4. The Applicant brings her application as a matter of extreme urgency, and asks the Court to dispense with the ordinary rules as to timeframes. In response to the directions issued by the Chief Justice on 26 November 2012, calling specifically for written submissions to be filed by the First and Second Respondents on the question of urgency, I wish to deal with urgency at the outset. (I assume for these purposes that I am required to include the written submissions on urgency in this answering affidavit, as opposed to in a separate document.)
5. I point out at the outset that I deny the urgency contended for by the Applicant on the following grounds:
  - 5.1. The Applicant is the author of her own urgency in two important respects, namely:
    - 5.1.1. The Applicant gave notice of her motion of no

confidence after the meeting of the Programme Committee on 8 November 2012. This meant that the Programme Committee only became seized of the matter at its next scheduled meeting the following Thursday, i.e. 15 November 2012, which also happened to be the last meeting of the Programme Committee for 2012.

5.1.2. If the Applicant had tabled the motion before the meeting of 8 November 2012, there would have been two weeks in which the ordinary process of the National Assembly could have run its course. Instead, the Applicant brought urgent proceedings against me the day after the motion was first before the Programme Committee, without even consenting to my request to be given an opportunity to take proper legal advice on how to proceed as a result of the deadlock – an unprecedented event. In this regard I refer to annexures "LDM2" and "LDM3" to the founding affidavit in the Court *a quo*.

5.1.3. Secondly, the Court *a quo* found that the Applicant should have approached this Honourable Court directly by virtue of section 167(4)(e) of the Constitution. Accordingly, the Applicant approached the wrong Court at the outset, and is now belatedly

seeking to remedy her mistake retrospectively by asking this Court to hear her application on an urgent basis notwithstanding the fact that the National Assembly had its last sitting for the year on 22 November 2012.

- 5.2. In this regard I point out that recalling the members of the National Assembly would amount to an additional expense of at least R2.5 million. Flight tickets for ordinary MPs are budgeted at R5500 per ticket and ground transportation is budgeted at R650. It could theoretically be done, but it would amount to a significant additional expense from the National Revenue, apart from other logistical problems and the fact that there are bound to be members who will be unable to attend.
- 5.3. From 27 November 2012 to 7 December 2012 the members are scheduled to attend Committee meetings, and oversight and study Tours. The latest official lists provided to me indicate that during the period 26 November 2012 to 5 December 2012, four Committees are meeting on 27 November 2012, eight on 28 November 2012, three on 29 November 2012; one on 30 November 2012 and one on 5 December 2012. Thereafter there are no National Assembly Committee meetings scheduled to meet until mid-January 2013.
- 5.4. From 10 to 14 December 2012 is the constituency period,

during which members are required to be in their constituency offices across the length and breadth of the country. From 17 December 2012 to 11 January 2012 is the official leave period.

5.5. As far as my own schedule is concerned:

5.5.1. The Deputy Speaker and I will be attending a workshop from Wednesday 28 November 2012 to Friday 30 November 2012.

5.5.2. I will be in Namibia for SADC's Parliamentary Forum on 7 December 2012.

5.5.3. I will however make myself available at all times to attend to this matter, regardless of my whereabouts.

5.6. I point out that the parties which the Applicant claims to represent have also not exhausted their possible alternative remedies. By virtue of the Rules of the National Assembly, the Programme Committee is structured in such a way that the minority parties have a majority in the Programme Committee. At the 15 November 2012 meeting, however, they did not call for a vote.

5.7. I suspect that the reason for this may be that at the time when the matter was discussed in the Programme Committee, and the deadlock occurred, the members of the ruling party were

in the majority because not all the members of the National Assembly of the minority parties who are also members of the Programme Committee, were in attendance.

