



EXHIBIT D 9

**YOLISA
MATAKATA**



**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

2nd floor, Hillside House
17 Empire Road,
Parktown
Johannesburg
2193

Tel: (010) 214 to 0651

Email: inquiries@sastatecapture.org.za

Website: www.sastatecapture.org.za

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STATEMENT TO THE INQUIRY INTO STATE OF CAPTURE

I,

MCEBISI HUBERT JONAS

state as follows:

INTRODUCTION

1. I provide this statement in order to assist the inquiry into State of Capture (*the Commission of Inquiry*) which is chaired by Deputy Chief Justice Raymond Zondo.
2. I was appointed as the Deputy Minister of Finance of South Africa on 26 May 2014 and was relieved of my position of Deputy Minister of Finance on 31 March 2017. I was also, during this period, a member of the South African Parliament. I was appointed as Deputy Minister at the same time as Mr Nhlanhla Nene was appointed as the Minister of Finance. On 9 December 2015, it was announced that Mr Nene was removed as Minister of Finance and replaced by Mr Des van Rooyen. It was announced on 13 December 2015 that Mr van Rooyen was, in turn, to be replaced by Mr Pravin Gordhan as Minister of Finance. Mr Gordhan served as Minister of Finance until the evening of 31 March 2017, when he was removed as Minister of Finance and I was removed as Deputy Minister of Finance on the same day.

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EVENTS LEADING UP TO THE MEETING ON 23 OCTOBER 2015

3. On approximately 27/28 August 2015, when I was in Luanda at an African caucus of Finance Ministers, I recall being contacted by Mr Fana Hlongwane, whom I knew relatively well telling me that Mr Duduzane Zuma would like to speak to me to invite me to an awards ceremony.
4. I subsequently met Mr Hlongwane during October 2015 in Johannesburg in the presence of Mr Bongani More and he told me that Mr Duduzane Zuma wanted to meet me. During the course of the conversation he mentioned that the Guptas were important to him. I indicated that I would not want to be associated with the Guptas.
5. I asked Mr Hlongwane to provide me with Mr Duduzane Zuma's number. I had not previously met Mr Duduzane Zuma, nor had any previous interactions with him.
6. At approximately 5.30pm on 17 October 2015, after arriving in Cape Town from Port Elizabeth, I sent Mr Zuma a text message stating "Hi Cde. Tried 2 call u. Mcebisi Jonas". At approximately 5.36pm I had a short telephone with Mr Duduzane Zuma.
7. Mr Duduzane Zuma requested me to attend what I recall to be the South African of the Year Awards hosted by Africa News Network 7 (ANN7), on Saturday 17 October 2015, in Johannesburg. I ultimately indicated that I would not be able to attend, telling him that my schedule would not permit it. Mr Zuma said that he would like to talk to me and asked whether we could meet some time after the awards ceremony.

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8. On Monday 19 October 2015 at approximately 12.38, I sent Mr Duduzane Zuma a text message which read "Can we talk when I [land]" in response to a missed call from Mr Zuma. I was about to fly from Johannesburg to Cape Town.
9. I received two missed calls from Mr Hlongwane that evening at approximately 9.37pm / 9.38pm. At approximately 9.43pm, I sent Mr Duduzane Zuma a further text message which stated "Called". I then received a call from Mr Zuma at 9.43pm about arranging a meeting and I indicated to him that I would be in Johannesburg later in the week and that it may be possible to meet then.
10. On 22 October 2015, I flew from Cape Town to Johannesburg. On landing in Johannesburg, I noticed that I had received a text message from Mr Duduzane Zuma which read "Good morning Sir, I trust that you made it out of the Parliament building unscathed. I tried to call, please return my call when. Kindest regards, Duduzani". I also saw that I had received a missed call from Mr Zuma.
11. I received a call from Mr Duduzane Zuma at approximately 9.58am on 23 October 2015. I told him that I would be attending a meeting in Rosebank that morning and that we could meet briefly before I flew to Port Elizabeth in the late afternoon of 23 October 2015. We agreed to meet at the Hyatt Hotel in Rosebank, before I left for the airport.
12. On 23 October 2015, I attended a Nedlac meeting at Nedlac House in Rosebank, which I left early.
13. I sent Mr Duduzane Zuma a text message at approximately 11am, to change our agreed upon time, which stated "Can we make it 1.30 same place". He

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responded by text stating "Agreed Sir". I arrived earlier and at approximately 1pm, I sent him a text message stating "Can you call me". I then received a short call from Mr Zuma at approximately 1.03pm and at 1.13, I sent a further message saying "Here already". He responded at 1.21 stating (by text) "I am on my way up Sir".

14. When Mr Duduzane Zuma arrived at the Hyatt hotel we had a brief discussion. He appeared quite nervous and spoke in very vague terms. He said nothing of substance, except to say that his father, then-President Jacob Zuma, liked me. After a while, I indicated that I was under time pressure. He said that the place was crowded and that he had important matters to discuss, but that he wanted other people to join the discussion and that he wanted to drive to a more private place, which he said was close by. I assumed that we would be going to an office nearby, so I said "let's go". I had received a call from Fana Hlongwane ^{as} while I was with Mr Duduzane Zuma ^{was arriving} and I told him that I was with Mr Zuma.
15. We drove in Mr Duduzane Zuma's car, which appeared to be a two-door Mercedes Benz. I did not know the surrounding area very well and only gathered when we arrived at our destination that we had driven to the Gupta's residence in Saxonwold. Mr Duduzane Zuma had not suggested to me when we left the Hyatt hotel that we were going to the Gupta residence or that we were to meet the Guptas. As Mr Duduzane Zuma parked his car, I noticed that Mr Fana Hlongwane had also arrived at the Gupta residence.
16. We went into the house and Mr Duduzane Zuma and Mr Hlongwane led me into a lounge where we sat down and started chatting. Neither Mr Duduzane

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Zuma nor Mr Hlongwane suggested that the meeting would involve any members of the Gupta family.

17. We had not spoken for very long, when one of the Gupta brothers walked into the room and sat down. I had not previously met any of the Gupta brothers, but I recognised him as one of the Gupta brothers from media reports. At the time, I did not know his name as he did not introduce himself, but simply started talking to me. I have subsequently looked at press articles which depict the various Gupta brothers. Based on these photographs, I am relatively certain that the Gupta brother at the meeting was Ajay Gupta, but I cannot exclude (based simply on the photographs) the possibility that it might have been Mr Rajesh Gupta.
18. Mr Duduzane Zuma and Mr Fana Hlongwane both remained silent while Mr Gupta spoke and did not participate in the interaction which followed, although they both remained in the room.
19. Mr Gupta opened the conversation by stating that "we know you" and that he had been told that I was being blackmailed by Mr Hlongwane. I replied that this was not true. He responded by stating that was not why he had called for me anyway. He said that "we" have been gathering intelligence on me including those closest to me, such as my friend, Rustum Mohamed, and my chief of staff, Mr Nksohlanga Mboniswa. He described both Mr Mohamed and Mr Mboniswa as being "poor and useless". He emphasised that they (which I understood to be the Gupta family) have the capability to gather such information and that they had gathered a lot of information on me, which they could use against me. He said that as far as he was concerned, "this meeting never happened" and that if I were one day to suggest that this meeting had

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occurred, they would destroy my political career. I understood him to be creating the impression that they had information on me that they would use to destroy my political career, if I revealed that the meeting had taken place.

20. Furthermore Mr Gupta said that they were well aware of my activities and that I was working with the ANC's Secretary General, Mr Gwede Mantashe, Treasurer General and Dr Zweli Mkhize. He said that these activities were not good for me and that these were "bad guys". He expressed the view that I was part of what he referred to as a "thing" within the ANC and/or Government. I can only assume that he was suggesting that I formed part of a faction or process intended to undermine then President Jacob Zuma. I interjected and refuted his view and stated that I was nothing more or less than a part of the ANC and that my activities in the ANC and my work in Government had nothing to do with him. I asked directly what the purpose of the meeting was.
21. Mr Gupta said that the 'Old Man' seemed to like me and that they "have called me to check [me] out" and to see "whether you can work with us". He also said that the President was going to fire Mr Nene because he could not work with them (I understood this again to be a reference to the Guptas).
22. He said that "you must understand that we are in control of everything", the National Prosecution Authority, the Hawks and the National Intelligence Agency and that "the old man will do anything we tell him to do". He said that "the old man" intended appointing me as the Minister of Finance. I was shocked and angered by this statement and I said that I was not interested in becoming the Minister of Finance.

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23. Mr Gupta ignored what I had said. He said emphatically that I must become Minister of Finance because that is what "we" want, by that I would have to work with them. He also said that if I worked with them I would become very rich and that he could immediately offer me R600 million. He pointed at Mr Duduzane Zuma and said that they had made him a billionaire and that he had bought a house in Dubai. He said that they worked closely with a number of people including Lynne Brown and Brian Molefe and, as a result, they were protected. He said that Mr Molefe is very safe and that his career path was very clear. He said nobody would touch me and I would be safe.
24. I said that I was going to leave and stood up to leave. I said that I was not interested in being the Minister of Finance and if he thought I would work with them, he would have to tell me precisely what it is that they do. At that point, he, Mr Zuma and Mr Hlongwane also stood up. I was angry at this stage and he was also emotional.
25. He said something along the lines of "look, do you know who you are dealing with". He was also agitated and said "you think it is illegal?" He said that everything that they do is legal and that they create jobs and contribute to the economy.
26. He said that at the moment "we" (which I understood to be the Gupta family) earn about R6 billion from the fiscus through various entities including Eskom, Transnet and other Government Departments. He said that they wanted to increase this amount to R8 billion and that they thought that I could be helpful in this regard. Mr Gupta said that they had determined that the National Treasury was a stumbling block for their growth and that they wanted to "clean up Treasury". He said that when I am appointed as Minister of Finance I would

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have to remove Director-General Lungisa Fuzile, Head of Tax and Financial Sector Policy Mr Ismail Momoniat, the Deputy Director General, Mr Andrew Donaldson and the then Chief Procurement Officer, Mr Kenneth Brown. Further, he said that they would provide me with replacements for all of these people and that they would provide me with the necessary support including advisors.

27. I said that I was under time pressure and again encouraged him to set out precisely what they do, suggesting that this would allow me to take an informed decision. For the sake of clarity, my question was not intended for the purpose of seriously considering his offer, but was intended as a provocation to seek to draw him out in the context of the unfolding state capture phenomenon that we were, at that point in time, trying to make sense of and to determine who was involved.
28. I began to walk away and Mr Gupta motioned to both Mr Zuma and Mr Hlongwane to hang back. As I was walking to the door of the house, Mr Gupta directed me to a bar area and said that they were serious about offering me the R600 million and it would be deposited into an account of my choice or that they could open an account for me and I could "stash it in Dubai". He said that to show they were serious "I can give you R600 000 now and asked "do you have a bag or can I give you something to put it in". He seemed to want to show the cash to me. I said to him that I did not want money and I thought he was going to tell me what it is that they do.
29. I said that I was in a rush to catch my plane, but that I was returning from the Eastern Cape on Sunday and he could provide me with a list of what they do on Tuesday of the following week. He told Mr Duduzane Zuma to arrange for

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me to come back the following Tuesday and that he should tell me to bring a bag. I asked Mr Zuma to take me back to my car. Mr Gupta said he wished to continue his meeting with Mr Zuma and another car would take me to the airport. At the end of the meeting, Mr Gupta repeated that they had information on me and that if I suggested that the meeting had occurred, they would "kill" me.

30. I was then driven to the airport by what I assumed to be one of the Gupta vehicles.

EVENTS SUBSEQUENT TO THE MEETING ON 23 OCTOBER 2015

31. I was very shaken by what had happened at the meeting. Due to the sensitive and threatening nature of what had transpired at this meeting, and because of the uncertainty of the events that were playing themselves out on a national basis, I decided I would initially discuss what had occurred with the people I felt I could trust. Later that day, I contacted Minister Nhlanhla Nene and advised him that I had something serious to tell him about. He was on his way to KwaZulu-Natal, so we agreed to meet on his return on Sunday, 25 October 2015.
32. Upon landing in Port Elizabeth, I spoke telephonically to Mr Hlongwane and expressed my disgust about what had transpired, particularly in respect of the manner in which he had deliberately misled me. I told him he should never again do what he had done to me or to any other person. He suggested we should have a meeting to discuss what I had raised.
33. On Sunday, 25 October 2015, Mr Nene contacted me and suggested we should meet the following day, Monday 26 October 2015.

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34. I returned to Johannesburg from Port Elizabeth on Sunday 25 October 2015 at approximately 4.37pm. I spoke to Minister Pravin Gordhan and asked if I could see him to seek his advice and guidance. I went to his house in Pretoria and when I arrived, he was sitting with his wife. Given that his wife was present, I decided to provide him with a high level outline of what had happened. I told him that I had been invited to a meeting and that the individuals present at the meeting had told me that I would be made Minister of Finance and that they had offered me money and that I had refused their offer. I was still deeply shocked, angered and dispirited and I told him that I thought I should submit my resignation the following day.
35. Mr Gordhan suggested that I should not resign at that time, but should wait until we had some time to consider the matter further and get into more details and also to decide what would be in the best interests of the country. I told him that I would discuss the matter with Mr Nene, which he said was important. We agreed to keep the matter confidential.
36. I received three missed calls from Mr Hlongwane between 6.49pm and 7.57pm, as well as one missed call from Mr Duduzane Zuma at 8.18pm.
37. On Monday, 26 October 2015 at 6.58am, I sent Mr Duduzane Zuma a text message stating "Hi broer. Can we postpone today's session to Thursday. did not realise how hectic my official schedule is. Jonas". I did not meet him again.
38. At 8.22pm, on 25 October 2015, I received a text message from Mr Duduzane Zuma in which he stated: "Good evening Sir, I tried to call. Please return my call when you can".

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39. On the morning of 26 October 2015, I met and briefed Mr Nene. We met on the balcony of my National Treasury office because we were concerned that our offices might be being monitored. I told Mr Nene exactly what had happened at the Saxonwold meeting, including that I had been told in clear terms that he was to be removed from office. He suggested that he should resign, because he was going to be fired in any event. Having considered Mr Gordhan's advice, and in the face of the open hostility towards National Treasury in the Cabinet, especially from the then President, and particularly in relation to the nuclear procurement programme, I told him that I thought we should remain in our positions and "fight on", if only to hold the line for the finance department. He agreed with my proposal in this regard.

October 2015 – December 2015

40. At this point in time, I did not see any point in reporting the matter to either the police or the Hawks, as I believed that these institutions were seriously compromised and I saw no reasonable prospect of this matter being properly and fairly investigated. This was both at a general level (by then the former President Zuma had secured a loyal intelligence and security apparatus by weeding out most of the experienced and technical capability in the various institutions) and at a personal level (given the threatening statements which had been made by Mr Gupta during the course of the meeting). I anticipated that any reporting of the matter would simply result in reprisals against me. My concerns in this regard, were subsequently amply underscored by my later interactions with Major General Mnonopi in relation to complaints which had been laid by Mr David Maynier of the Democratic Alliance and Mr Dennis Bloem of COPE.

