

## ***Business Day* wins Press Council appeal about Trillian article**

On Friday, *Business Day* won an appeal against a ruling by the Press Council for a story published on April 26 about financial advisory firm Trillian.



Picture: [Supplied](#)

The Press Ombud had previously dismissed all of Trillian's complaints except one, namely that *Business Day* had not adequately reflected Trillian's denials to allegations made in a *Mail & Guardian* article that was referred to in the *Business Day* story.

*Business Day* won its appeal against this ruling, which was set aside on Friday by the Press Council Appeals Panel chaired by Judge Bernard Ngoepe. Trillian lodged a cross-appeal, which was dismissed.

The story published in *Business Day* related how state-owned Chinese firm Dongfang Electric won a R4bn tender to replace a boiler at Eskom's Duvha power station, even though its quote was R1bn more expensive than rival bidders.

The story said the tender had been awarded to Dongfang after being given "the thumbs-up" by politically connected Trillian in a last-minute review of the bids.

Trillian's review said Dongfang's bid, although more expensive, was less risky because its costs were fixed, whereas the losing bidders quoted a price with variable costs, subject to escalation.

The piece also reported that losing bidders General Electric (GE) and Murray & Roberts (M&R) had accused Eskom in court proceedings of rigging the tender in favour of Dongfang. GE and M&R subsequently succeeded in interdicting the tender pending the outcome of a court review.

The Appeals Panel found that in its reporting *Business Day* had not breached the Press Code in any way.

**Source:** BDpro

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