

EXHIBIT FF 6

6.1 THABO NTSHISI

6.2 BENEDICT MARTINS

6.3 WILLIAM MATJILA



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

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INDEX: EXHIBIT FF 6

	Description	Pages
6.1	Statement of Thabo Ntshisi	01 to 02
6.2	Affidavit of Benedict Martins	03 to 10
6.3	Affidavit of William Matjila	11 to 13

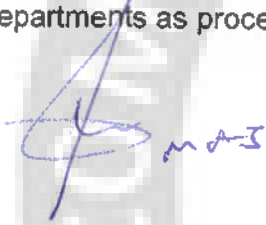
EXHIBIT FF 6.1

THABO NTSHISI

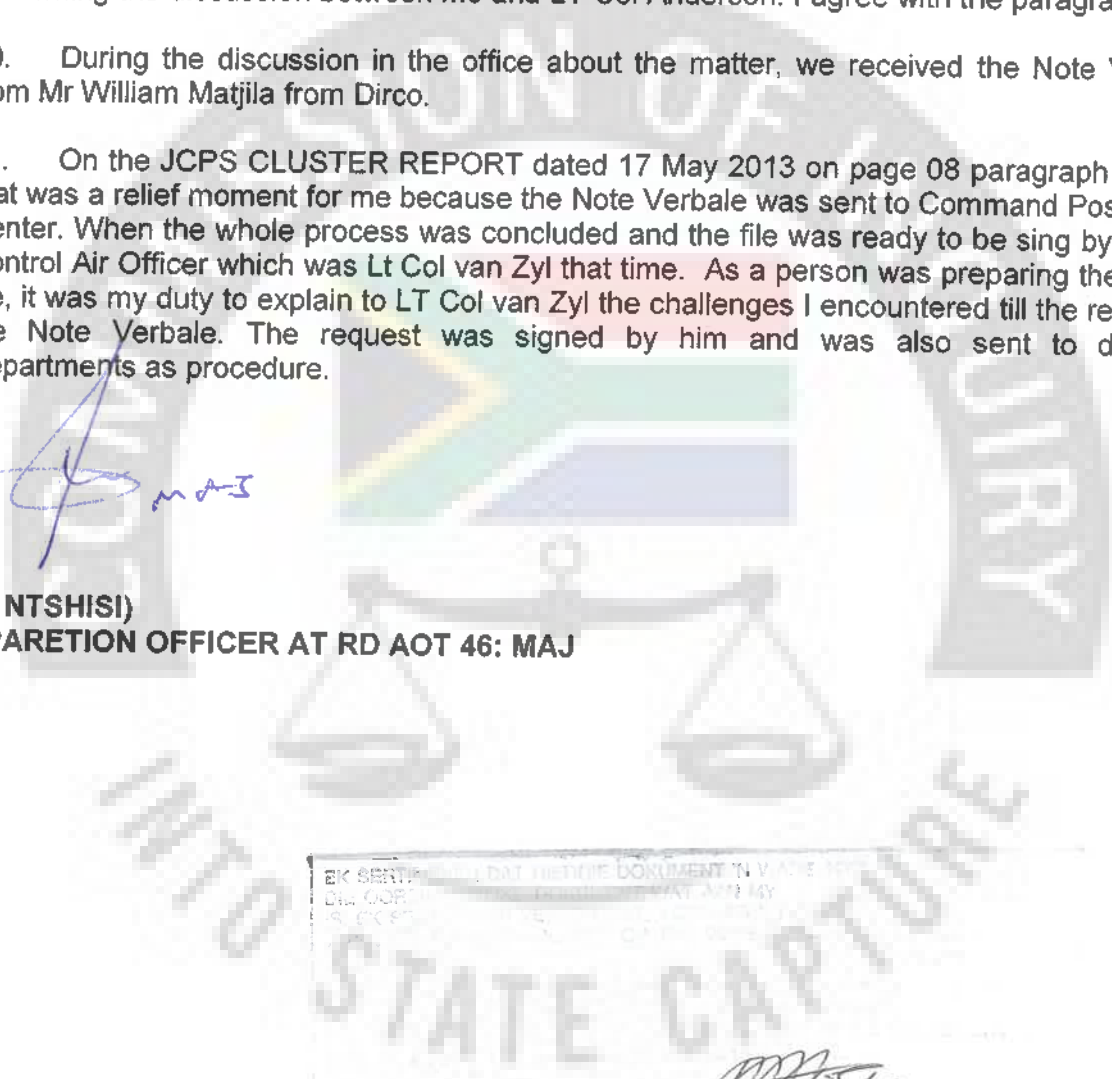


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7. I called Lt Col Anderson to get more information about the matter, she wasn't in the office that time, but was going to return my call, indeed my call was returned. Immediately, she asked me I understand you are rejecting to grant a flight clearance number to Ambassador Koloane, my respond 'yes' because of the reasons I explained to him.
8. On the JCPS CLUSTER REPORT dated 17 May 2013 on page 08 paragraph 2.1.17 that was my discussion with Lt Col Anderson. I agree with that paragraph. After that talk with Lt Col Anderson I immediately received the call from Ambassador Koloane.
9. Again on the JCPS CLUSTER REPORT dated 17 May 2017 on page 08 paragraph 2.1.18 that was my discussion with Chief of State Protocol Mr Vusi Koloane, he was confirming the discussion between me and LT Col Anderson. I agree with the paragraph.
10. During the discussion in the office about the matter, we received the Note Verbale from Mr William Matjila from Dirco.
11. On the JCPS CLUSTER REPORT dated 17 May 2013 on page 08 paragraph 2.1.20, that was a relief moment for me because the Note Verbale was sent to Command Post Flight Center. When the whole process was concluded and the file was ready to be sing by Senior Control Air Officer which was Lt Col van Zyl that time. As a person was preparing the whole file, it was my duty to explain to LT Col van Zyl the challenges I encountered till the receiving the Note Verbale. The request was signed by him and was also sent to different Departments as procedure.



(T. NTSHISI)
 OPARETION OFFICER AT RD AOT 46: MAJ



EK SEBETI... DAT... DOCUMENT IN V...
 DIL. GOR...
 NAME IN...

Office
2019/06/25
ERNEST MUSA

