



EXHIBIT GG (e)

FORMER PRESIDENT

MR JACOB GEDLEYIHLEKISA

ZUMA



**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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RUBBISH INTELLIGENCE

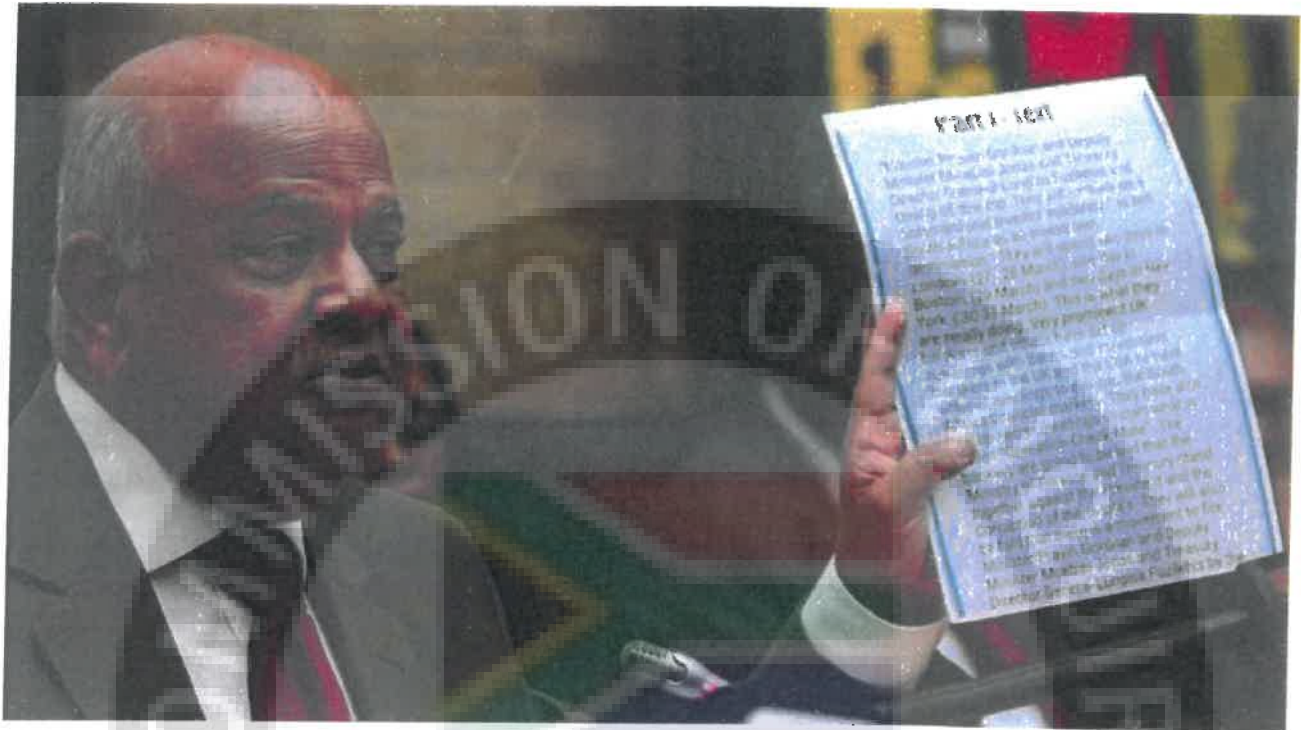
This is what the report, supposedly raised by Jacob Zuma as one reason for firing Pravin Gordhan and Mcebisi Jonas in meetings with ANC leaders, actually said. The spelling and grammar is deliberately kept incorrect, as it was in the original message.

"Minister Pravin Gordhan and Deputy Minister Mcebisi Jonas and Treasury Director General Lungisa Fuzilehis and timing of the trip. They will embark on a "international investor roadshow" to sell South Africa as an investment destination."

They will spend two days in London (27 - 28 March), one day in Boston (29 March) and two days in New York (30 - 31 March). This is what they are really doing: Very prominent UK bankers and others have set up meetings with Banks and Investment bankers in the UK and the USA to have official meetings to discuss the South Africa financial markets. They have also set up secret meetings to start what is called "Operation Check Mate".

The bankers are going to be told that the Ministry of Finance and Treasury stand together against the President and the Corruption of the Gupta's. They will also be told that there is a movement to fire Minister Pravin Gordhan and Deputy Minister Mcebisi Jonas and Treasury Director General Lungisa Fuzilehis by the President. They will be given some proof of what they are selling of the corruption by the Gupta's and how the investment banks need to stand to fight the President.