- 5.8. Whereas it is correct that the practice of the Programme Committee is not to vote, I am not convinced that a vote can under no circumstances be called for when no consensus is attainable and would have considered entertaining a vote if that had been called for. In this regard I point out that rule 129 of the Rules of the National Assembly which is applicable to Committees generally, *inter alia* provides that in the event of an equality of votes on any question before the Committee, the Chairperson has to exercise a casting vote in addition to the deliberative vote.
- 5.9. I do not deny, and never have, that the Applicant has a right in terms of section 102(2) of the Constitution to bring a motion of no confidence. However, I point out that the Rules of the National Assembly must be followed. Whereas I have at all times taken the stance that the motion tabled by the Applicant should be treated with urgency, this does not mean that the procedures and Rules of the National Assembly should simply be discarded in the face of a motion of no confidence.
- 5.10. The Rules of the National Assembly are based on those of the Westminster system, they have crystallised over years of practice, and there are reasons for their existence. It would

result in a complete disruption of Parliamentary proceedings if a member could simply bring a motion of no confidence and expect all other business to be suspended or discontinued. Apart from section 102(2), many other constitutional rights are dependent on the proper functioning of the National Assembly. Surely, a motion of no confidence must be afforded the urgency and priority which it deserves, but within the confines of the National Assembly Rules and proceedings.

5.11. In any event, I have taken note of the Court *a quo*'s finding that there exists a *lacuna* in the Rules. In my capacity as Speaker I am the Chairperson of the Rules Committee, and I have already resolved to place this issue before the Rules Committee with a view to addressing any such *lacuna*.

5.12. I further mention that although the Court *a quo* was correct in finding that the merits of the motion of no confidence is not before the Court, I point out that the issues contained in the motion are not new. The Marikana tragedy, for example, took place months ago. The motion of no confidence could accordingly have been brought much earlier. Instead, the Applicant tabled the motion at the eleventh hour and now expects the National Assembly and the Courts to accommodate her within impossibly short time-frames.

6. In what follows, I deal with the Applicant's founding affidavit.

**Ad the affidavit of Lindiwe Desiré Mazibuko**

7. Ad paragraphs 1 and 3

These paragraphs are admitted.

8. Ad paragraph 2

To the extent that I take issue with facts deposed to by the deponent, this paragraph is denied.

9. Ad paragraph 4

This paragraph is not admitted. The deponent was required, in the High Court application, to provide documentary proof to substantiate her claim that she represents the political parties enumerated in subparagraphs 4.1 to 4.8, but she has failed to do this. It is in the nature of politics that temporary alliances fail and it was therefore not unreasonable of me to call for proof as I did then and do now.

10. Ad paragraph 5

Save that my first name is Max, this paragraph is admitted.

11. Ad paragraph 6

This paragraph is noted.

12. Ad paragraph 7

This paragraph is admitted. I refer to what I have said in this regard in the Court *a quo*.

13. Ad paragraph 8

This paragraph is admitted. Again, I refer to what I have said in this regard in the Court *a quo*.

14. Ad paragraph 9

This paragraph is noted. It is denied that I had the authority to schedule the motion of no confidence in the National Assembly. This position was confirmed by Davis J in the Court *a quo*.

15. Ad paragraph 10

It is denied that I (presumably by way of my counsel) “*conceded for the first time*” that the Applicant had a right to have the motion debated and voted upon. It is clear from the papers and the attached correspondence that I at all times treated the Applicant’s motion and application as a matter of utmost importance and urgency. I instructed counsel on extraordinarily short notice and filed papers on Monday, 19 November 2012, despite only receiving notice of the application late during the afternoon of Friday, 16 November 2012. I conceded that the matter was urgent but not that the Applicant was entitled to judicial intervention as a matter of urgency. I reported the deadlock of the Programme Committee to the National Assembly, which was the only step I was entitled to take in terms of the Rules of the National Assembly, on Tuesday 20 November 2012. It is not correct to imply that, to begin with, I took the position that the Applicant did not have a right to have the motion debated and voted upon.

16. Ad paragraph 11

16.1. This paragraph is admitted. I refer, however, to the judgment of the Court *a quo* which has become available since the filing of the Applicant's founding affidavit.

16.2. If this matter were to proceed before this Court I will seek leave to counter appeal against the costs order, for reasons set out below.

17. Ad paragraph 12

17.1. I refer to the fact that the judgment of the Court *a quo* has now become available.

17.2. I point out that the Court *a quo* has made the following findings in addition to the ones mentioned by the Applicant:

17.2.1. It had deferred judgment to Thursday, 22 November 2012, on the basis of my counsel's argument that the matter was not ripe until the National Assembly had deliberated on the report regarding the Programme Committee's deadlock.