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41. My experience was also, to some extent, taken over by national events, which subsumed Mr Nene and me, over the period leading to the firing of Mr Nene as Minister of Finance on 9 December 2015. This time was, in my experience, one of the most intense periods in South Africa's democratic history as we in the National Treasury were trying to hold the line, without Presidential or Cabinet support, against an economy teetering on the edge of a recession, while various crises at some of the State-Owned entities unfolded. In retrospect a number of these events appear to have been linked to the capture of various state institutions by the Gupta family. Simultaneously, the pressure on us from former President Zuma and other members of the Cabinet to approve the nuclear deal was immense, and was ultimately the trigger for Mr Nene's dismissal on 9 December 2015, after he again refused to back the deal at a Cabinet meeting that day.
42. I was on a flight to Port Elizabeth when Mr Nene was removed from office. When I landed I had messages from Mr Nene and also received a separate message indicating that the President had attempted to contact me. Mr Nene sent me a text message in which he said that the "axe had fallen" and suggested that we should meet when I returned from the Eastern Cape.
43. When I spoke to then President Zuma, he told me that he had removed Mr Nene as Minister of Finance and that he had appointed Mr Des van Rooyen. I asked him how he thought Mr van Rooyen would be capable of performing the job and cope with the financial markets. President Zuma said that I was there to help him.
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44. After the brief tenure of Mr Des van Rooyen as Minister of Finance, Mr Gordhan was appointed as the Minister of Finance. I remained as Deputy Minister of Finance.

45. Shortly after Mr Gordhan was appointed as Minister of Finance, we met and discussed the various pressure points that the Treasury was facing, particularly how we would deal with the aftermath of the removal of Mr Nene and the appointment of Mr van Rooyen. We also discussed in detail in this context the events which had taken place at the Gupta residence on 23 October 2015.

January 2016 – March 2016

46. Subsequently, in January 2016 I had a meeting with Dr Zweli Mkhize in Johannesburg, then the ANC Treasurer General, about another matter. During the course of this meeting, he said he had heard a rumour about the Gupta's offering me an inducement to take up the position of the Finance Minister and he asked me whether this was true. I told him what had occurred and I also mentioned the role played by Mr Fana Hlongwane and Mr Duduzane Zuma in facilitating the meeting. Dr Mkhize indicated that he was shocked and advised that he noted my concerns regarding the matter including in respect of the role of Mr Duduzane Zuma.

47. Subsequently the Financial Times (of London) published an article on Wednesday 8 March 2016, which reported "the family also denied a claim, made to the FT, that weeks before Mr van Rooyen's appointment they had asked Mcebisi Jonas, deputy finance minister, if he was interested in the Treasury's top post at a meeting at the Gupta home. 'There have been an

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extraordinary number of allegations around the Gupta family in recent weeks, several of which have involved the finance ministry,' a family spokesman says. 'To be absolutely clear: there was no meeting at all'. The article did not immediately receive a great deal of attention in South Africa, although News24 and some other online news sites reported the story on Thursday 10 March 2016. On Friday 11 March 2016 I travelled to a SADC meeting in Gaborone, Botswana which lasted until Monday 14 March 2016.

48. While I was in Gaborone, on Sunday 13 March 2016, the Sunday Times carried a story, which stated that "President Jacob Zuma's son, Duduzane was present when members of the Gupta family offered Deputy Minister Mcebisi Jonas then-finance minister Nhlanhla Nene's job, the Sunday Times can reveal".
49. I arrived back in South Africa on Monday 14 March 2016 and noticed that I had calls from Mr Zizi Kodwa the then spokesperson of the ANC. I went to Luthuli House to discuss the matter with him. He agreed that I should make a statement explaining what had happened.
50. I released a media statement on Wednesday 16 March 2016. Before doing so, I discussed what I was going to do with the then Secretary General of the ANC, Mr Gwede Mantashe, who supported my stance in this regard. For ease of reference, I have quoted the content of the statement below:

"MEDIA STATEMENT BY DEPUTY MINISTER OF FINANCE MR. MCEBISI JONAS (MP)

I have decided to respond to and clarify certain questions that have been in the public domain recently. I do so in accordance with my conscience, my

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political values and the best traditions of my organisation, the ANC, of which I have been a member since my early teens.

I regard our Constitution as being sacrosanct and it embraces the values that South Africans struggled for, and what we live by. I was appointed Deputy Minister in terms of the Constitution by the President of the Republic. Any practice that conflicts with the prescripts of the constitution must be challenged in the interest of our democracy and the accountability we have to our people. The ANC that we have been and continue to be proud members of, has offered us the opportunity to serve our country, an honour that I do not take for granted. My historical commitment to the liberation of our people has not waned.

My daily decisions and actions are informed by the understanding that true political freedom will be achieved through deliberate and active management of a transformed yet inclusive growing economy. The current economic climate presents many risks for our country, which requires responsible leadership to avoid a fullblown crisis. We have to unite on the key issues relating to managing the macroeconomic risks, while urgently unlocking new sources of growth and job creation. South Africa requires "all hands on deck".

The extent to which we are able to navigate the current macro-economic challenges, restore investor confidence and rapidly stimulate growth, will depend on heightened levels of political leadership.

The narrative that has grown around the issue of "state capture" should be of concern to all responsible and caring South Africans, particularly those of

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us who have accepted the task to lead our people. We cannot afford to ignore the obvious impact these sentiments may have on our country and the resultant potential of undermining our moral authority. Neither can we afford to allow the attempts to capture the state to divert us from dealing with the challenges that our country faces. We have made to our people through our public pronouncements and private conduct.

Therefore let me state the facts on the matter of whether I was approached by nongovernmental individuals in respect of the position of Minister of Finance. Members of the Gupta family offered me the position of Minister of Finance to replace then- Minister Nene. I rejected this out of hand. The basis of my rejection of their offer is that it makes a mockery of our hard earned democracy, the trust of our people and no one apart from the President of the Republic appoints ministers. Let me also place it on record that there was no discussion between the Deputy Secretary General of the ANC Ms Jessie Duarte and myself on this matter.

I have hesitated to speak out publicly on this matter until now, but I feel it is no longer possible to remain quiet. Of primary concern to me is that this issue has a real danger of diverting attention away from the real and urgent challenges we face as a country.

I am committed to good governance, abiding by the constitution of our country and being accountable to our people who repeatedly express their confidence and trust in us, election after election. It is this constant state of awareness and consciousness drummed into most of us throughout our service in the national democratic revolution led by the ANC that has provided us with the moral capital and tools to apply sound judgement to

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navigate challenges that emerge in the natural course of societal leadership. It is only through these values and moral covenants that I serve my organisation, my fellow country men and women, my beloved South Africa.

Finally, I remain confident that the challenges that we face as a nation will be overcome if we collectively use our efforts for the benefit of all. I am resolute in playing my part in preserving the integrity of National Treasury as an institution in my capacity as Deputy Minister. I'm also committed to making my contribution towards building a prosperous South Africa led by the glorious movement of our people, the African National Congress."

Issued on behalf of the Ministry of Finance

Date: 16 March 2016"

INTERACTIONS WITH THE HAWKS

51. A further article appeared in the Sunday Times on 3 April 2016, which reported that I had alleged that the Gupta family had offered me the position of Minister of Finance in the place of Minister Nene in 2015.
52. I was subsequently contacted by General Beming Ntlembeza of the Directorate of the Priority Crime Investigation (the Hawks) pursuant to a complaint which had been made by Mr Bloem and Mr Maynier. He asked me to provide a statement and said that "we need a statement from you to help us finalise this case". He later told me that they were working on a statement for me and that Major General Mnonopi would contact me in this regard.
53. I was subsequently approached by Major-General Mnonopi, also of the Hawks. She initially phoned me on 20 June 2016 and informed me that she was

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investigating the complaints which had been laid by Mr Bloem and Mr Manier. She said that the complaints related to allegations of corruption and that the complaint by Mr Manier referred to the Sunday Times article of 3 April 2016 and the complaint of Mr Bloem referred to my media statement.

54. She said she was coming to see me at the Treasury with a prepared statement. I called Mr Max Boqwana, my attorney to ask him to be present at this meeting. Major General Mnonopi told us that this was a "DA matter" and that I did not want to help the DA and that they wanted to kill the case. She said that the statement had been settled by an Advocate who was a prosecutor (I assumed within the National Prosecution Authority), who believed that it would kill the case. She said to us that "we, need your statement as a formality as there is no case here, it is necessary in order for us to close the matter. Your statement must state that you are not a witness for anyone and that you do not want to make a statement as such".
55. A copy of the draft statement which she brought with her is attached marked ANNEXURE 'A' and the draft statement contained the following paragraphs "During our engagement she informed me that I am cited as a witness in both cases and for that reason, a detailed statement is required from me. I responded to her that I am not prepared to submit any statement as I never opened any case against anyone and I don't intend opening any, further, I'm not a witness to any person. We (the investigating officer and myself) later made an agreement to meet for such an affidavit. Today I met with the investigating officer as arranged and I still maintain my position that I don't have any statement in this regard. That is all I wish to say".

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56. I refused to sign the prepared statement which she had brought with her. I was, at that point not surprised by the approach adopted by the Hawks, given the extent to which I believed the institution to be compromised. I did not accede to the request that I should ~~not~~ provide an affidavit. On 19 July 2016, I provided the Hawks with a short affidavit confirming the content of the media statement which I had made on 16 March 2016.
57. The Directorate of the Priority Crime Investigation (The Hawks), through Major General Mnonopi then subsequently requested me to respond to certain specific questions on 5 September 2016; (followed up with an e-mail on 20 September 2016). I accordingly provided a supplementary affidavit which was signed on 2 May 2017 and contained the following statements:
- 57.1. The purpose of the offer was not communicated to me;
- 57.2. Mr Ajay Gupta was present at the meeting which was held on 23 October 2015;
- 57.3. The other persons present at the meeting were Mr Duduzane Zuma and Mr Fana Hlongwane;
- 57.4. As stated in the Statement submitted to the Media, the only person who spoke was Mr Ajay Gupta;
- 57.5. There are no records of the meeting of which I am aware;
- 57.6. I was invited to the meeting at the Hyatt by ~~Mr Hlongwane and~~ Mr Duduzane Zuma and from there Mr Duduzane Zuma suggested a more quiet place which transpired to be Gupta's residence, though I did not become aware of this until after arriving at the premises;

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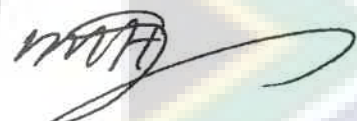
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- 57.7. I was contacted telephonically to arrange the meeting; and
- 57.8. the meeting was scheduled at the Hyatt Hotel and moved to the Gupta residence as stated above.

CONCLUSION

58. I have reflected in this short statement what appears to me to be the relevant facts. However, I am prepared to provide further detail should it be required and also reserve the right to amplify and supplement this statement.

Signed:

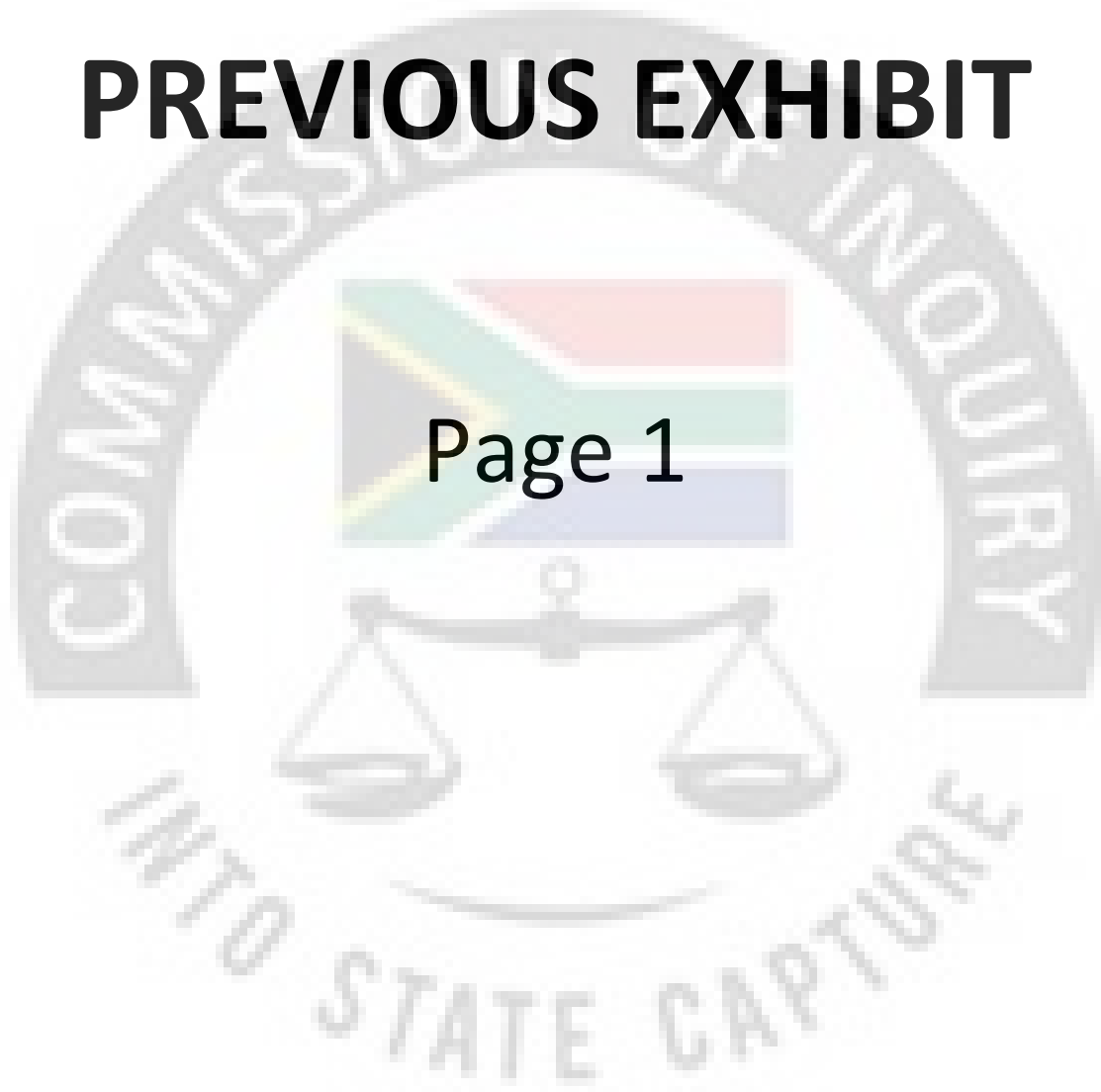


M. H. Jonas

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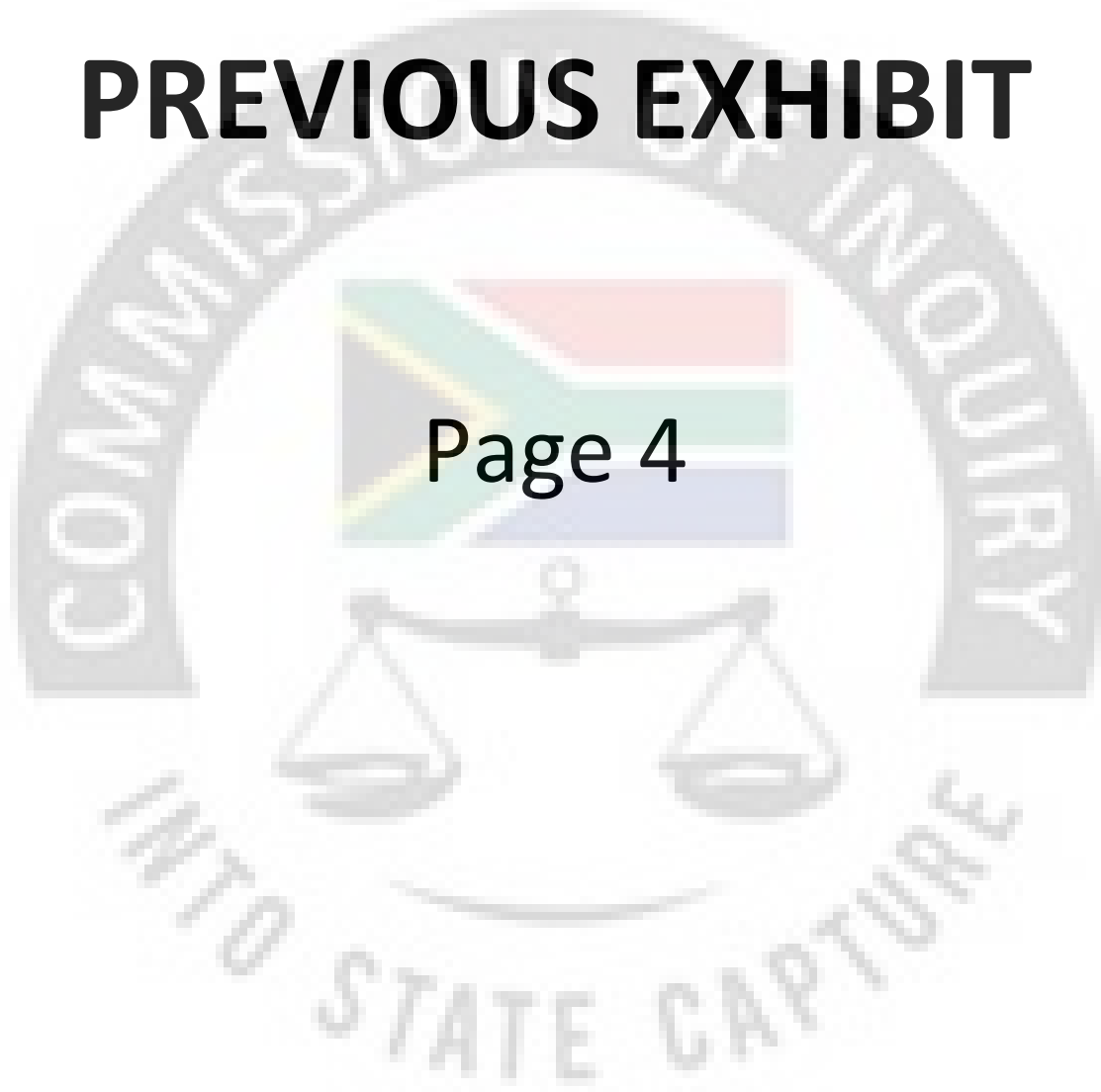
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**IN THE JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

HELD AT: PARKTOWN, JOHANNESBURG

In the matter between:

MAJOR GENERAL ZINTLE LUTRICIA

APPLICANT

And

MINISTER MCEBISI JONAS

1ST RESPONDENT

THE COMMISSION OF INQUIRY

2ND RESPONDENT

NOTICE OF MOTION

BE PLEASED TO TAKE NOTICE that the applicant intends to make an application to the above Honourable Commission of Inquiry on the 24th August 2018 at 10h00 or soon thereafter as Counsel for the Applicant may be heard for relief in the following terms,

1. That the Applicant be granted relief to;

(a) Giving evidence on his own account

(b) Call any witness to give evidence on his behalf

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**IN THE JUDICIAL INQUIRY INTO ALLEGATIONS OF THE STATE
CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR
INCLUDING ORGANS OF STATE**

REPLYING AFFIDAVIT

I, the undersigned,

ZINTLE LUTRICIA MNONOPI

States the following under oath

1.

I am a Major General in the South African Police Service stationed at the Directorate for Priority Crime Investigation and attached to the component Serious Corruption Investigation in Silverton, Pretoria.

2.

The purpose of this statement is in response of a notice in terms of rule 3.3 of the rule of the Judicial Commission, Fraud in the Public Sector Including Organs of State ("the Commission").

3.

The said notice incorporates an unsworn statement by the Honourable Mr Mcebisi Hubert Jonas, which purports that I have sought to "dissuade" him from making a formal statement to the Hawks regarding an offer of a cabinet position as Minister of Finance from the Gupta Family during 2015, and or that I that I prepared a statement for Mr Jonas to sign which was inconsistent with the facts of his press statement of 16th March 2016.

4.

I have also intensively read these assertions levelled against me and as a point of departure, I wish to state that I deny the allegations specifically set out in paragraph 3.1 and 3.2 of the Notice by the Commission and all the facts deposed hereto, are to the best of my knowledge and belief true and correct.

Z.L.M

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5.

AD PARAGRAPH 51 THEREOF

Save to admit that there was an article in the Sunday Times about Mr Jonas' allegations of the Gupta family's offer to him of Minister of Finance Portfolio; I have no knowledge of the rest of the allegations.

6.

AD PARAGRAPH 52 THEREOF

I have no knowledge of these allegations and therefore not in a position to respond thereto.

7.

AD PARAGRAPH 53 THEREOF

53.1 Save to admit that I indeed approached Mr Jonas, I humbly submit that this was as a result of duly executing my duties to investigate this matter as a matter of National interest and security.

53.2 I deny that I subsequently and initially approached Mr Jonas on the 20th June 2016. I, in fact started to call Mr Jonas on the 11th April 2016 at 15h02 to request him to tender a sworn statement as a consequence of his media statement and pending cases culminating from the complaints laid by Mr Bloem and Mr Marier.

53.3 I hereby humbly attach hereto, my call records with himself, his Professional Assistant (PA) and his office landline as

"Annexure JA".

Reference is also made to my text messages of the 21st April 2016, 9th May 2016 and 23rd May 2016, attached hereto as "Annexure JB" 1,2 and 3. However, all my efforts went unheeded by the Honourable Mr Jonas.

D.L.M

Page 2

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9.

CLOSURE

I further confirm that this particular matter is already and currently before the Johannesburg Specialised Commercial Crime Court Unit.



DEPONENT

THUS SWORN AND SIGNED BEFORE ME AT..... ON THIS DAY
THE..... OF 2018.

THE DEPONENT HAVING ACKNOWLEDGED THAT SHE KNOWS AND
UNDERSTANDS THE CONTENT OF THIS AFFIDAVIT AND HAS NO OBJECTION
IN TRACKING THE PRESCRIBED OATH AND CONSIDERS THE OATH TO BE
ON HER CONSCIENCE.



COMMISSIONER OF OATH

Unathi Teleni
Commissioner of Oath
Practising Attorney RSA
Office 303, Sheffoel House
303 Prince George ave, Graham 1541

FULL NAMES _____

DESIGNATION/CAPACITY _____

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APRIL 2016

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Annexure JA

vodacom

Itemised billing

Computer generated

BIGADIER BIGADIER BIGADIER BBB

ACCOUNT NUMBER: N5303081-0

CELLPHONE NUMBER: 0824419084

Date	Time	Duration	Number dialled	Charge
Call - Category 1 (082 4419084)				
General Services				
02/04/2016	09:48:26	00:01:20	0861112294	0.00
08/04/2016	12:41:26	00:04:08	0860726526	0.00
18/04/2016	10:08:47	00:01:51	0860726526	0.00
18/04/2016	10:08:50	00:05:32	0860726526	0.00
18/04/2016	11:43:13	00:00:43	0860007277	0.00
18/04/2016	11:44:49	00:00:45	0860007271	0.00
18/04/2016	11:49:57	00:01:37	0860007271	0.00
18/04/2016	11:51:54	00:14:02	0860007277	0.00
18/04/2016	12:31:12	00:06:28	0861118729	0.00
18/04/2016	13:14:19	00:02:30	0861118729	0.00
18/04/2016	13:33:36	00:00:56	0861118729	0.00
18/04/2016	13:37:47	00:00:30	0861118729	0.00
18/04/2016	15:44:19	00:02:26	0861118729	0.00
18/04/2016	08:51:30	00:02:52	0860202122	0.00
18/04/2016	09:03:32	00:00:45	0860202122	0.00
18/04/2016	09:13:37	00:00:40	0860109893	0.00
28/04/2016	15:55:22	00:00:51	1025	0.00
28/04/2016	15:54:46	00:00:35	0861777732	0.00
28/04/2016	15:54:02	00:01:58	0861112299	0.00
Sub total General Services				0.00
Vodacom to Other Mobile Network				
01/04/2016	11:08:45	00:00:36	27628862338	0.00
01/04/2016	12:32:06	00:00:21	0731941838	0.00
02/04/2016	08:35:42	00:00:09	27726146525	0.00
02/04/2016	14:01:32	00:00:24	27605025206	0.00
02/04/2016	16:57:28	00:01:08	27605025298	0.00
03/04/2016	16:33:34	00:00:09	0731841838	0.00
03/04/2016	19:08:20	00:04:34	0842086887	0.00
04/04/2016	10:17:08	00:01:18	27797237608	0.00
04/04/2016	11:07:52	00:00:20	0731841838	0.00
04/04/2016	15:43:55	00:00:05	0731841838	0.00
08/04/2016	08:34:59	00:01:22	27741302272	0.00
08/04/2016	15:28:14	00:00:04	27768433773	0.00
08/04/2016	16:30:57	00:00:14	27768433773	0.00
08/04/2016	16:43:42	00:00:08	27718822554	0.00
08/04/2016	16:48:58	00:00:20	0841304720	0.00
07/04/2016	08:12:49	00:00:59	0841304720	0.00
07/04/2016	16:34:47	00:02:43	0841304720	0.00
07/04/2016	16:42:22	00:01:14	27648580988	0.00
07/04/2016	16:58:34	00:00:35	0731841838	0.00
08/04/2016	16:59:01	00:00:31	27731817036	0.00
09/04/2016	13:23:32	00:00:06	27634538846	0.00
09/04/2016	13:45:31	00:00:08	0731841838	0.00
09/04/2016	16:35:08	00:00:14	27718822554	0.00
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11/04/2016	11:25:51	00:01:09	27632415898	0.00
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14/04/2016	16:02:28	00:00:05	0731841838	0.00
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12/04/2016	07:26:08	00:00:08	27834555170	0.00
12/04/2016	08:07:31	00:00:02	27834555170	0.00
12/04/2016	10:28:34	00:00:06	0824304720	0.00
12/04/2016	10:28:28	00:00:52	0844304720	0.00
12/04/2016	11:34:16	00:00:06	37844304720	0.00
12/04/2016	11:38:40	00:00:08	27841304720	0.00
12/04/2016	18:57:47	00:00:04	27731841838	0.00
12/04/2016	18:58:50	00:01:04	0731941838	0.00
13/04/2016	05:02:34	00:00:13	0731941838	0.00
14/04/2016	05:20:36	00:00:06	27731841838	0.00
14/04/2016	12:11:11	00:00:23	0731941838	0.00
14/04/2016	16:09:38	00:00:29	27731841838	0.00
14/04/2016	16:58:05	00:00:13	0731841838	0.00
14/04/2016	20:08:32	00:00:23	0731941838	0.00
14/04/2016	20:15:12	00:00:14	0731841838	0.00
15/04/2016	06:54:08	00:00:19	27731841838	0.00
15/04/2016	12:43:27	00:02:33	27738033888	0.00
15/04/2016	19:20:22	00:00:14	0731941838	0.00

vodacom

Itemised billing

Computer generated

BIGADIER BIGADIER BIGADIER 888

ACCOUNT NUMBER: N6303061-0

PHONE NUMBER: 0824418084

ER: 0824418084

Date	Time	Duration	Number dialed	Charge
16/04/2016	16:21:12	00:00:04	0731941838	0.00
16/04/2016	12:50:23	00:00:15	0844304720	0.00
16/04/2016	12:55:03	00:01:44	27844304720	0.00
16/04/2016	14:10:42	00:02:50	27830802385	0.00
16/04/2016	18:32:06	00:01:58	27834555170	0.00
17/04/2016	12:43:28	00:00:21	0731941838	0.00
17/04/2016	12:54:12	00:01:35	27834430199	0.00
18/04/2016	13:08:23	00:00:36	0844304720	0.00
18/04/2016	13:18:06	00:00:34	27844304720	0.00
18/04/2016	14:54:31	00:01:17	0739901765	0.00
18/04/2016	18:48:31	00:00:38	0733901765	0.00
18/04/2016	08:20:39	00:00:32	27726148526	0.00
18/04/2016	08:21:12	00:01:13	27726148526	0.00
18/04/2016	08:58:47	00:01:39	27731842226	0.00
18/04/2016	16:18:08	00:00:04	27739901765	0.00
20/04/2016	06:53:39	00:00:28	27808026285	0.00
20/04/2016	11:54:23	00:00:05	0733901795	0.00
20/04/2016	15:58:43	00:04:52	0844304720	0.00
20/04/2016	16:01:52	00:01:08	0844304720	0.00
20/04/2016	16:05:40	00:00:11	27844304720	0.00
20/04/2016	17:20:27	00:00:15	27739901765	0.00
21/04/2016	08:59:41	00:05:56	27786433773	0.00
21/04/2016	08:18:20	00:01:36	27737063160	0.00
21/04/2016	08:24:36	00:00:40	27797083180	0.00
21/04/2016	08:47:45	00:00:07	0731941838	0.00
21/04/2016	12:27:11	00:00:23	0731941838	0.00
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22/04/2016	13:47:33	00:00:06	0833786538	0.00
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25/04/2016	14:39:08	00:02:15	27810481838	0.00
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25/04/2016	15:49:39	00:01:53	27839802385	0.00
25/04/2016	21:37:56	00:00:14	27848589888	0.00
27/04/2016	08:59:31	00:00:28	0731941838	0.00
27/04/2016	15:11:28	00:00:03	27739901765	0.00
28/04/2016	07:56:32	00:00:04	0844304720	0.00
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28/04/2016	18:08:38	00:00:21	27844304720	0.00
28/04/2016	08:23:24	00:00:04	27719268285	0.00
28/04/2016	08:23:37	00:00:12	27719268285	0.00
28/04/2016	08:24:00	00:00:03	27719268285	0.00
28/04/2016	08:57:58	00:00:21	27719268285	0.00
28/04/2016	10:05:41	00:00:12	27719268285	0.00
29/04/2016	10:16:01	00:01:11	27832763889	0.00
29/04/2016	10:19:11	00:00:02	0731941838	0.00
30/04/2016	15:10:47	00:00:13	0731941838	0.00
30/04/2016	18:03:17	00:01:07	27855312384	0.00
30/04/2016	18:04:20	00:00:02	27721841838	0.00
30/04/2016	18:04:51	00:01:17	27855312384	0.00
30/04/2016	18:11:44	00:00:03	27855312384	0.00
30/04/2016	18:12:28	00:03:27	27791941838	0.00

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80 "Annexure JB 1" H

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Compose

DM Jonas +

Good morning honorable DM, hope the DM is doing well. My apologies DM, I know you've got a very busy schedule. I'm Maj Gen Mnonopi, a Head of Serious Corruption Investigation in the DPCI. I wish to have a word with the DM as I'm investigating two cases where the DM is cited as a key witness. I tried to call the DM on numerous occasions with no success. Will appreciate a call from the DM so as to take the matter further. Hope to hear from the DM soon. With regards

Maj Gen Mnonopi.