They will inform the banks that if they are fired the financial markets in South Africa will collapse and the rand will go to 18 to 20 to the dollar. They will also tell the banks that they have the support of the of many in ANC and other parties to force the President out. By having them all stand together they are attending to show unity so that the UK and USA banks will join in with the South African banks Against the President.







THE SUPREME COURT OF APPEAL OF SOUTH AFRICA
JUDGMENT

Not reportable
Case No: 664/17

In the matter between:

**THE PRESIDENT OF THE REPUBLIC OF
SOUTH AFRICA**

APPELLANT

and

DEMOCRATIC ALLIANCE

1st RESPONDENT

PRAVIN JAMNADAS GORDHAN

2nd RESPONDENT

MCEBISI HURBERT JONAS

3RD RESPONDENT

MALUSI NKANYEZI GIGABA

4TH RESPONDENT

SFISO NORBERT BUTHELEZI

5TH RESPONDENT

Neutral Citation: *The President of the RSA v DA & others* (664/17) [2018]
ZASCA 79 (31 May 2018)

Coram: Maya P and Majiedt and Dambuza JJA and Plasket and
Mothle AJJA

Heard: 2 May 2018

Delivered: 31 May 2018

Summary: Section 16(2)(a)(i) Superior Courts Act 10 of 2013 –
Appeal against an interlocutory order in a review application – review
application withdrawn – judgment would have no practical effect or result –
Appeal found moot and dismissed.

ORDER

On appeal from: The High Court, Gauteng Division, Pretoria (Vally J) sitting as court of first instance:

The appeal is dismissed with costs including the costs of two counsel.

JUDGMENT

Mothle AJA (Maya P, Majiedt and Dambuza JJA and Plasket AJA concurring)

[1] What started as a case of major public interest ended up being overtaken by new developments before it was heard. This appeal, with leave of the High Court, Gauteng Division, Pretoria (Vally J), arises from an interlocutory application in which the President of the Republic of South Africa (appellant) was ordered to make available to the Democratic Alliance (respondent), a record of decision requested in terms of rule 53 of Uniform Rules of the Court, pending an application for review of the appellant's decision to reshuffle the cabinet, (the review application). The review application was withdrawn. Therefore, the crisp issue raised by this appeal is whether the decision or relief sought would have any practical effect or result or, stated otherwise, whether the appeal has not become moot.¹

[2] The principle of mootness has evolved over the years and is now provided for in s 16(2)(a)(i) of the Superior Courts Act 10 of 2013,² which provides:

¹ In effect the appeal faced two hurdles, first the fact that it was an appeal on a ruling concerning an interlocutory application and secondly the question of mootness. The mootness question took precedence.

² This text appeared in section 21A of the repealed Supreme Court Act 59 of 1959.

'When at the hearing of an appeal the issues are of such a nature that the decision sought will have no practical effect or result, the appeal may be dismissed on this ground alone.'

[3] The factual matrix is briefly that on 31 March 2017, the then President of the Republic of South Africa, President Jacob Zuma, announced a cabinet reshuffle and in the process removed the then Minister of Finance, Mr Pravin Gordhan, as well as his deputy, Mr Mcebisi Jonas, both cited as second and third respondents respectively. The second and third respondents were replaced by Mr Malusi Gigaba and Mr Sifiso Buthelezi (also cited as the fourth and fifth respondents in the review application) as new Minister and Deputy Minister of Finance, respectively.

[4] On 4 April 2017, the respondent launched the review application, challenging the constitutional validity of the appellant's reshuffle of the cabinet, which resulted in the dismissal of Mr Gordhan and Mr Jonas. The review application was brought in terms of rule 53 of Uniform Rules of Court. The rule permits an applicant to call 'upon the magistrate, presiding officer, chairperson or officer, as the case may be, to dispatch, within fifteen days after receipt of the notice of motion, to the registrar the record of such proceedings sought to be corrected or set aside, together with such reasons as he or she is by law required or desires to give or make, and to notify the applicant that he or she has done so.

[5] The respondent alleged that through rule 53, it sought, amongst other relief, disclosure of the record of the appellant's decision to effect the cabinet reshuffle. The respondent particularly called for disclosure of an alleged 'intelligence report', the existence of which, it is alleged, was in the public domain.