CONFIDENTIAL

SOUTH AFRICAN POLICE SERVICE
 CLIENT SERVICE CENTRE
 2019 -06- 25
 DOBSONVILLE FOWETO
 SUID-AFRIKAANSE POLISDIENST

EXHIBIT FF 6.2

BENEDICT MARTINS



AFFIDAVIT TO THE STATE CAPTURE COMMISSION

I, the undersigned,



BENEDICT MARTINS

Do hereby make oath and state:

1. I was approached by the investigators of the Commission and was requested to respond to certain questions which relate to the Waterkloof incident. The list of questions was received by me on Friday, 21 June 2019. I was also furnished with the JCPS Report which was compiled by the Cluster on the landing of a chartered commercial aircraft at the Waterkloof Airforce Base.
2. The facts deposed to herein are true and correct and are within my personal knowledge except where the context indicates otherwise. I deal with each of the questions below.

My role as Minister of Transport during May 2013.

3. I was appointed as the Minister of Transport on the 11 June 2012 and held that position until the 9th June 2013
4. During May 2013, I carried out my responsibilities of overseeing the Department of Transport: Those were, *inter alia*:

 ¹ 

- 4.1 The responsibility for National and International Airports, National Roads, Railways and Marine Transport.
- 4.2 Responsible for the effective implementation of transport legislation, policies, and programmes that are aimed to improve the lives of South Africans and to stimulate social and economic growth.
- 4.3 The Department of Transport further has a mandate to oversee the implementation of projects by entities under its ambit.

The role of the Department of Transport on Aviation matters, approvals, that he must give etc.

5. The National Aviation Security Programme (NASP) deals with matters of civil aviation security and with liaison with government departments concerning matters of civil aviation security. One of the key components of aviation security is a National Aviation Security Programme. The Civil Aviation Act (ACT No 13 of 2009) and associated regulation together with this programme, established the basic legal Authority for the implementation of Civil Aviation Security policies, practices, and procedures.