21 Apr 2016

Good morning DM, hope the DM is doing well. Nat Head has indicated that you are available today, what time can we meet? My office is at Promat Building, give me a ring, I'll be waiting from you. Thank you so much



81 # "Annexure JB 2"

Lundine DM's PA

Good day Ms. Mathilda. hope you're doing well. I'm sorry to bother, I would like to check the availability of DM, I'm Maj Gen Monopoli from DPCL and wish to see the DM in connection with the case where he is cited as a key witness. Wish to hear from u soon. Regards
06 May 2016

82 12
 "Annexure JB3"

Compose

10:45

DM Jonas

Corruption Investigation in the DPCL. I wish to have a word with the DM as I'm investigating two cases where the DM is cited as a key witness. I tried to call the DM on numerous occasions with no success. Will appreciate a call from the DM so as to take the matter further. Hope to hear from the DM soon. With regards
 Maj Gen Mnongpi.
 21 Apr 2016

Good morning DM, hope the DM is doing well. Nat Head has indicated that you are available today, what time can we meet? My office is at Promat Building, give me a ring, I'll be waiting from you. Thank you so much DM.
 23 May 2016

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"Annexure JC"

AFFIDAVIT

I, the undersigned

YOLISA MATAKATA

do hereby make an oath and state as follows:

1.

I am a Lieutenant General in the South African Police Service (SAPS), employed as a Deputy National Head for the Directorate for Priority Crime Investigation situated at 1 Cresswell Road, Weavind Park, Silverton with office telephone number (012) 846 4019.

2.

I am authorised to make this statement and hereby state that the contents of this statement are true and correct; it also falls within my personal knowledge.

3.

I can recall being at in a meeting [not sure of the exact date and time] with Lt Gen Ntlemenza and Maj Gen Mnonopi. At the meeting, Maj Gen Mnonopi reported to Lt Gen Ntlemenza that she has been unsuccessful in obtaining a statement from the former Deputy Minister, Mr Mcebisi Jonas.

4.

Lt Gen Ntlemenza then called the former Deputy Minister twice in my presence. I recall that the former Deputy Minister indicating he could not submit the statement as he was not the complainant on the matter. Further, he did not open any case and was not a witness. Mr Jonas therefore was asking why the DPCI was looking for him. Lt Gen Ntlemenza explained to him that he is the witness to the matters reported to the DPCI, therefore his statement needed

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to be obtained. At both instances, Lt Gen Ntlemenza called the Deputy Minister and put him on speaker, hence I could hear the utterances.

5.

At the last conversation when Lt Gen Ntlemenza called Mr Jonas, myself, Maj Gen Mnonopi and Lt Gen Ntlemenza were in a meeting in Gen Ntlemenza's boardroom. Mr Jonas promised to come to the office in order for the affidavit to be obtained. Lt Gen Ntlemenza indicated that I - Lt Gen Matakata and Maj Gen Mnonopi will be waiting for him. Mr Jonas never came.

I know and understand the contents of this statement.

I have no objections to the taking of the prescribed oath.

I consider the prescribed oath to be binding on my conscience.

 LT GENERAL
Y MATAKATA

I certify that the deponent has acknowledged that she knows and understands the contents of the above statement which was sworn to before me and the deponent's signature was placed thereon in my presence.

At: Silverton Date: 2018/08/23 Time: 13:45

COMMISSIONER OF OATH:  Captain T. Sonando

FULL NAMES AND SURNAME: Thandeka Sonando

BUSINESS ADDRESS: 1 Cresswell Road

Wavind Park Silverton

DESIGNATION: Captain

85 ~~15~~ 15
Annexure JD

South African Police Service



Suid-Afrikaanse Polisie diens

Private Bag X1506, Silverton, 0127

Fax No: (012) 407 0403

My reference: Randburg CAS 196/03/2016

Enquiries: Major General Mnnonopi

Tel: 082 4119384

E-mail: MnnonopiZintle@cape.gov.za

THE COMPONENT HEAD

SERIOUS CORRUPTION INVESTIGATION

DIRECTORATE FOR PRIORITY CRIME INVESTIGATION

HEAD OFFICE

The Speaker
House of Assembly
Parliament
Cape Town
8000

Honourable Ms. Baleka Mbete

RECEIVED BY:
SHAWN EDELL
Chief REGISTRAR
OFFICE of THE SPEAKER

ENQUIRY ON CONDUCT OF THE HONOURABLE MEMBER OF PARLIAMENT THE
DEPUTY MINISTER OF FINANCE MR. MCEBISI JONAS RE- RANDBURG CAS
196/03/2016

1. The office of the Directorate for Priority Crime Investigation (DPCI) at Serious Corruption Investigation Task Team wishes to confirm its involvement in the investigation of the above subject matter.
2. It is with this nexus that the Honourable member of the Parliament, Deputy Minister of Finance Mr. Mcebisi Jonas is cited as a pivotal witness to the matter that has an incumbent role to submit a statement. However, several efforts were made to obtain the statement but with no success. The investigation team is now on standstill to progress with the matter.
3. The identified non-co-operation is now leading the investigation team to believe that the Honourable Member of Parliament, as a witness to this matter is found to be deliberately distorting and willingly failing himself to withstand his responsibilities of both public and private citizenship in circumstances of these compliances.
4. It has been brought to the Honourable Deputy Minister's attention through a communique dated 06/03/2017 in carry of his secretary Ms. Lindiwe Matanda informing him to respond within (7) working days of which failing to do so without

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**ENQUIRY ON CONDUCT OF THE HONOURABLE MEMBER OF PARLIAMENT THE
DEPUTY MINISTER OF FINANCE MR. MCEBISI JONAS RE- RANDBURG CAS
198/03/2016**

any valid reason, the investigation team will be left with no choice but to report his conduct to the Speaker of the Parliament. No response has ever been received from the subject since, hence this communique to the Speaker seeking an intervention to compel the Deputy Minister to respect the rule of law and co-operate with the investigation on this matter.

5. This office will highly appreciate your consideration on this matter.

F/28 Jalekaka
NATIONAL HEAD: DIRECTORATE FOR PRIORITY CRIME INVESTIGATION
BM-NLEMEZA

Date 2017/03/28

1739

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Annexure JE "

SIWELA VINCENT ATTORNEYS

Mr V. Siwela

B.Proc, LL.B & Admin.

339 SHERPARD AND
FREL BUILDING
CRN PRINCE GEORGE
AND VICTORIA
2ND FLOOR, OFFICE 211
BRAKPAN

(011) 045 0419

082 746 8843

086 654 9028

siwela@lawyer@yahoo.co

ZA

Mabunda Incorporated

Attorneys at Law

2 Protea Road

Bedfordview

2008

21/08/2018

Dear Sirs

**RE: JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF
STATE CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC
SECTOR INCLUDING ORGANS OF STATE**

The above matter and conversation with your Mr Mabunda at the above Inquiry refers.

We act on behalf of the following members from the "Hawks"-

- 1- Major General Mnonopi
- 2- Capt Mtolo

We confirm service of the Rule 3.3 notice of the Commission rules on both our clients.

However upon perusal of the former Deputy Minister's Mr.M.H. Jonas' statement, we noted that " ANNEXURE A" thereof was not served on our clients.

Kindly furnish us with the said statement so we may be in a position to consult and file our replying documents with the Commission.

Yours Faithfully

Per: V. Siwela

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T8 19
"Annexure JF"

SIWELA VINCENT ATTORNEYS

Mr V. Siwela

B.Proc, LL.B & Admin.

330 SHERPARD AND FREEL
BUILDING
CORR PRINCE GEORGE AND
VICTORIA
2ND FLOOR, OFFICE 211
- RAN

(011) 045 0439

082 746 8843

086 645 9028

MABUNDA INCORPORATED
2 Protea Road, Corner Riley,
Bedfordview, 2008
PO BOX 61238 Marshalltown 2107
DOCEX 424, JHB

22/08/2018

Attention: Mr P.B Mabunda

**IN RE: JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF
STATE CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR
INCLUDING ORGANS OF STATE**

Dear Mr Mabunda

We note your correspondence via e-mail sent to ourselves at 20h00 on the 22 August 2018.

We refer you to our telephonic conversation made at 14h34 on the 22 August 2018.

We further note as per the conversation made above, we duly requested that you kindly furnish us with Annexure "A" as per paragraph 55 on Mr Jonas's Statement A.

We duly note that Mr Jonas's evidence will be led on Friday 24th August 2018.

We kindly urge you to furnish us with the document mentioned herein, at your earliest convenience.

We trust you will find the above in order, and we await your most fervent response.

Yours faithfully,

Siwela
MR V. SIWELA

1741

**IN THE JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE
CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING
ORGANS OF STATE**

HELD AT: PARK TOWN, JOHANNESBURG

In the matter between:

MAJOR GENERAL ZINTLE LUTRICIA MNONOPH

DEPONENT

And

MINISTER MCEBISI JONAS

1ST RESPONDENT

THE COMMISSION OF INQUIRY

2ND RESPONDENT

FILING NOTICE

Document filed:

Supplementary Affidavit

Filed by:

SIWELA ATTORNEYS

SIGNED AND DATED ON THE 31ST OF AUGUST 2018


Siwela Vincent Attorneys

229 Shepard and Freel Building

Cnr Prince George and Victoria

2nd Floor

Office 211 Brakpan

And to: Secretary of the Commission of inquiry

And to: _____

Mabunda Incorporated

2 Protea Road, Corner Riley

Bredfordview

2008

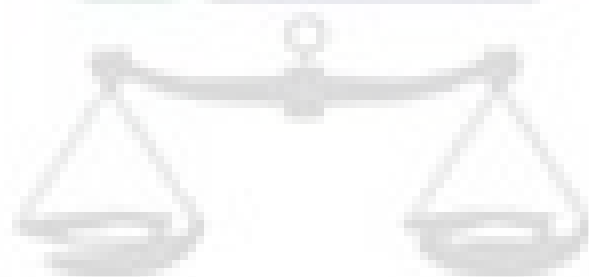
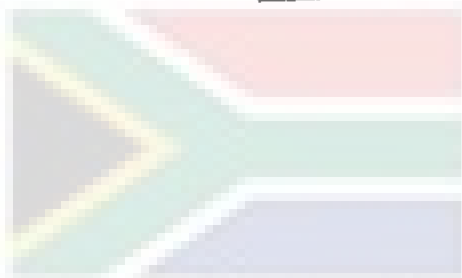
Tel: (011) 450 2284

Tel: (011) 450 1566

MABUNDA INCORPORATED

31 Aug 2018

Email: info@mabundainc.co.za
Tel: 011 450 1641 / 011 450 2284



**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE
CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR
INCLUDING ORGANS OF STATE: HELD AT PARK TOWN**

SUPPLEMENTARY AFFIDAVIT

I, the undersigned,

ZINHLE LUTRICIA MNONOPH

State and declare the following under oath:

1.

I am an adult Major General in the South African Police Service stationed at the Directorate for Priority Crime Investigation in Silverton, Pretoria.

2.

I make reference to my sworn statement deposed to on the 23 August 2018 which was evenly filed with the Honourable Commission and hereby amplify and supplement same as follows:

3.

I have read and digested the allegations contained in Rule 3.3. Notice of the Commission, particularly at paragraph 3.1 and 3.2 thereof.

ELM ZEM

I humbly depose to this affidavit also mindful and in consideration of Mr Mcebisi Hebert Jonas' testimony before the Commission.

4.

AD BACKGROUND

I wish to state that I contacted Mr Jonas on or about April 2016 after two dockets were assigned to me by the then National Head of the Hawks General Ntsemeza under dockets Crime Administration System (CAS) no.720/03/2016 (Sandton) and CAS no.1200/03/2016 (Cape Town).

The complainants were Mr Bloem of COPE and Mr David Maynier of the Democratic Alliance (DA).

5.

In both complaints Mr Jonas was cited as a potential witness as a consequence of his media statements made on the 16th March 2016 and 3rd April 2016 whereby he alleges that he was offered a position as a Minister of Finance by the Gupta family.

6.

I refer the Honourable Chairperson to my previous averments contained in my replying affidavit and reiterate that I still stand by my version thereof and will only hereafter confine my replies to the allegations contained from paragraph 54 of Mr Jonas' unsworn statement.

7.

AD PARAGRAPH 54

7.1 I Note that the allegations contained herein suggests and give an impression that I gave Mr Jonas a call on the 20th June 2016, which allegations I still deny as incorporated in my replying affidavit.

ZLM EY.

7.2 I however wish to concisely, unambiguously and unequivocally deny that I told Mr Jonas that it was a "DA matter", that the statement had been "settled" by an Advocate who was a prosecutor and that "they wanted to kill" the case and we needed his statement as a formality. Instead I informed him that the complainants were from the DA and COPE members.

8.

On the 11th July 2016, I finally had a meeting with Mr Jonas at the Treasury after several attempt to secure a meeting with him. I explained the purpose of my presence and reminded him of our prior telephone conversations that the two above cases are under investigation.

9.

Mr Jonas was in the presence of his attorney Mr Max Boqwana. I then presented him with a statement as discussed with him over the phone. During the telephone conversation, I clearly explained to Mr Jonas that due to his constant reluctance to furnish our office with a comprehensive and concise statement or to formally lay a criminal charge; my head General Ntlemenza has instructed me to present him with a statement confirming his position and stance on the matter. I also wish to state that Mr Jonas was already aware of the contents of the statement.