17.2.2. The Court accordingly found in my favour on the issue of ripeness. It found that at the time of judgment, ripeness was no longer an issue as a result of the "*way in which matters have now unfolded*" (p.24).

17.2.3. The Rules of the National Assembly do not provide for a determination of what constitutes “urgency” (p.30), nor for the “*necessary deadlock breaking mechanism*” (p.30-31), save for “*the possible interpretation that a majority vote may determine the issue in the Programme Committee*” (p.41).

17.2.4. The Court held that “*it was surely the height of forensic optimism to have launched this application to be heard on [Tuesday] 20 November 2012, ask for a postponement until after lunch on that day before being heard and then expect an order to be given which would ensure that the Speaker conducts the debate on Thursday [22 November 2012]*” (p. 31). In this regard I refer to the fact that the Applicant filed a replying affidavit which is significantly longer than her founding affidavit more or less at the time for which the matter was set down.

17.2.5. I, as Speaker, do not have the power to schedule a debate in the National Assembly, and that rule 2 of the Rules of the National Assembly does not apply in this case. In this regard, the Court’s finding was based squarely on my contentions.

17.2.6. After a careful reading of the Rules, it could not find any authority for the suggestion that I have the power

to “*come to the aid*” of the Applicant in these circumstances (p. 41). Also that “[*n*]o authority has been given to suggest that the relief which is sought could be granted” (p. 45-46).

17.2.7. These findings underpin my intention to bring a counter appeal against the Court *a quo*’s order pertaining to costs (which was that there would be no order as to costs). The judgment was substantively based on virtually all the points placed before the Court on my behalf.

18. Ad paragraph 13

It is denied that the matter is urgent, on the grounds set out above.

19. Ad paragraphs 14 to 20

These paragraphs are noted. For reasons canvassed elsewhere I deny that, in the circumstances of this matter, the Applicant is entitled to the relief sought generally and, specifically, as a matter of urgency.

20. Ad paragraphs 21 to 28

20.1. As mentioned above, I do not deny that the Applicant has a right to schedule a motion of no confidence in terms of section 102(2) of the Constitution, and that this constitutes an important constitutional right. However, I deny that such a motion should have the result that members or the presiding

officer may conduct themselves in a manner that falls outside the ambit of the Rules of the National Assembly, or that there is an entitlement to judicial intervention given the full conspectus of the facts of this matter.

20.1.1. In this regard I note that it is not the Applicant's position that the motion has any prospect of supplanting to government.

21. Ad paragraph 29

21.1. As mentioned above, the deadlock of the Programme Committee was an unprecedented event. I also point out that the Programme Committee is constituted in such a way that the minority parties in the National Assembly have a majority in the Committee. In *casu*, the Applicant's party did not call for a vote, presumably because they were not all in attendance at the meeting.

21.2. The Applicant has said, without any justification, that I was a part of a majority party strategy to foil the attempt to have the motion debated and voted upon. The facts do not bear this out.

22. Ad paragraph 30

This paragraph is noted.

23. Ad paragraph 31

This paragraph is noted. I point, again, to Applicant's remissness in proposing the motion timeously.

24. Ad paragraph 32

This paragraph is admitted.

25. Ad paragraph 33

This paragraph is noted.

26. Ad paragraph 34

This paragraph is noted. I refer to my answering affidavit in the Court *a quo*.

27. Ad paragraph 35

28. This paragraph is admitted, save to state, as mentioned above, that the Applicant only tabled the motion after the meeting of the Programme Committee of 8 November 2012 had already taken place.

29. Ad paragraphs 36 to 39

These paragraphs are admitted. I point out that, regardless of the fact that the motion appeared on the Order Paper when it did, the Programme Committee still had to decide when it would be debated and voted upon.

30. Ad paragraph 40

This paragraph is admitted. It is pointed out again that the minority

parties in the National Assembly are in the majority in the Programme Committee.

31. Ad paragraph 41

This paragraph is admitted. I reiterate that the parties which the Applicant claims to represent did not call for a vote, notwithstanding the fact that, collectively, they have a majority representation in the Programme Committee.