6. The SA aviation authority bears responsibility for the safety and security of the entire network of Airports, in terms of legislation and international conventions on safety and security.
7. Sharing this responsibility are the civil aviation's authorities of South Africa; the airports company of SA; the air traffic navigation services and the regulation committees.
8. The Minister makes decisions and approvals on Aviation in consultation with the relevant agencies that a particular matter requires.

If anyone approached me on the Waterkloof issue, and my response to the request and the full reasons for those reasons.

9. No-one approached me on the Waterkloof landing issue because the Air Force Base Waterkloof falls under the Department of Defence and Military Veterans and not the Department of Transport.
10. The Airforce Base Waterkloof is a strategic military base that resorts under the Defence Act, (Act 44 of 1957).

Whether I was invited to the Gupta wedding, if so, who invited me and whether I attended.

11. I was invited to the Gupta wedding.



12. The invitation was delivered to my office.

13. The invitation was in the name of the bride and bridegroom.

14. I did not attend the wedding.

Whether I had issued any approvals or authorization for any aircrafts or helicopters or official aircraft that were going to land or depart from Waterkloof Airbase for the purposes of the wedding.

15. I did not issue any approvals or authorization for any aircrafts or helicopters or official aircraft that were going to land or depart from Waterkloof Airbase for the purposes of the wedding because I did not have the authority to do so.

Whether I had at any stage had a discussion or conversation with the former President on the request to land the aircraft at Waterkloof Airbase and the details thereof.

16. I did not have any discussion or conversation with the former President on the request to land aircraft at the Waterkloof Airbase.



How did I learn of the landing at Waterkloof and my reaction to it? Any steps I took thereafter to deal with the issue.

17. I learned of the landing from an official at the Air Traffic and Navigations Service who informed me that the Civil Aviation Authority (CAA), held that the airline. for the flight did not have a Foreign Operators Permit prior to its arrival in SA and would have to impose a fine of R80 000 on the airline. My response was that they should impose the fine and ensure that the flight had the required FOP, as the absence thereof was an infringement of Civil Aviation regulations and a condition of the flight clearance.

Details of when I was moved from the Ministry.

18. I was released of my responsibility as the Minister of Transport on the 9th of June 2013.

Comments on the report of JCPS cluster and any matters contained therein that relate to me.

19. I have read the JCPS report. My recollection of the sequence of events is captured correctly on page 6 paragraph 2.1.9 of the report, namely:

19.1 In February 2013 Mr Tony Gupta approached the Airport Company South Africa to enquire about the use of OR Tambo International Airport (ORTIA) for the arrival of at least five heads of state,




ministers and senior Indian government officials invited to a four-day wedding event at Sun City (source: ACSA Report; NICOC report 1 May 2013)

19.2 A meeting took place with Mr Tony Gupta, the Chief of State Protocol Mr Koloane, the acting Chief Executive Officer of ACSA, Mr Bongani Maseko and Minister of Transport Mr Ben Martins. At the meeting Mr Tony Gupta requested "to use facilities at the airport to welcome guests from India who were to attend a wedding" (source: Statement by Minister Martins 13 May 2013). It was concluded that it would not be possible to use ORTIA given the request for an elaborate welcoming ceremony; this was a space used by the Department of Home Affairs for checking passports. Minister Martins agreed with ACSA's explanation (source: NICOC Report 1 May 2013; written statement by Minister Martins).

19.3 ACSA suggested that alternatives be considered, among them Lenasia or Pilanesburg airports. It was later determined that the runway at Lenasia was being upgraded.

19.4 At a follow-up meeting and after enquiring with SAA, ACSA informed Mr Gupta that the apron at Pilanesberg could not accommodate an Airbus A330-200 (Source: ACSA Report)

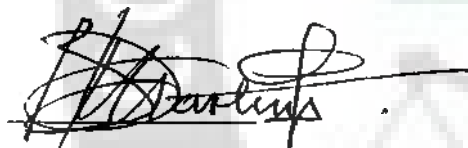
Handwritten signature and initials, possibly 'BT' and a scribbled name.