10.

I am of the view that Mr Jonas is defeating the ends of Justice because of the following:

10.1 He has failed to open a criminal case timeously thus the Guptas were not arrested and have consequently freely left the country because no warrant was issued:

10.2 Despite several attempts to secure his formal statement, he has to date failed to do so, but opted to publicize in the media.

10.3 As a result both complaints of Mr Bloem and Mr Maynier cannot be finalized accordingly.

ZUM C.G

10.4 I verily believe that Mr Jonas had a legal duty to report any corruption as soon as possible and that by such omission he has failed to discharge his constitutional mandate and obligation.

11.

At the time of my interaction with Mr Jonas, I was fully aware of his lawyers presence, I even suggested that he should seek advice from him regarding the statement at hand.

12.

Mr Jonas also requested to view the dockets in question, I then I had to drive back to my office to retrieve same. After showing him the two (2) dockets, he informed me that he will discuss with his attorney and revert to me and I had no objection to that arrangement.

I am further of the view that his belief that our institution is "compromised" is totally misplaced. He further contradicts himself when he avers that my intention was to request him not to provide an affidavit because there is nothing to suggest that, and he has never raised this issue before me or before the Commission.

13.

Save to admit that Mr Jonas furnished the Hawks with his "short affidavit", need I say that same was still incomplete, shallow and not comprehensive.

I am further of the view that from my extensive experience as an officer, same cannot be of any aid to complete or finalize the investigations as contemplated.

14.

Mr Jonas' propensities of furnishing his statement piece meal, leaves a lot to be desired and cannot be justified, has also caused more harm to the investigations.

DEPONENT

THUS SWORN AND SIGNED BEFORE ME AT BRAKPAN ON THIS DAY
THE 31ST OF AUGUST 2018.

THE DEPONENT HAVING ACKNOWLEDGED THAT SHE KNOWS AND
UNDERSTANDS THE CONTENT OF THIS AFFIDAVIT AND HAS NO OBJECTION IN
TRACKING THE PRESCRIBED OATH AND CONSIDERS THE OATH TO BE ON
HER CONSCIENCE.

200234471 ECU CT
Commissioner of Oath

COMMISSIONER OF OATH

FULL NAMES Emily Unity

SOUTH AFRICAN POLICE SERVICE
EKURHULENI CENTRAL BRAKPAN
2018-08-31
CLIENT SERVICE CENTRE
SOUTH AFRICAN POLICE SERVICE

DESIGNATION/CAPACITY EKURHULENI CENTRAL

COMMISSION OF INQUIRY INTO STATE CAPTURE

HELD AT

PARKTOWN, JOHANNESBURG

10



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20



MR MCEBISI JONAS: Ja, I recall.

ADV PIET LOUW SC: I am going to ask you some questions about your interaction with three generals, Mnonopi, Matakata and Themeza, do you recall that, these three people are mentioned in ...(intervention)

MR MCEBISI JONAS: I know the names, I don't know what was the interaction.

ADV PIET LOUW SC: You know the names, yes, let us just quickly see what they say because you have not been asked to provide comments on what these three generals say in their affidavits. Now this time I am going to ask you to turn please to the bundle that's marked Exhibit D, D3. Right the first affidavit is the one of General Mnonopi, you
10 see that at page 75. Did you see it?

MR MCEBISI JONAS: 75?

ADV PIET LOUW SC: Once again the one that's written in manuscript, the khoki pen number. Do you have it?

CHAIRPERSON: Yes, on page 75.

ADV PIET LOUW SC: Page 75.

CHAIRPERSON: Okay thank you.

ADV PIET LOUW SC: Sorry, do you have it Mr Jonas?

MR MCEBISI JONAS: Ja.

ADV PIET LOUW SC: Okay, just very quickly the statement it's an affidavit telling us
20 that the person is a major general in the police, Director of Priority Crime Investigation, and then attached to the component CS Corruption Investigation and then the – what I want to ask you about really just to save time if I may take you paragraph 3 just explains what the issue is about, and I think really I must march on, and ask you to turn to page 76. This, the issue here concerns that these very senior police officials, this one, the first one we're looking at, complained that they had to go through a process of

extraction to try and get anything from you, any response from you about the allegations.

MR MCEBISI JONAS: I probably could respond to it in better details, but I will just summarise what happened, firstly mostly of the numbers that are said to have been my numbers where they were contacting me are incorrect, they are not my numbers to start with. I will ...(intervention)

ADV PIET LOUW SC: Sorry did you say that anywhere else in any affidavit?

MR MCEBISI JONAS: We only saw this affidavit, we never got a signed – my understanding is that Mnonopi retracted the affidavit, that's my understanding, that she
10 retracted the affidavit, so I don't even understand why we should make it subject of the cross-examination but let me explain what happened to – in this instance. I had a call from General Ntlemenza to say that they would want to finalise the case on the Guptas and we must meet, arrange a meeting with me. A couple of weeks passed and then I got a call from him again to say the matter has been handed over to I don't remember the role of Ms Mnonopi, to handle the matter. A few days after that Ms Mnonopi did call and arranged a meeting, and that meeting did take place, and by the way when she said she called for the meeting she said listen I just want to close the matter and I've prepared the statement for you to that effect, and I contacted my lawyer to say listen I've just had a conversation with this General Mnonopi, can we quickly, can you come
20 to the office because she is on her way, and on her arrival in the office indeed she had a statement, but there was no docket and we requested, we sat and looked at the statement but we said but you cannot give us a statement without a docket, she said give me a few minutes I am going to go and fetch the docket.

She left the office for if I remember right an hour or so, I'm not sure, and I was thinking that maybe it's like she won't come back. She came back with a file and

my lawyer went through the file and then said to her okay you can give me the statement so that we peruse it and we will give you a signed one if we agree with the contents. And that's what exactly happened.

ADV PIET LOUW SC: Alright, let us just look at what I wanted to show you at page 76 just a few statements over here, this is an affidavit and paragraph 53.2 at the foot of that page, 76, it says the following:

"I deny ..."

That's now in answer to an allegation that you made.

"...that I subsequently and initially approached Mr Jonas on 20 June 2016."

10 Now that was the date that I think you had the discussion with General Ntlemeza, is that correct, in June?

MR MCEBISI JONAS: I'm not sure, I must say I am not sure.

ADV PIET LOUW SC: Once again, forgive me I am not going to debate dates with you, we've got to move on, but the important thing is that she says I in fact started to call Mr Jonas on the 11th of April 2016 at 15:02 to request him to tender a sworn statement as a consequence of his media statement and pending cases culminating in the complaints made by Mr Bloem and Mr Maynier and then she says I humbly attach my call records. Did you or did you not receive a call from her in April 2016?

MR MCEBISI JONAS: The call I received from Ms Mnonopi the first call was about
20 saying she is leading the investigation, the second call was about let's meet and go through this, so ...(intervention)

ADV PIET LOUW SC: So this is, you say that this is a lie?

MR MCEBISI JONAS: Some of the – I don't know it's a pity that these dates, these numbers are not clear, but I looked at previously at some of the numbers, they were not even my numbers by the way, and by the way most of them if you look at the time it

shows you that it was not necessarily a call, I mean quite frankly when you go through the long list it's not even a call, so most of them has got my number and secondly I don't know if you buzz a person for a second and you say you had a call.

ADV PIET LOUW SC: And once again the itemised billing you see at page 78 showing the numbers that she called, but let's go on, at page 80 there is a print of a ... (intervention)

MR MCEBISI JONAS: Page 80?

ADV PIET LOUW SC: Eight Zero.

MR MCEBISI JONAS: Okay.

10 **CHAIRPERSON:** Maybe Mr Louw let me just have this clarified. Mr Jonas when Mr Louw began to ask you questions on this affidavit by Major General Mnonopi you said something that I understood to be that she had extracted or withdrawn the affidavit.

MR MCEBISI JONAS: That was my understanding.

CHAIRPERSON: Did I understand correctly?

MR MCEBISI JONAS: That was my understanding Chair, I don't know, that's how I understand it.

CHAIRPERSON: Your understanding was based on what, I just don't have a – I just want to make sure.

20 **MR MCEBISI JONAS:** There was a public statement I think I read somewhere where it was said that she has retracted the statement, she's going a different route, I am not sure, we can ask Mr Louw.

CHAIRPERSON: You are not sure, let me ask Mr Mokoena if he knows anything, just so that we as we proceed we know what the status of the affidavit is?

ADV PHILLIP MOKOENA SC: He withdrew his application before this Commission to cross-examine so he never dealt with it yes.

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CHAIRPERSON: Oh okay, no that I do know, that I do know. Okay so if what Mr Mokoena is what may have given you the impression that she had withdrawn the affidavit, I think what the position is, is that she filed an application for leave to cross-examine you, but subsequently withdrew the application which doesn't necessary mean she no longer stands by what she said in the affidavit.

MR MCEBISI JONAS: Okay.

CHAIRPERSON: Okay, alright.

ADV PIET LOUW SC: Mr Chairman I am indebted to you. Mr Jonas let's just tip-toe on, if you can then look at page 80, this is what the witness stated on oath, is what was
10 sent to you:

"Good day Honourable DM [Deputy Minister I take it]

Hope the DM is doing well. My apologies DM I know you've got a very busy schedule. I am Major General Mnonopi, head of Serious Corruption Investigation"

And she goes on to explain who she is.

"I wish to have a word with the DM as I am investigating two cases where the DM is cited as key witness. I tried to call the DM on numerous occasions with no success. I would appreciate a call from the DM so as to take the matter further. Hope to hear from the DM soon.

20 With regards,

Major General Mnonopi"

Dated 21 April 2016. Did you or did you not receive ...(intervention)

MR MCEBISI JONAS: I don't recall receiving this message. The one message I received again, I mean it would be nice to know the number to which this message was sent, but in any case the only, it could have been a message but the message I

received I responded promptly to it and that's what necessitated a meeting that we had and there was only one meet.

CHAIRPERSON: Do you recall whether you may have received only one sms from her or two or is it a number of them?

MR MCEBISI JONAS: I can't recall Chair, I can't recall.

CHAIRPERSON: You can't recall, but from your side in terms of responding to her by way of sms do you recall that maybe you might have responded?

MR MCEBISI JONAS: No, I never, I called her.

CHAIRPERSON: You called her yes.

10 **MR MCEBISI JONAS**: We had a conversation on the phone, following the conversation we had a meeting and that was the meeting where she was trying to basically persuade us to sign a statement that we didn't write.

CHAIRPERSON: Okay, thank you.

ADV PIET LOUW SC: Thank you. Page 83 if you quickly move there, I just want to ask you about the sequence of events very quickly through this, this is now an affidavit from Lt General this time, Matakata, do you see that?

MR MCEBISI JONAS: Ja.

ADV PIET LOUW SC: Have you seen this affidavit before?

MR MCEBISI JONAS: Yes I did.

20 **ADV PIET LOUW SC**: She says the following in paragraph 3 of that affidavit at page 83:

"I can recall being in a meeting ..."

She is not sure of the exact date and time.

"...with Lt General Ntlemeza and Major General Mnonopi. At the meeting Major General Mnonopi reported to General Ntlemeza that she has been

unsuccessful in obtaining a statement from a former Deputy Minister”

That’s yourself. It goes on in 4:

“Lt General Ntlemeza then called the former Deputy twice in my presence. I recall that the former Deputy Minister indicated he could not submit the statement as he was not the complainant in the matter.”

And then it goes on:

“Further he did not open any case and was not a witness. Mr Jonas therefore was asking why the DPCI was looking for him, Lt General Ntlemeza explained to him that he is the witness in the matter.”

10 And it goes on like that, and if you cross the page 84 at both instances Lt General Ntlemeza called the Deputy Minister and put him on speaker hence I could hear the utterances.

Now the point that is of some consequence is only this, she records in this affidavit that you said you would not open a case, you did not open a case, I apologise, you did not open a case, you were not a witness and therefore you were – why give a statement, if you’re neither a witness and you did not open the case, that is what is recorded over here.

MR MCEBISI JONAS: That is incorrect.

ADV PIET LOUW SC: So that is a lie?

20 **MR MCEBISI JONAS:** That is incorrect.

ADV PIET LOUW SC: A lie or incorrect?

MR MCEBISI JONAS: It is completely incorrect, I recall the conversation with General Ntlemeza.

ADV PIET LOUW SC: And what did you say to him?

MR MCEBISI JONAS: The General, the conversation was about he said to me there is

a case and he didn't explain what it is about, I asked what about he said the Guptas, I asked him am I a complaint or am a witness. He said that depends on what you are going to say, and we then said let's arrange a meeting and so that I can actually if I need to make a statement, and later by the way before I think two times after that and that's when he told me that Lt Mnonopi would be the person that deals with the matter.

ADV PIET LOUW SC: Alright, then if I may ask you if you can go to page 84, paragraph 5, at the last conversation when Lt General Ntlemeza and Mr Jonas and myself, Major General Mnonopi and Lt General Ntlemeza were in a meeting in General Ntlemeza's boardroom – long sentence – Mr Jonas promised to come to the office in
10 order for the affidavit to be obtained. Is that correct?

MR MCEBISI JONAS: It is untrue.

ADV PIET LOUW SC: Once again it is not just a misunderstanding it must be a positive lie, is that so?

MR MCEBISI JONAS: Look I did not – I did not – my issue was about that – I think that the next discussion we had was that the matter has been handed over to General Mnonopi and from now I will be dealing with General Mnonopi. That was my last discussion with General Ntlemeza.

ADV PIET LOUW SC: Alright it goes on if...

MR MCEBISI JONAS: After that...

20 **CHAIRPERSON:** Mr Louw I just want to mention that I think that we have taken about 50, 50 minutes but I must stop

ADV PIET LOUW SC: It feels like five.

CHAIRPERSON: But I am not stopping you now you have been using the time properly so I will give you a little bit more time to try and wrap up.

ADV PIET LOUW SC: Truly indebted Mr Commissioner.

CHAIRPERSON: Okay.

ADV PIET LOUW SC: Alright it just goes on like that and it ends off with this pithy statement that never mind the arrangements that had been made Mr Jonas never came. And you say that is nonsense you were never asked to come?

MR MCEBISI JONAS: I was never asked to come to the office.

ADV PIET LOUW SC: If you then turn the page to 85 now to see what the date of this document is we have got to turn to 86 where you will see the date as 28 March 2017. Do you see it?

MR MCEBISI JONAS: Ja.

10 **ADV PIET LOUW SC:** Right this is now addressed by the – by General Ntlemeza and this alarmingly is addressed to the speaker of the house of assembly, do you see it?

MR MCEBISI JONAS: Yes I do.

ADV PIET LOUW SC: Do you have any memory of this document?

MR MCEBISI JONAS: It was never presented to me.

ADV PIET LOUW SC: Never presented. Well it makes for quite interesting reading and I am just going to read paragraph 3 because it is incredible.