32. Ad paragraph 42

32.1. I admit that the practice of the Programme Committee is to take decisions by consensus. However, the rules provide for Committees to vote, unless specific provision is made to the contrary, and such a vote could have been called for. As mentioned, a deadlock in the Programme Committee was unprecedented.

32.2. I note that my position that it would have been futile to refer the matter back to the CWF is not challenged.

33. Ad paragraph 43

This paragraph is admitted.

34. Ad paragraph 44

35. This paragraph does not contain the full picture. I recorded at the late afternoon meeting with the Whips of minority parties that I will take

further legal advice. I recorded this again, in writing, the following day, 16 November 2012. Moreover, I reported the outcome of the Programme Committee meeting to the National Assembly on 20 November 2012, and not on 21 November as stated by the Applicant.

36. Ad paragraphs 45 and 46

36.1. It is admitted that the Applicant's attorney sent the relevant letter to Parliament's Chief Legal Advisor. I point out that on that same evening, namely Thursday, 15 November 2012, I already briefed senior counsel pertaining to the question as to how to go forward pursuant to the Programme Committee deadlock.

36.2. The letter itself provides for the eventuality that I may not have the power under rule 2(1) to take the necessary steps. It states in this respect in para 11:

*“If, for any reason at all you are of the view that your power under NA Rule 2(1) is not the appropriate power, then please confirm that you will take whatever steps are appropriate and necessary to ensure that our clients’ Notice contemplated under S102 is scheduled for debate on or before 22 November 2012.”*

36.3. This sentence is nonsensical: If I were of the view that rule 2(1) does not give me the power to take the steps suggested by the Applicant, how could I be expected to nevertheless

confirm that I would take unidentified appropriate steps? In the event Davis J concluded that I could not.

37. Ad paragraph 47

37.1. This paragraph is categorically denied. The letter from the State Attorney states:

*“Notwithstanding the fact that the Speaker will be attending the funeral to which we have referred, he is attending to this matter, as also you letter under reply, urgently. To this end, and since the matter is obviously one of considerable importance raising complex matters of constitutional law, the Speaker has called for advice from independent senior counsel, even during the course of last night. The substance of your letter will accordingly be responded to by no later than Monday, 19 November 2012.”*

37.2. Accordingly, my attorneys made it clear that -

37.2.1. despite my attendance at the funeral I would make myself available at all times;

37.2.2. I deemed this matter of utmost importance and urgency, and had called for the advice of senior counsel on an urgent basis; and

37.2.3. the reason why a response was promised by

Monday, 19 November 2012, was not because this was the first day on which I would be back from the funeral (as implied by the Applicant in this paragraph), but because legal advice was being sought over the weekend and I would only have been in a position to respond in terms thereof on the Monday.

38. Ad paragraph 48

This fact is admitted; the entitlement and/or appropriateness of this conduct not. I point out that the application was brought despite my request to wait until Monday, 19 November 2012, on which date I expected to be able to provide my answer pursuant to the legal advice obtained.

39. Ad paragraphs 49 and 50

These paragraphs are admitted. I point out that due to the lengthy replying affidavit filed on the morning of Tuesday, 20 November 2012, the hearing could only start at 14h00 on the afternoon of Tuesday, 20 November 2012, the day which the Applicant chose for the hearing.

40. Ad paragraph 51

It is admitted that these arguments were advanced by the Applicant's counsel at the hearing. This does not mean that I agree with them. I deny paragraph 51.2 and refer to what I have already said regarding

the contents of paragraphs 51.4, 51.5 and 51.6.

41. Ad paragraph 52

41.1. It is admitted that these arguments were advanced by my counsel at the hearing. I point out, however, that many other contentions were also made, which arguments were eventually relied on by the Court *a quo* in its judgment.

41.2. In this regard I refer specifically to the fact that it was argued on my behalf that section 167(4)(e) of the Constitution was the reason why the application was prematurely brought in the wrong Court.