[6] It was common cause between the parties that after the exchange of correspondence, the appellant failed to make available the record sought. The respondent then approached the High Court by way of urgency, seeking relief to compel the appellant to make available the record in order to prosecute its

review application. The High Court accepted that there was no precedent which served as authority that rule 53, applies to executive decisions. In its judgment the High Court stated that it had applied the purposive method of interpretation to conclude that rule 53 also covered executive decisions and thus ordered disclosure of the record. The appellant successfully applied to the High Court for leave to appeal the ruling to this Court.

[7] After the lodging of the appeal documents and the allocation of the date of hearing, circumstances changed. First, President Jacob Zuma, whose cabinet reshuffle was being challenged, resigned from office. Secondly, the new President, Mr Cyril Ramaphosa, effected a cabinet reshuffle. Thirdly, on 18 April 2018 this Court was informed that the review application before the High Court had, by agreement between the parties, been withdrawn.

[8] The following day, on 19 April 2018, the parties were directed in writing to file written submissions on 'why the appeal against a judgment on an interlocutory issue should be entertained when the main proceedings, the review application, has been withdrawn'. Both the appellant and the respondent delivered written submissions.

[9] In his written submission and at the hearing of the appeal, the appellant, arguing against mootness, contended that the order of the High Court established a precedent which extends the ambit of rule 53 to cover executive functions. In so doing, it was argued that the High Court usurped the powers of the Rules Board as the only body authorised to effect changes to the rule. In establishing this precedent, the argument continued, the High Court impermissibly encroached into the terrain of the other branches of government in breach of the doctrine of separation of powers. The decision was described by appellant's counsel as 'ground-breaking' and needed to be corrected as it posed an uncertainty for future cabinet reshuffles or the reshuffles of provincial executive councils by the Premiers. There was further argument on the merits of the appeal, which in my view are irrelevant for consideration of the question of mootness.

[10] The respondent argued that the matter was moot mainly for two reasons. First, the review application had been withdrawn and thus the order sought would have no practical effect. Secondly, generally an interlocutory order is not appealable. Therefore the appellant still has to seek the court's indulgence to prosecute the appeal. In response to the submissions of the appellant that the decision of the High Court is ground-breaking and unprecedented, the respondent pointed to a number of decisions where the courts have applied rule 53 in circumstances that appear to be extending its scope and ambit, including where it concerned executive functions. I now turn to deal with these submissions.

[11] The question of mootness of an appeal has featured repeatedly in this and other courts.³ These cases demonstrate that a court hearing an appeal would not readily accept an invitation to adjudicate on issues which are of 'such a nature that the decision sought will have no practical effect or result'. The Constitutional Court in *National Coalition for Gay and Lesbian Equality & Others v Minister of Home Affairs* 2000 (2) SA 1 (CC) para 21 footnote 18 remarked:

'A case is moot and therefore not justiciable if it no longer presents an existing or live controversy which should exist if the Court is to avoid giving advisory opinions on abstract propositions of law. Such was the case in *JT Publishing (Pty) Ltd and Another v Minister of Safety and Security and Others* 1997 (3) SA 514 (CC) (1996 (12) BCLR 1599), where Didcott J said the following at para [17]:

"(T)here can hardly be a clearer instance of issues that are wholly academic, of issues exciting no interest but an historical one, than those on which our ruling is wanted have now become."

[12] There are instances where there have been exceptions to the provision, initially of s 21A of Act 59 of 1959 and presently s 16(2)(a)(i) of the Superior Courts Act 10 of 2013. The courts have exercised a discretion to

³ See *John Walker Pools v Consolidated Aone Trade and Invest 6 (Pty) Ltd (in Liquidation) & another* (245/2017) [2018] ZASCA 012 (8 March 2018); *SA Metal Group (Pty) Ltd v The International Trade Administration Commission* (267/2016) [2017] ZASCA 14 (17 March 2017); *Legal Aid South Africa v Mzoxolo Magidiwana* (1055/13) [2014] ZASCA 141 (26 September 2014) and cases cited there.

hear a matter even where it was moot. This discretion has been applied in a limited number of cases, where the appeal, though moot, raised a discrete legal point which required no merits or factual matrix to resolve.⁴ In this regard, the Constitutional Court in *Independent Electoral Commission v Langeberg Municipality* 2001 (3) SA 925 (CC), in paragraph 11 held:

'... A prerequisite for the exercise of the discretion is that any order which this Court may make will have some practical effect either on the parties or on others.'