20 “The identified non-cooperation that is now with yourself is now leading the investigation team to believe that the honourable member of Parliament as a witness to this matter is found to be deliberately distorting and willingly failing himself to withstand his responsibilities of both public and private citizenship in circumstances of these compliances.”

You say you never saw this?

MR MCEBISI JONAS: I never saw this.

ADV PIET LOUW SC: Alright.

MR MCEBISI JONAS: So I cannot hardly respond to it.

ADV PIET LOUW SC: Alright we can – I certainly cannot put it to you that because I am not appearing for those people that it was sent to any specific address but you deny that you even received this document.

MR MCEBISI JONAS: No I did not receive this.

ADV PIET LOUW SC: Alright then just to end off this aspect the version of the police officials if I correctly understand it is that flowing from what you had said to General Ntlemeza on the phone namely that you are not a witness and you are not a complainant a statement was then prepared in precisely those terms. If I may ask you
10 perhaps if I think I might have – yes page 122 in the same bundle, just look at that.

MR MCEBISI JONAS: I am on page 122.

ADV PIET LOUW SC: Page 122 just to double check this is in bundle C1.

MR MCEBISI JONAS: C?

ADV PIET LOUW SC: C1.

CHAIRPERSON: On my bundle page 122 seems to be part of an affidavit or statement by Mr Ajay Gupta.

ADV PIET LOUW SC: C.

CHAIRPERSON: Oh C

ADV PIET LOUW SC: C I apologise.

20 **CHAIRPERSON:** Okay, okay.

ADV PIET LOUW SC: Did I say D? Apologise if I said D.

CHAIRPERSON: Okay. Thank you.

ADV PIET LOUW SC: Page 122. Mr Jonas just to place this in context. Is this the statement that the police prepared on your behalf?

MR MCEBISI JONAS: I assume it is. I will assume it is. It looks like it.

ADV PIET LOUW SC: Please I can tell you that it is an annexure to I think let me double check your statement I have got so many – and really I cannot go into the detail of how this whole thing came about but if I correctly understand the position in the papers this is what the statement was that was prepared by the police for you?

MR MCEBISI JONAS: In general the line seems to be the same I mean the one was ja it looks like the same.

ADV PIET LOUW SC: It looks like the same.

MR MCEBISI JONAS: I can [indistinct].

ADV PIET LOUW SC: It looks like the same. The one that you would not sign?

10 **MR MCEBISI JONAS:** Yes

ADV PIET LOUW SC: Because all I want to direct your attention to at page 122 it is the second last paragraph is where you said the following – no, no not you said apologise where it was said that you would say

“During our engagement she informed me that I am cited as a witness in both cases and for that reason a detailed statement is required from me.”

And here is the bit.

20 “I responded to her that I am not prepared to submit any statement as I never opened any case against anyone and I do not intend opening any further I am not witness to any person.”

In other words non-committal you do not want to make a statement?

MR MCEBISI JONAS: This was a statement prepared by General Mnonopi

ADV PIET LOUW SC: Yes.

MR MCEBISI JONAS: And all of this thing that she talks about never happened and so in any case why would I have signed something that is false. I never had a meeting, I

never had this discussion that is captured in this paragraph with her.

ADV PIET LOUW SC: And...

MR MCEBISI JONAS: And by the way it was preceded by a detailed discussion where she was telling us that we cannot assist the DA and the COPE on this matter we have to kind of kick it out.

ADV PIET LOUW SC: Leave that aside. What we do know is that General Matakata at page 83 made an affidavit where precisely the contents that I now read to you she says rightly or wrongly is what you said over the phone and you say that is wrong?

MR MCEBISI JONAS: That is wrong I did not say that.

10 **ADV PIET LOUW SC:** It is not just the miss remembering or a miss statement it is a positive lie?

MR MCEBISI JONAS: I did not – I did not remembering saying that, I did not say that.

ADV PIET LOUW SC: Mr Chairman my predicament is I could go on for a day or more but if this is my time it is about as good a time to stop.

CHAIRPERSON: Well the idea is to try and strike a balance you know one has got to be fair to your client and all implicated persons and but at the same time look at the fact that we should not take too long.

ADV PIET LOUW SC: Yes.

20 **CHAIRPERSON:** So that is part of the reason why I did not stop you at the time that I had indicated so in terms of important things that you want to cover how much time do you think you still need?

ADV PIET LOUW SC: Chair my difficulty is if I get in – into any of the detailed aspects.

CHAIRPERSON: Ja.

ADV PIET LOUW SC: As it is with any examination like that.

CHAIRPERSON: Ja.

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ADV PIET LOUW SC: We have to go to one page keep a finger and go to another page, compare them.

CHAIRPERSON: Yes.

ADV PIET LOUW SC: This is it is fairly lengthy – a fairly lengthy exercise and I think if I may just perhaps confirm with my learned junior.

CHAIRPERSON: Yes. Ja.

ADV PIET LOUW SC: I am just taking a quick instruction to make sure that...

CHAIRPERSON: No that is fine. That is fine.

ADV PIET LOUW SC: Mr Chairman on the understanding that ...

10 **CHAIRPERSON:** Yes.

ADV PIET LOUW SC: We could perhaps provide you.

CHAIRPERSON: Yes.

ADV PIET LOUW SC: Because you are the Chief Inquisitor in this case.

CHAIRPERSON: Yes.

ADV PIET LOUW SC: With a list of matters that we find to be contradictory

CHAIRPERSON: Yes.

ADV PIET LOUW SC: And indicative of Mr Jonas' version not being correct.

CHAIRPERSON: Yes.

20 **ADV PIET LOUW SC:** And in due course asking you when Mr Zuma testifies to look carefully at what he has to say.

CHAIRPERSON: Yes.

ADV PIET LOUW SC: And that is at variance with this witness.

CHAIRPERSON: Yes.

ADV PIET LOUW SC: Mr Chairman that is all I can then do in the allocated time.

CHAIRPERSON: Yes. No certainly I would welcome that but I am just – I am happy

that you check with your team if in terms of what you have covered. I think you had – you were taking instructions or whatever. I am keen to make sure that at least important issues the rest if you the suggestions you make I think it is an important suggestion because again the legal team of the commission they are not pushing for a particular version.

ADV PIET LOUW SC: No.

CHAIRPERSON: They look at all versions and they will put questions so the suggestion you make is most welcome. But I just want to check whether subject to that you are okay or whether you need a little bit more time?

10 **ADV PIET LOUW SC:** Chair I would like more time but it is going to be exactly the same thing in fifteen, twenty, half an hour.

CHAIRPERSON: Okay, okay.

ADV PIET LOUW SC: So I think on the understanding that perhaps we can finish our learned colleagues...

CHAIRPERSON: Yes.

ADV PIET LOUW SC: With inviting what we believe to be indicative.

CHAIRPERSON: Yes.

ADV PIET LOUW SC: Of Mr Jonas' version being incorrect on the essential points.

CHAIRPERSON: Yes. Yes.

20 **ADV PIET LOUW SC:** I think if I may then at this point

CHAIRPERSON: Ja.

ADV PIET LOUW SC: End the cross-examination.

CHAIRPERSON: Okay no no that is fine and once again the suggestion you make is most welcome let us do that. Send whatever document you may send that would point to certain issue or contradictions or other material that you think should need to be

looked at and certainly I will look at it.

ADV PIET LOUW SC: Of course.

CHAIRPERSON: Ja.

ADV PIET LOUW SC: Thank you Mr Chair.

CHAIRPERSON: Ja but thank you very much. Mr Mokoene.

ADV PHILLIP MOKOENE SC: Chair Mr Trengrove would wish re-examine.

CHAIRPERSON: Okay that is fine. I did not determine any time before and I think we should determine – I should determine it now.

ADV WIM TRENGROVE: Yes Chair.

10 **CHAIRPERSON:** What – how much do you suggest Mr Trengrove?

ADV WIM TRENGROVE: I will be ten minutes.

CHAIRPERSON: Ten minutes?

ADV WIM TRENGROVE: Ten minutes.

CHAIRPERSON: Ten minutes okay. No thank you. Yes you may proceed.

ADV WIM TRENGROVE: Mr Jonas on the issue before the tribunal the difference between you and Mr Zuma is extremely narrow, you understand that?

MR MCEBISI JONAS: Yes I do.

ADV WIM TRENGROVE: In fact it is common cause that the two of you met at the Hyatt, common cause that you went to the Gupta house.

20 **MR MCEBISI JONAS:** Yes it is.

ADV WIM TRENGROVE: Common cause that Fana Hlongwane was at the Gupta house?

MR MCEBISI JONAS: It is.

ADV WIM TRENGROVE: Common cause that there was on occasion at least a Gupta brother?

MR MCEBISI JONAS: Yes.

ADV WIM TRENGROVE: The only difference between you is what was – what happened at the Gupta house.

MR MCEBISI JONAS: Yes it is.

ADV WIM TRENGROVE: And you will have noticed that that is the one thing that my learned friend did not canvass in cross-examination.

MR MCEBISI JONAS: Yes it is.

ADV WIM TRENGROVE: Everything except what happened at the Gupta house.

MR MCEBISI JONAS: Yes.

10 **ADV WIM TRENGROVE:** So I would like to deal with that issue. The version of Mr Zuma that has put to you. And that version is that the whole purpose of the meeting and the only topic of discussion at the meeting was rumours that Mr Hlongwane had blackmailed you or had tried to blackmail you.

MR MCEBISI JONAS: It is correct.

ADV WIM TRENGROVE: Now...

CHAIRPERSON: Please raise your voice again.

MR MCEBISI JONAS: It is correct.

CHAIRPERSON: Mr Jonas.

ADV WIM TRENGROVE: Now has he ever blackmailed you?

20 **MR MCEBISI JONAS:** No he has not.

ADV WIM TRENGROVE: Have you ever accused him of blackmail.

MR MCEBISI JONAS: No I did not.

ADV WIM TRENGROVE: Have you ever heard of any rumours to that effect?

MR MCEBISI JONAS: No I did not.

ADV WIM TRENGROVE: So if anybody said to you Mr Jonas we hear rumours that

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you complained that Fana Hlonwane had tried to blackmail you what would your response have been?

MR MCEBISI JONAS: That is nonsense.

ADV WIM TRENGROVE: Would it have been – would it have required more than a one minute discussion to resolve the issue?

MR MCEBISI JONAS: Probably even a phone call.

ADV WIM TRENGROVE: Ja. And before this meeting on the 23rd when last had you spoken to Mr Hlongwane?

MR MCEBISI JONAS: In two days or one day before.

10 **ADV WIM TRENGROVE:** On the telephone?

MR MCEBISI JONAS: And that morning I think.

ADV WIM TRENGROVE: On the telephone or in person?

MR MCEBISI JONAS: On the telephone, on the telephone and we met a week or two so before.

ADV WIM TRENGROVE: And at that time was the – did he say anything at all about these rumours.

MR MCEBISI JONAS: No there was nothing about rumours.

ADV WIM TRENGROVE: Was there any tension or hostility between the two of you?

MR MCEBISI JONAS: It was the friendly meeting.

20 **ADV WIM TRENGROVE:** If he was looking for an occasion to discuss that kind of rumours with you was there any reason for him not to do so in that conversation.

MR MCEBISI JONAS: No he would have – he would have directly spoken to me but [indistinct] because I did not even know Duduzane from a bar of soap actually.

ADV WIM TRENGROVE: Now and what is more they = they then tell us that at this meeting at the Gupta house nothing else was discussed except for this alleged

blackmail rumour. Can I ask you to go to Mr Zuma's statement at page 172 paragraph 6.

MR MCEBISI JONAS: Which is the – which file?

CHAIRPERSON: Which exhibit is it? Is it C1?

ADV WIM TRENGROVE: I think it is. D.

CHAIRPERSON: D3.

ADV WIM TRENGROVE: D3 ja.

CHAIRPERSON: Okay. And what is the page number?

ADV WIM TRENGROVE: 172.

10 **CHAIRPERSON:** Thank you.

ADV WIM TRENGROVE: Are you there? At the foot of the page in paragraph 6 you will see he says in the third line rumours were surfacing in general that Mr Jonas allegedly claimed that Mr Hlongwane blackmailed him, Jonas in some or other manner. These rumours were regarded as very serious. Paragraph 7. When these rumours started to surface Mr Hlongwane in discussion with me decided to set up a meeting with Mr Jonas in an attempt to clear it up. And then the part that I would like to emphasise. As Mr Jonas also in his discussions with Mr Hlongwane wanted to know from me directly where these rumours were spreading or coming from. Do you see that sentence?

20 **MR MCEBISI JONAS:** Yes I do.

ADV WIM TRENGROVE: So he says that not only did you wanted to know where these rumours were coming from and you had raised that question not only in your discussions with Mr Zuma but also in your discussions with Mr Hlongwane. Did you see that?

MR MCEBISI JONAS: I see that.

ADV WIM TRENGROVE: Is there any truth to that statement whatsoever?

MR MCEBISI JONAS: It is completely untrue.

ADV WIM TRENGROVE: And if either of them had raised it with you what would your response have been?

MR MCEBISI JONAS: I would have told them that it is nonsense basically.

ADV WIM TRENGROVE: Then please go his account of what happened at the meeting at page 174 in paragraph 14. He says my observations during the meeting was that both Mr Jonas and Mr Hlongwane ventilated and discussed the rumours of the blackmail allegations. Any truth to that?

10 **MR MCEBISI JONAS:** Untrue again it is false.

ADV WIM TRENGROVE: Where there anything to discuss.

MR MCEBISI JONAS: There was nothing to discuss it was even mentioned by the...

ADV WIM TRENGROVE: And look it goes further not only was it discussed he says and eventually reached a stage where although it was not fully resolved the dust settled between them so to speak and they agreed that they should – that should any further issues arises that they would arrange further follow-up meetings in that regard. According to my assessment of the meeting the issue between Mr Hlongwane and Mr Jonas was not entirely resolved but hanged in the air for further follow-up meeting. I do not know whether the – whether or not the dispute between them regarding the claims
20 of alleged blackmail was ever resolved. Any truth to that?

MR MCEBISI JONAS: No truth to that.

ADV WIM TRENGROVE: So not only does he say that the blackmail allegations were resolved but there was still an issue between you and Mr Hlongwane causing hostility and tension and the issue was not fully resolved, any truth to that?

MR MCEBISI JONAS: No truth at all.

ADV WIM TRENGROVE: You will have notice that that was not canvassed with you in cross-examination at all.

MR MCEBISI JONAS: I did notice.

ADV WIM TRENGROVE: As for the Gupta version we have heard the version of two Gupta brothers was put to you as to what happened at the meeting, do you remember that?

MR MCEBISI JONAS: Yes I do.

ADV WIM TRENGROVE: Do you remember that the Gupta family issued a public statement at the time when your accusation became public?

10 **MR MCEBISI JONAS:** Yes they did.

ADV WIM TRENGROVE: And what did they say at the time about the accusation that they had offered you a bribe at a meeting at their house?