42. Ad paragraph 53

I deny that I was equivocal about the Applicant's right under section 102(2) of the Constitution and note that the Applicant does not even attempt to substantiate this averment. I treated the motion as important and urgent at all times. My stance throughout was that I did not, and still do not, have the authority to schedule a debate *mero motu*, and that the National Assembly was the only authority with authority in this regard. The Court *a quo*'s judgment expressly confirms that this approach is correct.

43. Ad paragraph 54

This paragraph is noted.

44. Ad paragraph 55

I point out that the majority party does not necessarily have the ability to “*frustrate*” motions, as the minority parties are in the majority on the Programme Committee. However, in this case parties which the Applicant claims to represent did not call for a vote, although, in my view, the rules arguably provide for a vote to have been called for.

45. Ad paragraph 56

I have already commented on these averments. The word admit is inappropriate. He volunteered this position of his own accord. I would add that he also said that this had been my position from the outset.

46. Ad paragraph 57

This paragraph is admitted.

47. Ad paragraph 58

I point out that Davis J indicated, after the hearing of 20 November 2012, that he reserved his judgment to be delivered on Thursday, 22 November 2012 because he had a complex matter set down for hearing on Wednesday, 21 November 2012, and he would not have time to prepare a judgment in such a short space of time. I made the report on that day. It appeared on the Order Paper the next day.

48. Ad paragraphs 59 and 60

These paragraphs are noted.

49. Ad paragraph 61

This paragraph is admitted.

50. Ad paragraphs 62 and 63

50.1. These paragraphs are now obsolete as the judgment of the Court *a quo* has become available and this Court no longer has to rely on a summary of its contents from any of the parties. However, I note that I never insisted that consensus was required in the Programme Committee. It was pointed out, with reference to authority, that such was the practice in that Committee.

50.2. The Court *a quo* was alerted to the fact that, collectively, the minority parties are in the majority in the Programme Committee.

51. Ad paragraph 64

51.1. Whereas I admit that a motion of no confidence is by its very nature important and urgent, as had been my stance throughout, I deny that this application has the urgency which the Applicant avers. The National Assembly's last sitting has already taken place and I have already dealt with the reasons why the application should not be entertained at the outset.

51.2. I again deny categorically the patently incorrect statements that I did not treat the motion of no confidence with importance

and urgency until the hearing and refer to what I have already said in this regard. I point to the letter by the State Attorney referred to above, dated 16 November 2012 (the date on which the High Court application was launched), in which it is stated that "*the matter is obviously one of considerable importance raising complex matters of constitutional law*" and that despite my attendance at the funeral I will be attending to this matter "*urgently*".

52. Ad paragraph 65

The contents have already been dealt with elsewhere. I also point out that the Applicant did not request an earlier meeting of the Programme Committee.

53. Ad paragraph 66

I point out in this regard that:

53.1. The Applicant fails to mention that she only tabled the motion after the 8 November 2012 Programme Committee meeting had already taken place, and that, accordingly there was only one more Programme Committee meeting scheduled during the 2012 session at which her motion could be discussed.

53.2. The Applicant again fails to mention that the minority parties are in the majority in the Programme Committee but did not call for a vote.

53.3. I deny any implication that I deliberately frustrated, of my own accord or in conjunction with the majority party, the Applicant's attempts to have the motion debated.

54. Ad paragraph 67

The contents hereof are already dealt with elsewhere.

55. Ad paragraph 68

This paragraph is admitted.

56. Ad paragraphs 69 and 70

These paragraphs are denied. There is no reason in law why, if the motion is to be debated at a date outside the ordinary Parliamentary sessions, it should be done before 7 December 2012. On the Applicant's version, the motion of no confidence has already lapsed. The Applicant has also not motivated the significance of 7 December 2012.

57. Ad paragraph 71

57.1. I deny that I have the power to "*schedule the matter for debate by reconvening the National Assembly*".

57.2. I repeat that the Applicant has not established an entitlement to judicial intervention by this or any other Court; on the contrary, her failure to act precipitously disentitles her to judicial intervention.

58. Ad paragraph 72

This paragraph is noted.

59. Ad paragraph 73

60. This paragraph is noted.

61. Ad paragraph 74

These averments have already been dealt with elsewhere. I have not articulated any protestations that the National Assembly has a full schedule over the next two weeks.