The question is thus whether such a discretion should be exercised in this case.

[13] The appellant submitted that in future there could develop a class or classes of presidential executive functions where disclosure of records as stated in rule 53 would not apply. In reply, appellant narrowed its argument in support of a request for a ruling by this court to decide on the applicability of rule 53 to executive functions concerning the reshuffling of cabinet. The essence of appellant's argument against mootness as I understood it is twofold. First, that there is a need to set aside the decision of the High Court as it established a wrong precedent on the applicability of rule 53 to disclosure of the records relating to a reshuffling of cabinet, and secondly, the need for a ruling in order to provide guidance for future reshuffling of cabinets.

[14] In support of the submission that the appeal is not moot, the appellant made the argument that the decision of the High Court is unprecedented and therefore even in the absence of the review application, there is a compelling reason for this Court to intervene. The respondent in answer, contended that the decision of the High Court is not unprecedented and there is no compelling reason for this court to pronounce on a matter that is moot. Instances were cited where this Court and the Constitutional Court had interpreted rule 53 to be applicable to decisions arising from the discharge of executive functions and to decisions of other constitutional organs of state. By way of example, reference was made to the matter of *Van Zyl and Others v Government of the Republic of South Africa and Others* 2008 (3) SA 294

⁴ See *Natal Rugby Union v Gould* 1999 (1) SA 432 (SCA).

(SCA), in which this Court held in a judicial review of an executive decision that the parties were required to follow rule 53. Further, in the recent Constitutional Court decision in *Helen Suzman Foundation v Judicial Service Commission* [2018] ZACC 8 (24 April 2018), which concerned a review of a decision of the Judicial Service Commission regarding the appointment of judges. The Constitutional Court found that rule 53 applied, and the Judicial Service Commission was ordered to provide a full record of its decision. Therefore in my view, the decision of the High Court does not establish a kind of precedent that may cause this Court to decide on the appeal, even if it is moot.

[15] As stated above, the purpose of the interlocutory application compelling disclosure of the record was clearly intended to enable the respondent to prosecute its review application. The review application having being withdrawn, it would be unwise for this court to opine on the interpretation of a rule, in the absence of objective facts and the context within which they were raised in the review application. It would neither be practical nor desirable for this Court to postulate under what circumstances and on what grounds, legal and/or factual, would a cabinet reshuffle be taken on review and the disclosure of the record be demanded in terms of rule 53 in future. This Court stated in paragraph 31 of the judgment in *Legal-Aid South Africa v Mzoxolo Magidiwana* (1055/13) [2014] ZASCA 141: 2015 (2) SA 568 (SCA):

‘ ... The appeal raises no discrete legal point which does not involve detailed consideration of facts and no similar cases exist or are anticipated so that the issue will most likely need to be resolved in the near future.’

[16] The appellant raised, as one of its grounds of attack, the submission that the High Court in extending rule 53 through its interpretation, veered impermissibly into the terrain of the Rules Board, in breach of the doctrine of separation of powers. If this argument is correct, then it would equally apply to this Court. The correct approach is that the task of developing the rules is best left for the Rules Board. This Court has pronounced on this position. In *ABSA Bank Limited v Van Rensburg and Another: In Re: ABSA Bank Limited v*

Maree and Another 2014 (4) SA 626 (SCA), The Court said in para 11 of the judgment:

'At stake is the precise requirement of a rule of court procedure. Bearing in mind that section 21A was aimed at reducing the heavy workload of appellate courts, it is very relevant that there is a statutory body specially created to deal with all issues pertaining to matters of this nature, as pointed out by Absa itself. The Rules Board for Courts of Law Act 107 of 1985 (the Rules Board Act) is chiefly aimed as providing "for the making of rules for the efficient, expeditious and uniform administration of justice in the Supreme Court of Appeal, High Courts and Lower Courts". This object is achieved through the Rules Board for Courts of Law (the Rules Board) which is empowered, inter alia, "from time to time on a regular basis [to] review existing rules of Court and subject to the approval of the Minister, make, amend or repeal rules Regulating the practice and procedure in connection with litigation ... [and] the form, contents and use of process." The present question falls squarely within this ambit and any uncertainty relating to the relevant rule's application should rightly be resolved by the Rules Board.'

[17] There is thus no compelling reason why this Court should exercise its discretion, absent objective facts, to conclusively determine the ambit of rule 53 when the Rules Board is mandated to do so. Interesting as the debate may be, this Court should not be tempted to decide an issue that may be of academic interest and the decision sought will have no practical effect or result.