MR MCEBISI JONAS: The statement was that the meeting never happened I was lying.

ADV WIM TRENGROVE: Can I refer you to a copy of the statement please. Can I put this copy of the statement before you? I only have two copies Chair so I am – ja will you hand one to the Chair. You will see that is a public statement issued by Oakbay on behalf of the Gupta family but let us just take it from the top. It is on an Oakbay letterhead it says Mcebisi Jonas...

20 **CHAIRPERSON:** Mr Trengrove maybe we should mark this document now Yesterday Mr Pretorius put up a document and we forget what it should be marked.

ADV WIM TRENGROVE: Certainly Chair I will be...

CHAIRPERSON: Mr Mokeone might be helpful.

ADV WIM TRENGROVE: My learned friend suggest C2 Chair.

CHAIRPERSON: C2. Exhibit C2?

ADV WIM TRENGROVE: Ja.

CHAIRPERSON: Okay. This will be marked Exhibit C2 and that is a document marked News and analysis Oakbay Investments PTY Limited it is Jonas there was no meeting Gupta family. Yes thank you.

ADV WIM TRENGROVE: Thank you Chair. So you will see it says Mcebisi Jonas there was no meeting Gupta family. That is the gist of what you say they said at the time.

MR MCEBISI JONAS: Yes.

ADV WIM TRENGROVE: Do not put it aside yet I want to take you through other parts
10 of it. You will see it is dated the 13 March 2016 and then it says it is a statement from Oakbay Investments on behalf of the Gupta family. So that was made on behalf of Mr Ajay Gupta and Mr Rajesh Gupta amongst others.

MR MCEBISI JONAS: Ja.

ADV WIM TRENGROVE: And it recounts the accusation and then in the middle of the page there is a very short paragraph which says: to be absolutely clear there was no meeting at all. Do you see that? Will you answer audibly Mr Jonas?

MR MCEBISI JONAS: Ja.

ADV WIM TRENGROVE: The machine does not pick up your nod.

MR MCEBISI JONAS: Yes I can see that.

20 **ADV WIM TRENGROVE:** Ja and then my learned friend put to you the account of various members of the Hawks at including that of General Ntlemeza correct?

MR MCEBISI JONAS: Correct.

ADV WIM TRENGROVE: He was the head of the Hawks at the time?

MR MCEBISI JONAS: He was the head of the Hawks.

ADV WIM TRENGROVE: He is also the man whose appointment as head of the

Hawks was set aside by the Supreme Court Of Appeal.

MR MCEBISI JONAS: That is correct.

ADV WIM TRENGROVE: Because he had committed perjury in a high court case.

MR MCEBISI JONAS: That is correct.

ADV WIM TRENGROVE: He was also said to be behind the disastrous prosecution of Minister Gordhan?

MR MCEBISI JONAS: That is correct.

ADV WIM TRENGROVE: Thank you Chair.

CHAIRPERSON: Thank you very much Mr Trengrove. Mr Jonas prior to the meeting
10 with Mr Dudzane Zuma at the Hyatt Hotel and later at the Gupta residence do you
recall about how many conversations on the phone you had had with Mr Duduzane
Zuma? There was the one on the day you came back from is it Luanda?

MR MCEBISI JONAS: There were quite a couple I mean not too much but quite a
couple.

CHAIRPERSON: Sorry?

MR MCEBISI JONAS: It was not many Chair I mean there were..

CHAIRPERSON: Yes.

MR MCEBISI JONAS: There were quite a couple though.

CHAIRPERSON: Quite a couple of them.

20 **MR MCEBISI JONAS**: Ja.

CHAIRPERSON: Ja I was trying to have a look earlier on it seemed that in your
statement at least those that I could see apart from the one that we dealt with earlier on
that there may have been another one on the 19 October of course your meeting was
on the 23rd October. You both exchanged sms's and then there were some phone –
telephone or cell phone conversations as well. So you say it was a couple but you do

not remember

MR MCEBISI JONAS: A couple and a lot of missed calls [indistinct].

CHAIRPERSON: Yes. Okay alright thank you. Mr Mokoene.

ADV PHILLIP MOKOENE SC: Mr Chair I have no questions for Mr Jonas.

CHAIRPERSON: Yes okay alright thank you. What is the situation with regard to Mr Hlongwane's legal team?

ADV PHILLIP MOKOENE SC: Mr Chair I beg leave to hand correspondence which was handed to me during the tea adjournment. It might at least give us an indication as to what transpired. You would see Chair that the first letter which was written to Mr
10 Fana Hlongwane's attorneys Stockenstroom Fouchee it is dated the 28 January 2019.

CHAIRPERSON: Well it is addressed to Mr Fana Hlongwane but

ADV PHILLIP MOKOENE SC: Co care of.

CHAIRPERSON: But it says Dear Mr Fouchee

ADV PHILLIP MOKOENE SC: Yes.

CHAIRPERSON: So it is addressed to Mr Fana Hlongwane care of Stockenstroom Fouchee Incorporated.

ADV PHILLIP MOKOENE SC: Because they have placed themselves on record as the attorneys for Mr Fana Hlongwane.

CHAIRPERSON: Ja but it is strange to address it to the client.

20 **ADV PHILLIP MOKOENE SC:** It is very strange but Mr Mabunda did that.

CHAIRPERSON: Anyway ja okay.

ADV PHILLIP MOKOENE SC: And you will see in that in paragraph 2 then there dates which were proposed for Mr Jonas to complete his evidence to be cross-examined and the three dates are furnished in paragraph 2.1, 2.2 and 2.3.

CHAIRPERSON: Yes.

ADV PHILLIP MOKOENE SC: And they were indicated to choose one and to liaise in order to synchronise the diaries with all the respective parties.

CHAIRPERSON: Yes.

ADV PHILLIP MOKOENE SC: The second letter Mr Chair you will see if – immediately after that letter you then find another letter addressed to strangely as it may seem to Mr Fana Hlongwane but care of his legal – his attorneys dated the same day where there was a correction of the date. You will see that on paragraph 3 it says that ‘kindly substitute this date for the 15 March 2019 the remainder of the letter remains valid.

CHAIRPERSON: Yes.

10 **ADV PHILLIP MOKOENE SC:** So this is where they were informed about this date but it does not end there.

CHAIRPERSON: The wrong date was 11 March 2019.03.15

ADV PHILLIP MOKOENE SC: It was 11 March then it was corrected to 15 March.

CHAIRPERSON: Okay.

ADV PHILLIP MOKOENE SC: So there is no ambiguity about the date as to when the matter will be proceeding to finalise Mr Jonas’ testimony. The last letter you will see Mr Chair is the one dated the...

CHAIRPERSON: Dated the 18 January 2019.

20 **ADV PHILLIP MOKOENE SC:** Yes. And it says I think it is quite important paragraph 1 we refer to the above matter and in particular what our letter on even date 2. We confirm that the legal representative of Mr Duduzane Zuma Ms Van Der Merwe and Van Der Merwe have confirmed their availability on the 15 March 2019. 3. We further confirm that the date of the conclusion of the evidence and cross-examination of Mr Jonas will be heard on the 15 March 2019. We trust that you will find the above in order.

CHAIRPERSON: Yes.

ADV PHILLIP MOKOENE SC: So there can never be doubt that there was communication that was directed to Mr Fana Hlongwane's attorneys and that the date was confirmed as early as the 30 January 2019. That is how far – as far as I can take the matter Mr Chair as to why they are not here today I do not have first-hand information.

CHAIRPERSON: You – do we have any information – any proof how these letters were sent whether they were sent as emails or they were just posted or faxed we do not have that?

10 **ADV PHILLIP MOKOENE SC:** I do not have that but one would assume that by seeing the attorneys of Mr Duduzane Zuma here today and having not questioned any dates and this was the last correspondence sent to all the parties.

CHAIRPERSON: Ja.

ADV PHILLIP MOKOENE SC: One would assume that it was also dispersed to the attorneys of Mr Fana Hlongwane. If much more proof is required we might just have to uplift from Mr Mabunda

CHAIRPERSON: Yes.

ADV PHILLIP MOKOENE SC: The – either emails confirming that they were received or he can tell us by which mode.

20 **CHAIRPERSON:** Ja.

ADV PHILLIP MOKOENE SC: Were the letters directed to Mr Fana Hlongwane's attorneys.

CHAIRPERSON: Okay no that is fine.

ADV PHILLIP MOKOENE SC: Yes.

CHAIRPERSON: I think therefore we will need to release Mr Jonas.

ADV PHILLIP MOKOENE SC: Yes.

CHAIRPERSON: And if and when the – another need arises for him to come back we will take it from there.

ADV PHILLIP MOKOENE SC: Yes Mr Chair.

CHAIRPERSON: Mr Jonas thank you very much for coming to complete your evidence and for making yourself available for cross-examination. Mr Hlongwane's lawyers are not here to cross-examine today. As you have heard apparently correspondence was addressed to his attorneys notifying them about today and if and when a need arises for you to be asked to come back we will deal with it then. But thank you very much

10 and you are excused. Thank you. Yes Mr Mokoene.

ADV PHILLIP MOKOENE SC: Mr Chair that concludes

CHAIRPERSON: For today.

ADV PHILLIP MOKOENE SC: The proceedings for today.

CHAIRPERSON: Yes. Alright we will adjourn the proceedings for today until Monday when we will begin with evidence relating to Denel.

ADV PHILLIP MOKOENE SC: Yes.

CHAIRPERSON: For next week. We will be hearing evidence relating to Denel. We adjourn.

INQUIRY ADJOURNS TO 18 MARCH 2019

20

STATEMENT TO THE INQUIRY INTO STATE OF CAPTURE

I,

MCEBISI HUBERT JONAS

state as follows:

INTRODUCTION

1. I provide this statement in order to assist the inquiry into State of Capture (*the Commission of Inquiry*) which is chaired by Deputy Chief Justice Raymond Zondo.
2. I have been requested to respond to the affidavits which have been filed on behalf of Lieutenant General Yolisa Matakata (dated 22 August 2018) and Major General Zintle Lutricia Mnonopi (on or about 24 August 2018).
3. It should be noted in this regard that I have testified twice before the Commission of Inquiry (on 24 August 2018 and 15 March 2019) and have also provided a statement to the Commission of Inquiry (dated 8 August 2018). In my statement I provided a high level overview of my interactions with Major General Mnonopi (see in this regard paragraphs 51 to 57 of the statement). Subject to a few corrections, I confirmed the accuracy of my statement under oath during my appearance before the Commission on 24 August 2018 (see page 11 to 13 of the transcript of the hearing of 24 August 2018).

Mit J

4. In addition, during my appearance before the Commission of Inquiry on 24 August 2018, I discussed aspects of my interactions with Major General Mnonopi. In this regard, please see pages 37 to 44 of the transcript of the hearing of 24 August 2018.
5. Moreover, during the course of my subsequent testimony on 15 March 2019, I also dealt with my interactions with Major General Mnonopi during the course of the cross examination by Mr Piet Louw SC.
6. In addressing certain of the specific allegations advanced by Major General Mnonopi and Lieutenant General Matakata respectively, I will provide some additional detail of my interactions with Major General Mnonopi. I do not intend (save where necessary to provide context) repeating the content of my statement or testimony before the Commission of Inquiry. However, I request that this affidavit be read with my statement as well as the relevant portions of the transcripts of my testimony before the Commission of Inquiry.

INTERACTIONS WITH MAJOR GENERAL MNONOPI

7. Sometime after the articles appeared in the Sunday Times relating to my meeting with the Gupta brother, I was called by General Berning Ntlemeza. I had just landed from a flight from East London when he called. In this short conversation he informed me that a complaint had been laid and that he wanted to meet me to discuss the matter as they were investigating the matter. I asked him in a jesting manner what my involvement was in the investigation and whether I was the complainant or a witness. He said that we should meet and discuss these issues.

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8. This was a short call and I recall that it took place on while I was travelling on an escalator at the airport.
9. General Ntlemeza called me again some time thereafter and indicated that they wanted to meet me as there was pressure to finalise the investigation. I indicated that I was not in town at the time and he said that he would get back to me with a proposed time to meet. Once again this was a short call.
10. General Ntlemeza called me again thereafter to arrange a meeting and told me that Major General Mnonopi was investigating the matter and that she would contact me in this regard. In this call he indicated that they were working on a statement for me.
11. As indicated in my statement, Major General Mnonopi subsequently contacted me. I note from her affidavit that she claims that she tried to contact me during the course of April 2016 and May 2016. In support of this assertion, she attaches what she claims to be an extract from her itemised billing for her cellphone. The copy of the itemised billing attached to her affidavit is not very clear, but none of the numbers which are reflected in the attachment to her affidavit are to the cellphone number which I was using at the time. I also note that none of the calls appear to be of any meaningful duration. I do not recall receiving any short message service messages from her (she does state that these were sent to my personal assistant). I do note that she has unfortunately not indicated the number to which these messages were sent.
12. In any event, she eventually spoke to me telephonically on 20 June 2016 and that she was investigating the complaints which had been laid by David Mayneer of the Democratic Alliance and Mr Bloem of COPE.

MF
MH.J

13. She contacted me again subsequently and indicated that she had prepared a statement and that she wanted me to sign the statement which she had prepared. I recall that she called me early in the morning and I indicated that I was on my way to my office at the National Treasury in Church Street in Pretoria and that we could meet there. She said that she would meet me at my office.
14. Having made these arrangements with Major General Mnonopi, I called my attorney, Mr Max Boqwana and requested that he should be present at the meeting with Major General Mnonopi.
15. When Major General Mnonopi arrived at the National Treasury, we met in a boardroom. She indicated that her aim was to *"kill the case"*. As reflected in my statement to the Commission of Inquiry, she indicated that the complaint was a *"DA matter"* and that I would not want to help the DA. She also called me *"comrade"* during the course of this meeting.
16. She presented me with a pre-prepared statement (which I deal with in paragraph 55 of my statement).
17. For the purposes of providing context, I have repeated the content of paragraph 54 of my statement *"She said that the statement had been settled by an Advocate who was a prosecutor (I assumed within the National Prosecution Authority), who believed that it would kill the case. She said that "we [...] need your statement as a formality as there is no case here, it is necessary in order for us to close the matter. Your statement must state that you are not a witness for anyone and that you do not want to make a statement as such"*.