62. Ad paragraph 75

62.1. The right is not in issue.

62.2. For reasons already canvassed the Applicant's entitlement to judicial intervention at this juncture and within impossibly short time frames, is.

63. Ad paragraphs 76 and 77

I do not submit that the issue is moot. However, I point out that no reason exists in law why this matter cannot now be canvassed in due course, seeing as the National Assembly's last sitting for 2012 has already taken place and the National Assembly can be expected to act upon Davis J's judgment. I certainly will.

64. Ad paragraphs 78 and 79

I refer to what I have said elsewhere.

65. Ad paragraph 80

This paragraph is not understood.

66. Ad paragraphs 81 and 82

For the reasons contained in my answering affidavit and the written submissions filed on my behalf in the Court *a quo*, I submit that Davis J was correct in finding that I do not have the authority to schedule a debate on the motion of no confidence in the National Assembly.

67. Ad paragraph 83

67.1. As mentioned above, the practice is for the Programme Committee to decide by consensus, but the Rules would arguably trump this practice if a vote were called for.

68. Ad paragraph 84

These averments have been dealt with elsewhere.

69. Ad paragraph 85

It is denied that Davis J was wrong in his finding in this respect.

70. Ad paragraph 86

These averments have already been dealt with elsewhere.

71. Ad paragraphs 87 and 88

These paragraphs are noted. The facts of the Ambrosini matter differ in significant respects from those of this matter.

72. Ad paragraph 89

For reasons already canvassed this paragraph is denied.

73. Ad paragraphs 90 and 91

These paragraphs are noted. For the reasons already canvassed, it is denied that the Applicant is entitled to the relief she seeks. I note the lack of specificity in paragraph 91.

74. Ad paragraph 92

I admit that the deadlock in the Programme Committee was an unprecedented event. However, I point out that the minority parties have a majority in that Committee and did not call for a vote.

75. Ad paragraph 93

This paragraph is noted.

76. Ad paragraph 94

This paragraph is noted.

77. Ad paragraph 95

78. This paragraph is admitted.

79. Ad paragraph 96

80. This paragraph is denied. It is specifically denied that there are no disputes of fact. The Applicant has failed to disclose several material facts, including that the minority parties were not all in attendance at the Programme Committee meeting of 15 November 2012, and that she tabled the motion of no confidence only after the Programme Committee meeting of 8 November 2012 had already taken place. She has also totally distorted the contents of the State Attorney's first letter of 16 November 2012.

81. Ad paragraph 97

This case also concerns the content and application of the Rules of the National Assembly.

82. Ad paragraph 98

For reasons already canvassed, this paragraph is denied.

83. Ad paragraph 99

This paragraph is noted.

84. Ad paragraphs 100

This paragraph is denied. I refer to what I have said regarding how I intend to deal with the judgment of the Court *a quo*.

85. Ad paragraph 101

I have already dealt with the issue of urgency.

86. Ad paragraph 102

This paragraph is *petitio principii*.

87. Ad paragraph 103

I fail to see how this advances the Applicant's case.

88. Ad paragraph 104

It is admitted that the matter is exceptional. For reasons already canvassed, the remainder of the paragraph is denied.

89. Ad paragraph 105

I reiterate that I do not have the authority to schedule a motion of no confidence to be debated and voted upon in the National Assembly. I reiterate that Davis J was correct in agreeing with my position in this respect.

90. Ad paragraphs 106 and 107

I deny that the Applicant is entitled to the relief she seeks.

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**MAX VUYISILE SISULU**

I certify that:

1. The deponent acknowledged to me that:
  - 1.1 he/she knows and understands the contents of this declaration;
  - 1.2 he/she has no objection to taking the prescribed oath;
  - 1.3 he/she considers the prescribed oath to be binding on his/her conscience.
  
2. The deponent thereafter uttered the words, *"I swear that the contents of this declaration are true, so help me God"*.
  
3. The deponent signed this declaration in my presence at \_\_\_\_\_  
on this the \_\_\_\_ day of NOVEMBER 2012.

\_\_\_\_\_

**COMMISSIONER OF OATHS**