Note: Please respond to paragraph 2.1.15: Whether you received any instructions from the President to assist the Gupta family as alleged in that paragraph.

I did not receive any instructions from the President to assist the Gupta family as alleged in that paragraph.

Any other facts that you would wish to bring to the attention of the commission.

There are no other facts that I would wish to bring to the attention of the Commission.



DEPONENT

I hereby certify that the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn to before me, Commissioner of Oaths, at ...Rosebank... on this the 26th day of ...June 2019 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.

BRETT NEAL THOMSON
 Commissioner of Oaths
 Practising Attorney R.S.A.
 Building 1, Ground Floor,
 116 Oxford Road, Melrose Estate, 2196
 P.O. Box 92441, Norwood, 2117

 COMMISSIONER OF OATHS

FULL NAMES: **BRETT NEAL THOMSON**
Commissioner of Oaths
ADDRESS: Practising Attorney R.S.A.
Building 1, Ground Floor,
116 Oxford Road, Melrose Estate, 2198
EX OFFICIO: P.O. Box 92441, Newmarket, 2117



EXHIBIT FF 6.3

WILLIAM MATJILA



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

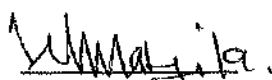
CONFIRMATORY AFFIDAVIT

I, the Undersigned

WILLIAM MATJILA

Do hereby make oath and state that:

1. I am an adult male, ID No.: 6711145664088, currently employed as Senior Foreign Affairs Assistant, attached to the State Visit Section in Protocol Branch of the Department of International Relations and Cooperation (DIRCO) situated at OR Tambo Building, 540 Soutpansberg Road, Rietondale, Pretoria, Gauteng. I joined DIRCO on 30 January 1990 as a general worker at Presidential Guest House in Pretoria. I was promoted to my current position (Senior Foreign Affairs Assistant) on 1 September 2011;
2. I have read the report forwarded to me by the Commission to which this confirmatory affidavit is attached, and I verify the truth and correctness of the contents therein, pertaining to what is said about me in the report;
3. The facts deposed to herein, unless stated otherwise or it appears from the context, falls within my personal knowledge and are both true and correct.



W Matjila

DECLARATION

- (a) Do you know and understand the content of the declaration? *Yes*
- (b) Do you have any objection to taking the prescribed oath? *No*
- (c) Do you consider the prescribed oath to be binding on your conscience? *Yes*
- (d) I certify that the above-mentioned questions were put to me and that the answers thereto reflected above were written down in my presence. *Yes*

W. M. M. M. M.
 Signature of Declarant

SIGNED and sworn to before me at 16:06, PRETORIA on the 26th day of JUNE 2019 the deponent having acknowledged that he knows and understands the contents of this affidavit and all the provisions of Act 16 of 1963 and the Regulations promulgated in terms thereof concerning the taking of the oath having been complied with in my presence and within the area for which I have been appointed as Commissioner of Oaths.