MF
MHJ

18. Mr Boqwana then read the statement which she had prepared and asked Major General Mnonopi for the docket. She indicated that she did not have the docket with her, but that would go to fetch it. Accordingly, she then left the National Treasury to fetch the docket. She must have been away for approximately an hour.
19. At the time she left, I recall that we met Minister Pravin Gordhan as we (Mr Boqwana and I) left the boardroom. We had a discussion with Minister Gordhan in relation to the engagement which had just taken place with Major General Mnonopi.
20. When she returned, she brought the docket with her and Mr Boqwana read through the docket. Mr Boqwana indicated that I would consider the content of the affidavit and that I would not sign it then and there (as she had wanted me to do). She emphasised that it was important that I should sign the affidavit that very day. Mr Boqwana said that I would not do so, but I would provide her with an affidavit a few days later.
21. As explained in my statement, I did not sign this affidavit as it was not correct. However, Major General Mnonopi was insistent when she was at my office that I should sign the affidavit.
22. I note that other than a generalised bald denial in her affidavit, Major General Mnonopi does not expressly deny the majority of the content of my statement to the Commission of 8 August 2018.
23. Turning to the affidavit of Lieutenant General Matakata, she claims that she was in General Ntlemeza's office when he called me on two occasions. I was never told that she was a participant in any of these calls.

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24. I am not aware of what Major General Mnonopi may or may not have told General Ntlemenza. However, if she had made what would appear to be very sporadic efforts to call me on numbers which were not mine, it would not be surprising that she had not been able to reach me.
25. It is correct that General Ntlemenza indicated that Major General Mnonopi would contact me and that she was investigating the matter. However, it is not correct that it was arranged that I would meet her at her offices and that I then subsequently failed to do so.
26. With respect to the letter which was addressed to the Speaker of Parliament, this was dated after I had been removed as the Deputy Minister of Finance and had resigned from Parliament. This letter was not provided to me at the time.
27. It is certainly correct that I saw very little point in co-operating with the Hawks in their "*investigation*" given the very clear statement to me that the purpose of the investigation was "*to kill the matter*".

CONCLUSION

28. I have reflected in this short statement what appears to me to be the relevant facts. However, I am prepared to provide further detail should it be required and also reserve the right to amplify and supplement this statement.


DEPONENT

FE

I HEREBY CERTIFY that the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn before me *on 29 October 2019* at on the day of ~~2014~~, the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No R1648 of 19 August 1977, as amended, having been complied with.

FFinnegan

COMMISSIONER OF OATHS

FALLON JADE FINNEGAN
PRACTISING ATTORNEY/COMMISSIONER OF OATHS
TOMLINSON MNGUNI JAMES ATTORNEYS
SUITE 14, 1ST FLOOR, DAISY STREET OFFICE PARK
135 DAISY STREET, SANDOWN, SANDTON, 2196
GAUTENG, REPUBLIC OF SOUTH AFRICA

Full Names:

Office:

Business Address



**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE
CAPTURE, CORRUPTION AND FARUD IN THE PUBLIC SECTOR INCLUDING
ORGANS OF STATE**

In the matter between

LT GENERAL MATAKATA

RESPONDENT

And

MR MCEBISI JONAS

WITNESS

Filing Notice

DOCUMENTS TO BE FILED: Affidavit in reply to Mr Mcebisi Jonas 's response to
Supporting affidavit of Lt General Matakata dated 22
August 2018


MARINGA ATTORNEYS

(Attorney for the implicated persons)

201 SEDIBA HOUSE

173 BOSMAN STREET

Mobile: 061 775 4962/082 753 6719

Tel : 012 752 9473

EMAIL: Joelma@vodamail.co.za

REF : MJ MARINGA

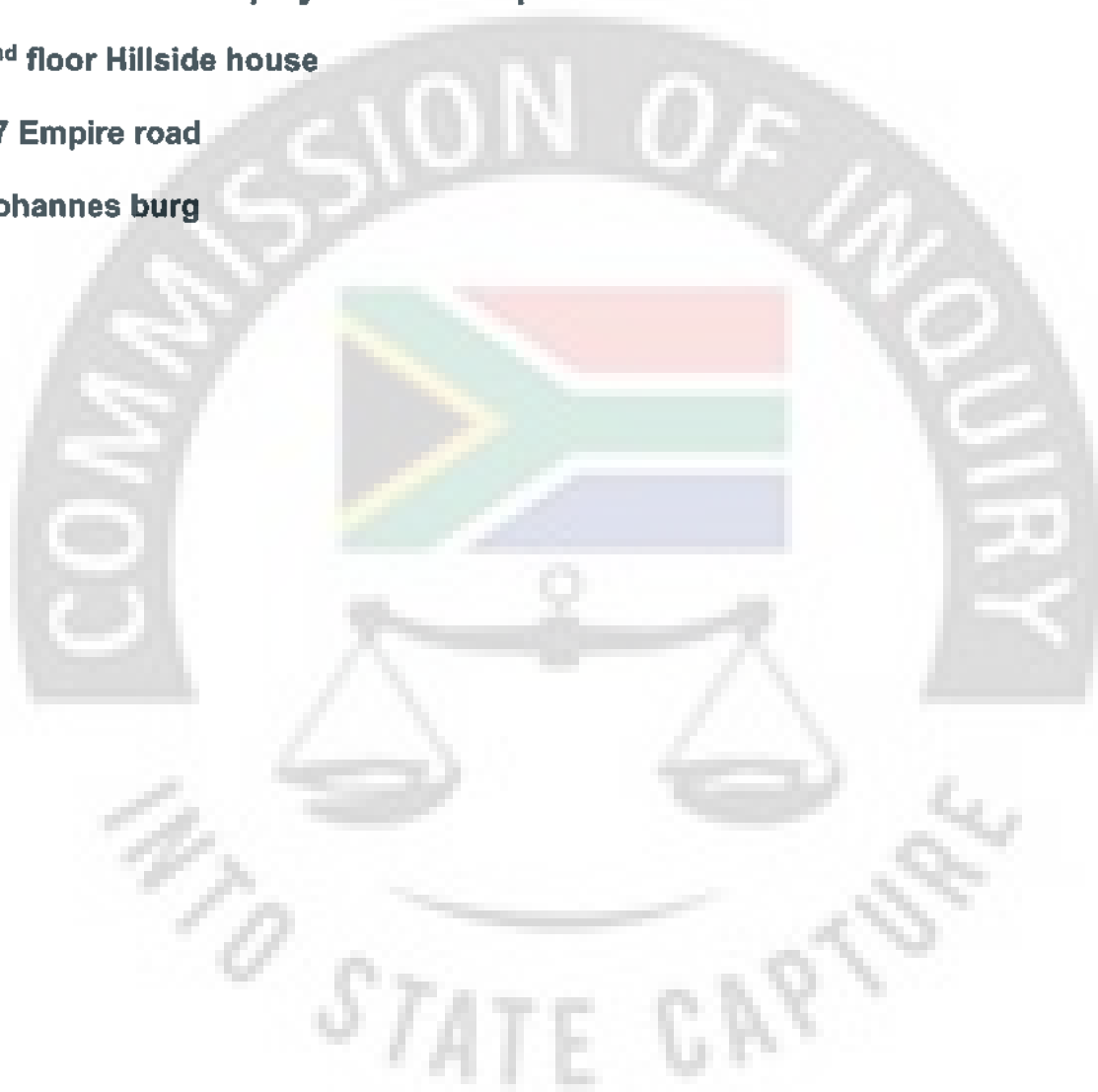
The secretary of the Commission

Commission of inquiry into State Capture

2nd floor Hillside house

17 Empire road

Johannes burg



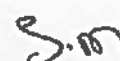
AFFIDAVIT

I, the undersigned:

YOLISA MATAKATA

Hereby state as follows, under oath:

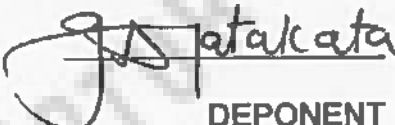
1. I am an adult person with full legal capacity, employed as Lieutenant General in the Directorate for Priority Crime Investigation ("DPCI"), commonly known as HAWKS.
2. The facts deposed to hereunder are within my personal knowledge and are, to the best of my belief both true and correct.
3. The purpose of this affidavit is in compliance with a request from the Commission 's investigating team to reply to Mr Mcebisi Jonas 's response to my supporting Affidavit dated 22 August 2018, to corroborate the Affidavit of General Mnonopi who was served with a notice in terms of Rule 3.3 of the Commission's rules.



4. My supporting affidavit as set out above was limited in particular to corroborate General Mnonopi 's assertion to deny the idea of dissuading Mr. Mcebisi Jonas from making a formal statement to the Hawks, regarding an offer of cabinet position as minister of finance by the Gupta family. Reference is made herewith to paragraph 3 read with 4 of General Mnonopi 's Affidavit attached herewith as **Annexure AA1**

5. From the response of Mr. Mcebisi Jonas 's Affidavit, there is no indication to the effect that, he is in dispute with my supporting Affidavit, except for refuting that he took an undertaking to come to our offices to provide statement as outlined in paragraph 5 of my Supporting affidavit **Annexed** herewith as **AA2**


5.1 In regard to his denial set out above, I stand by paragraph 5 of my supplementary affidavit


DEPONENT

I hereby certify that the deponent declares that the deponent knows and understands the contents of this affidavit and that it is to the best of the deponent's knowledge both true and correct. This affidavit was signed and sworn to before me at PRETORIA on this 18 day of November 2019

S.M

and that the Regulations contained in Government Notice R1258 of 21 July 1972, as amended, have been complied with.

 7190131-2
W/O
S.M. MODIBA

COMMISSIONER OF OATHS

FULL NAMES: SIKAS MEUPE MODIBA

CAPACITY: WARRANT OFFICER

AREA: GAUTENG DEPT





S.M.

84 14

to be obtained. At both instances, Lt Gen Nhemaza called the Deputy Minister and put him on speaker, hence I could hear the utterances.

5.

At the last conversation when Lt Gen Nhemaza called Mr Jones, myself, Maj Gen Mironopi and Lt Gen Nhemaza were in a meeting in Gen Nhemaza's boardroom. Mr Jones promised to come to the office in order for the affidavit to be obtained. Lt Gen Nhemaza indicated that I - Lt Gen Matakata and Maj Gen Mironopi will be waiting for him. Mr Jones never came.

I know and understand the contents of this statement.

I have no objections to the taking of the prescribed oath.

I consider the prescribed oath to be binding on my conscience.

Y MATAKATA GENERAL

I certify that the deponent has acknowledged that she knows and understands the contents of the above statement which was sworn to before me and the deponent's signature was placed thereon in my presence.

At Silverton, Date: 20/11/2013 Time: 12:45

COMMISSIONER OF OATH: Franka S. S. S.

FULL NAMES AND SURNAME: Franka S. S. S.

BUSINESS ADDRESS: 1. Cresswell Road,

Midweek Park, Silverton

DESIGNATION: Captain

gsm S.M

ANNEXURE AA 283 ¹⁰
 "Annexure JC"

AFFIDAVIT

I, the undersigned,

VELISA MATAKATA

do hereby make an oath and state as follows:

1.

I am a Lieutenant General in the South African Police Service (SAPS), employed as a Deputy National Head for the Directorate for Priority Crime Investigation situated at 1 Crosswell Road, Westwind Park, Silverton with office telephone number (012) 848 4010.

2.

I am authorised to make this statement and hereby state that the contents of this statement are true and correct; it also falls within my personal knowledge.

3.

I can recall being at [not sure of the exact date and time] with Lt Gen Ntsembe and the Gen Mhlonopi. At the meeting, Maj Gen Mhlonopi reported to Lt Gen Ntsembe that she has been unsuccessful in obtaining a statement from the former Deputy Minister, Mr Mcebisi Jonas.

4.

Lt Gen Ntsembe then called the former Deputy Minister twice in my presence. I recall that the former Deputy Minister indicating he could not submit the statement as he was not the complainant on the matter. Further, he did not open any case and was not a witness. Mr Jonas therefore was asking why the DPCI was looking for him. Lt Gen Ntsembe explained to him that he is the witness to the matters reported to the DPCI, therefore his statement needed

[Handwritten signatures]

IN THE JUDICIAL INQUIRY INTO ALLEGATIONS OF THE STATE
CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR
INCLUDING ORGANS OF STATE

REPLYING AFFIDAVIT

I, the undersigned,

ZINTLE LUTRICIA MINOYI

States the following under oath

1.

I am a Major General in the South African Police Service stationed at the Directorate for Priority Crime Investigation and attached to the component Serious Corruption Investigation in Silverton, Pretoria.

2.

The purpose of this statement is in response of a notice in terms of rule 3.3 of the rules of the Judicial Commission, Fraud in the Public Sector including Organs of State (the Commission).

3.

The said notice incorporates an unworn statement by the Honourable Mr Moshel' Herbert Jonas, which purports that I have sought to 'dissuade' him from making a formal statement to the Hawks regarding an offer of a cabinet position as Minister of Finance from the Gupta Family during 2015, and or that I that I prepared a statement for Mr Jonas to sign which was inconsistent with the facts of his press statement of 16th March 2016.

4.

I have also intensively read these assertions levelled against me and as a point of departure, I wish to state that I deny the allegations specifically set out in paragraph 3.1 and 3.2 of the Notice by the Commission and all the facts deposed therein are to the best of my knowledge and belief true and correct.

[Handwritten signature]
S.M.

[Handwritten mark]

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5.

AD PARAGRAPH 61 THEREOF

Save to admit that there was an article in the Sunday Times about Mr Jones' allegations of the Tupia family's offer to him of Minister of Finance Portfolio; I have no knowledge of the rest of the allegations.

6.

AD PARAGRAPH 62 THEREOF

I have no knowledge of these allegations and therefore not in a position to respond thereto.

7.

AD PARAGRAPH 63 THEREOF

63.1 Save to admit that I indeed approached Mr Jones, I humbly submit that this was as a result of duly discharging my duties to investigate this matter as a matter of National interest and security.

63.2 I deny that I subsequently and initially approached Mr Jones on the 20th June 2018. I in fact started to call Mr Jones on the 14th April 2018 at 15H02 to request him to tender a sworn statement as a consequence of his media statement and pending cases originating from the complaints told by Mr Ngweni and Mr Mafur.

63.3 I hereby humbly attach hereto, my call records with himself, his Professional Assistant (PA) and his office landline as

"Annexure JA".

Reference is also made to my text messages of the 21st April 2018, 9th May 2018 and 28th May 2018, attached hereto as "Annexure JB" 1, 2 and 3. However, all my efforts went unheeded by the Honourable Mr Jones,

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D.L.M

S.M

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CLOSURE

I further confirm that this particular matter is already and currently before the Johannesburg Specialist Commercial Crime Court Unit.


 DEPONENT

THIS SWORN AND SIGNED BEFORE ME AT _____ ON THIS DAY
 THE _____ OF _____ 2018.

THE DEPONENT HAVING ACKNOWLEDGED THAT SHE KNOWS AND UNDERSTANDS THE CONTENT OF THIS AFFIDAVIT AND HAS NO OBJECTION IN TRACKING THE PRESCRIBED OATH AND CONSIDERS THE OATH TO BE ON HER CONSCIENCE.


 COMMISSIONER OF OATH

Unathi Talent
 Commissioner of Oath
 Freeding Attorney RSA
 Office 203, Shefferson House
 339 Prince George Ave, Brakpan 1511

FULL NAMES _____

DESIGNATION/CAPACITY _____



S.M