[Signature]
 COMMISSIONER OF OATHS

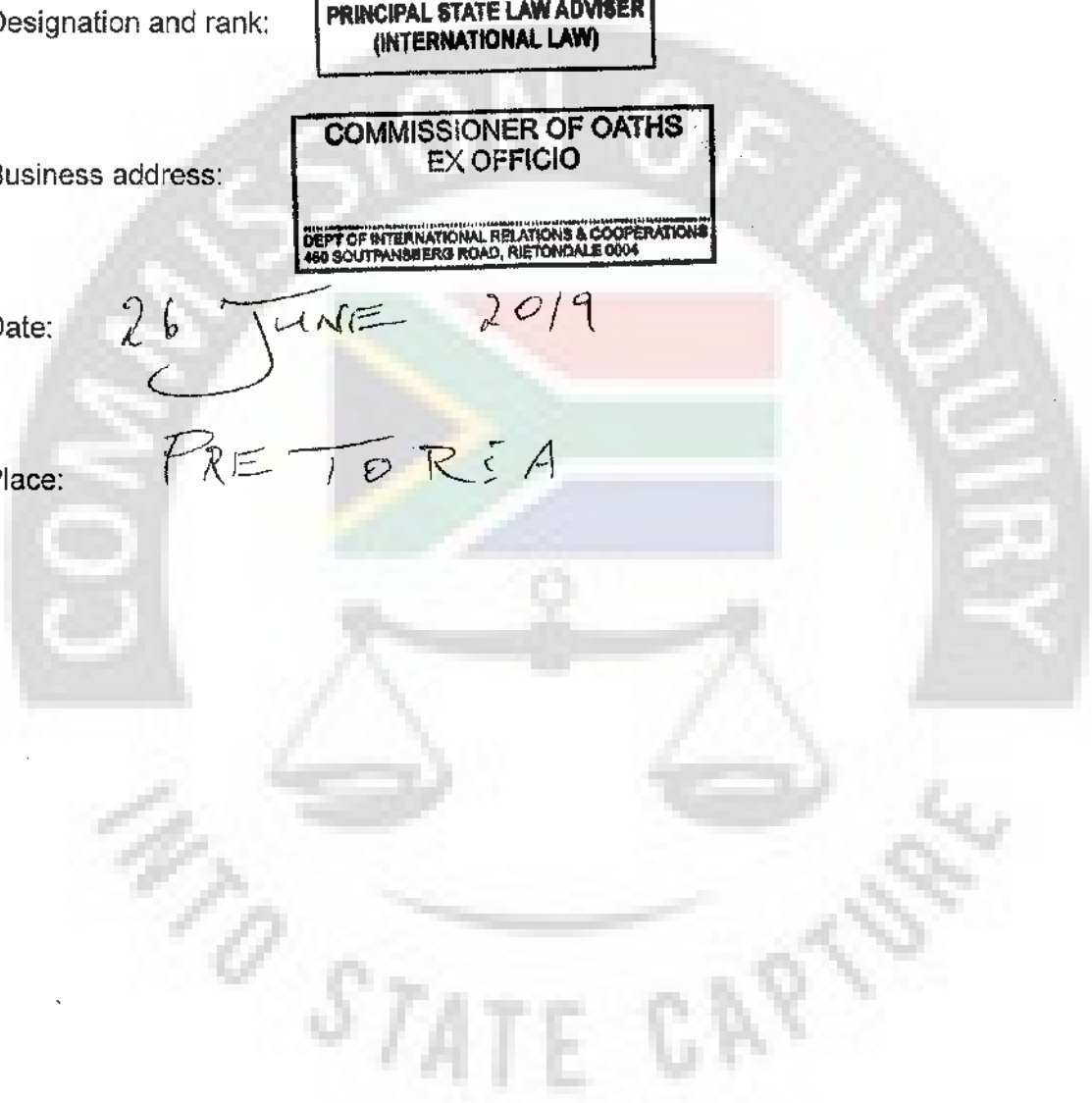
Full first names and surname: *THEMBILE ELPHUS JOYINI*

Designation and rank: **PRINCIPAL STATE LAW ADVISER
(INTERNATIONAL LAW)**

Business address: **COMMISSIONER OF OATHS
EX OFFICIO**
DEPT OF INTERNATIONAL RELATIONS & COOPERATIONS
480 SOUTPANSBERG ROAD, RIETONDALE 0004

Date: *26 JUNE 2019*

Place: *PRETORIA*





international relations & cooperation

Department:
International Relations and Cooperation
REPUBLIC OF SOUTH AFRICA

Mr P. Mose

Private Bag X152, PRETORIA, 0001 • OR Tambo Bld, 460 Soutpansberg Road, Rietondale, PRETORIA, 0084
Tel: +27 (0) 12 351 1000 • www.dirco.gov.za

14 May 2019

Gen JM Nyembe
Defence Intelligence Division
Defence Foreign Relations
SAAF

Tel: (012) 312 4922 / 2380
Fax: (012) 312 4701

Dear Gen JM Nyembe

REQUEST FOR OVERFLIGHT AND LANDING CLEARANCE FOR AIRCRAFT CONVEYING HIS EXCELLENCY DR MOKGWEETSI ERIC KEABETSWE MASISI PRESIDENT OF THE REPUBLIC OF BOTSWANA TO THE REPUBLIC OF SOUTH AFRICA ON THE 25 MAY 2019

The overflight and landing clearance request for aircraft conveying His Excellency Dr Mokgweetsi Eric Keabetswe Masisi the President of the Republic of Botswana, to the Republic of South Africa on the 25 May 2019 has reference.

This is a diplomatic mission in terms of the State Visits policy of the Department of International Relations and Cooperation.

Attached hereto, please find overflight clearance request received from the High Commission of the Republic of Botswana for your attention.

Yours sincerely

Director- General



Enq: Mr William Matjila
Tel: 012 301 8508
Fax: 012 329 1534
Cell: 079 699 5774
Email: matjilaw@dirco.gov.za

Kgoro ya Tirišano le Tšhomišano ya Dinaga lša Boditšhabatšhaba • Lefapha la Dikamano le Tshebedisano Dinaheng tsa Matjhaba • Lefapha la Dikamano tsa Boditšhabatšhaba le Tirisano • UMnyango Wezobudlelwano Nokubambisana Bamazwe Namazwe • Litiko Letebudlelwane Bemave kanye Nekusebentisana • ISebe lezobudlelwane neNtsebenziswano yamZwe ngamaZwe • UmNyango weTjhebiswano nokuSebenzisana kweenTjhabatjhaba • Muhasho wa Vhushaka ha Dzitshakatshaka na Tshumisano • Ndzawulo ya Vuxaka bya Matiko ya Misava na Nirhisano • Departement van Internasionale Betrekkings en Samewerking

Botswana.

RSA05 EXTERNAL CLEARANCE

Tel: +27 (0) 12 312-2936
 Alt Tel:TE +27 (0) 12 312-1758
 Fax +27 (0) 12 312-2525
 Alt Fax +27 (0) 86 606 2390
 E-Mail SAAFOVERFLIGHTS@GMAIL.COM
 Enq:: CPL R.M MATHIBE
 To: ATNS, CAA, DOT, DHA, CJ OPS, DFR, SSO CI, DBSS. BORDER POLICE



SOUTH AFRICAN AIR FORCE
 AIR FORCE COMMAND POST
 PRIVATE BAG X199
 PRETORIA
 0001

6.3 (b)

21-May-19

VISITING A/C TO SAAF BASES

Requestor: REPUBLIC OF BOTSWANA Address: N/A
 Contact Person: COL PELEKEKAE
 Contact Tel: 082 372 5764
 A/C Type : GLEX Reg No OK-1
 Call Sign : F-001 Weight : N/A KG
 Pax HIS EXCELLENCY DR MOKGWEETSI ERIC KEABETSWE MASISI
 Reason For Flight : INAUGURATION 2019

Route Details

Clearance Duration	From:	25-May-19	To:	25-May-19	ETA
ETD	FROM	ROUTE	TO		ETA
250600Z	FBSK	---	FAWK		250630Z
250700Z	FAWK	---	FALA		250710Z
251700Z	FALA	---	FAWK		251710Z
251800Z	FAWK	---	FBSK		251830Z

SUPPORT PROVIDED BY SAAF BASES ONLY! (SAAF NOT ACCOUNTABLE FOR SUPPORT AT CIVILIAN AIRFIELDS. CONTACT AIRPORTS COMPANY SOUTH AFRICA)
 IN THE CASE OF AN OVER FLIGHT OR AIRSPACE CLEARANCE, THIS CLEARANCE DOES NOT SERVE AS A LANDING AUTHORITY AT CIVILIAN AIRFIELDS BUT IS ONLY A CLEARANCE TO ENTER RSA AIRSPACE
 ALL AIRCRAFT ENTERING AND OPERATING IN THE RSA AIRSPACE MUST COMPLY WITH PUBLISHED RSA CAA REGULATIONS

Additional Information

Fuel Type: Fuel QTY: Parking Landina Fac: NO Movements: VIP
 Caterina: NO Customs and/or Border Police YES Security: YES SARS: YES
 Foreign Operators Permit NO Import / Export Permit: NO DOT Auth Required YES
 Indemenity Received: NO Parking And Landina Fees To Be Paid: NO

!!!! ALL WEAPONS, AMMUNITION, EXPLOSIVES AND EXPLOSIVE DEVICES, PYROTECHNICS AND PHOTOGRAPHIC EQUIPMENT MUST BE RREPORTED TO THE RELEVANT AUTHORITIES !!!!

Remarks:

1. FLIGHT PLAN TO BE FILED WITH SOUTH AFRICA ATSU AND CLEARANCE NUMBER MUST BE QUOTED ON THE FLIGHT PLAN.

CLEARANCES VALID FOR A 72 HOUR WINDOW IN EVENT OF ANY-UNFORSEEN CIRCUMSTANCES

Base Where A/C is visiting: BL DN HS LM LW PE SK TFDC WK YP
 Base where A/C Req Fuel: BL DN HS LM LW PE SK TFDC WK YP

CLEARANCE AUTHORITY NO: 05 / A / 3907 / OK-1 / 25-May-19

Authority Off SIGN: *Mathibe*
 LT COL P. MATSEMELA



REPUBLIC OF BOTSWANA

634

NOTE NO: 116/2019

The High Commission of the Republic of Botswana presents its compliments to the Department of International Relations and Co-operation of the Republic of South Africa and has the honour to request the latter for diplomatic aircraft landing and takeoff clearance for Global Express registration/call sign **OK1/F001** which will be transporting His Excellency Dr Mokgweetsi Eric Keabetswe Masisi, The President of the Republic of Botswana on the 25 May 2019 and will return the same day

Attached please find the details of the aircraft

The High Commission of the Republic of Botswana avails itself of this opportunity to renew to the Department of International Relations and Co-operation of the Republic of South Africa the assurances of its highest consideration.

14 May 2019

Department of International Co-operation
of the Republic of South Africa

PRETORIA.



REQUEST FOR DIPLOMATIC OVERFLIGHT AND LANDING CLEARANCE

To: Air Command Unit
 Air Force Command Post
 Private Bag X199
 Pretoria
 0001
 TELEX: 01406
 AFTN: FAAHJFYX
 Telephone: +27 12 312-2936
 Fax: +27 12 312-2525
 Fax-to-email: +27 86 606 2390

ADDRESSED From: VIA Diplomatic Channels

1. **AIRCRAFT TYPE:** GLEX
2. **CALLSIGN:** F001
3. **REGISTRATION:** OK1
4. **OWNER:** Botswana Government
5. **AIRCRAFT COLOUR:** White with blue and black stripes
6. **PILOT IN COMMAND:** Benjamin Moeng
7. **PERSONS ON BOARD:**
 - a. **Crew:**
 - (1). Benjamin Moeng (Pilot-in-command)
 - (2). Lt. Colonel Keeiphe John Gaorutwe (Co-pilot)
 - (3). Sergeant Poison Pheto (Engineer)
 - (4). Miss Thulile Patlakwe (Cabin Attendant)
 - b. **Passengers:**
 - (1). His Excellency Dr Mokgweetsi Eric Keabetswe Masisi
8. **TYPE OF CARGO:** Nil
9. **PURPOSE OF FLIGHT:** Transporting His Excellency the President of the Republic of Botswana.
10. **DATE AND TIME OF FLIGHT:**

Date	Depart	Time	Arrival	Time
2019 - 05 - 25	FBSK	0600z	FAWK	0630z
2019 - 05 - 25	FAWK	1800z	FBSK	1830z

11. ENROUTE DATA

Date	Entry Point	Time	Route	Exit Point	Time
2019 - 05- 25	ETOSA	0605	ETOSA - G653 -UTRUK - DCT - WKV	-	
2019 - 05-25	-		WKV - DCT - VASUR - Q24 - ETOSA	ETOSA	1825

12. REMARKS:

- a. This request might be delayed by 72 hours due to WX conditions of unforeseen circumstances.