[18] The merits of the appeal were argued in full. However, in consideration of the position I take on the mootness of this appeal, I refrain from expressing a view on the merits.

[19] To sum up, the question of the High Court having established a precedent is not supported by authority. The decision in *Van Zyl*⁵ has put paid to that argument. Similarly, defining the ambit or scope of the applicability of rule 53 to executive functions and/or decisions, falls, as correctly argued by the appellant, within the terrain of the Rules Board. I therefore conclude that

⁵ Ibid.

for reasons stated, the relief sought by the appellant will not have any practical effect or result. The appeal must therefore be dismissed.



[20] In the result I make this order:

The appeal is dismissed with costs including the costs of two counsel.

S P Motile
Acting Judge of Appeal



APPEARANCES:

For Appellant: I A M Semanya SC

M Sikhakhane SC

M Sello

Instructed by:

The State Attorney, Pretoria

The State Attorney, Bloemfontein

For 1st Respondent: S Budlender

L Zikalala

Instructed by:

Minde Schapiro Smith Inc, Bellville, C/o Klagsbrun

Edelstein, Nieuw Muckleneuk

Symington & De Kok, Bloemfontein

For 4th & 5th Respondents:

The State Attorney, Pretoria

The State Attorney, Bloemfontein





THE PRESIDENCY: REPUBLIC OF SOUTH AFRICA
Private Bag X1000, Pretoria, 0001

Mr Peter Pedlar
Acting Secretary Commission of Inquiry
2nd Floor, Hillside House
Parktown
JOHANNESBURG
2193

Per email: Inquiries@sastatecapture.org.za

Dear Mr Pedlar

REQUEST FOR INFORMATION – CABINET MINUTES / MINISTERIAL TASK TEAM / GUPTAS BANK ACCOUNTS

1. Reference is made to your letter dated 15 July 2019.
2. Please find herewith all the relevant requested information currently in the possession of the Secretary to Cabinet.
3. Kindly be advised I have declassified the provided information for the sole use of the Commission purposes.

Yours sincerely

R. Cassius Lubisi, PhD
Director-General and Secretary of the Cabinet
Date: 19/07/2019



THE PRESIDENCY: REPUBLIC OF SOUTH AFRICA
Private Bag X1000, Pretoria, 0001

Cabinet Secretariat

**MINUTES OF THE CABINET MEETING OF
13 APRIL 2016**

Present:

President JG Zuma (Chairperson), Deputy President MC Ramaphosa and Ministers JT Radebe, LN Sisulu, NN Mapisa-Nqakula, GNM Pandor, SC Cwale, EN Mthethwa, RH Davies, TM Joemat-Pettersson, AM Motshekga, PA Motsoaledi, ME Nkoana-Mashabane, GE Nkwinti, BE Nzimande, E Patel, ED Peters, S Shabangu, BO Dlamini, FA Mbalula, TW Nxesi, MN Oliphant, DA Hanekom, L Brown, MD Mahlobo, TM Masutha, AF Muthambi, NPT Nhleko, NA Ramathodi, S Zokwana, LD Zulu, MJ Zwane and DDD van Rooyen.

Apologies:

Ministers PJ Gordhan, BEE Molewa, MKN Gigaba and NP Mokonyane.

<p>THE PRESIDENCY REPUBLIC OF SOUTH AFRICA</p> <p>2019 -07-19 DECLASSIFIED</p> <p>SIGNATURE: <i>[Signature]</i></p> <p>SECRETARY OF THE CABINET</p>

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THE PRESIDENCY: REPUBLIC OF SOUTH AFRICA
Private Bag X1000, Pretoria, 0001

Cabinet Secretariat

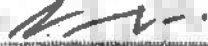
**MINUTES OF THE CABINET MEETING OF
22 JUNE 2016**

Present:

President JG Zuma, Deputy President MC Ramaphosa (Chairperson) and Ministers JT Radebe, NN Mapisa-Nqakula, GNM Pandor, SC Cwele, EN Mthethwa, RH Davies, PJ Gordhan, BEE Molewa, AM Motshekga, PA Motsoaledi, BE Nzimande, E Patel, ED Peters, S Shabangu, BO Dlamini, MKN Gigaba, TW Nxesi, MN Oliphant, DA Hanekom, L Brown, MD Mahlobo, AF Muthambi, NPT Nhleko, S Zokwana, MJ Zwane and DDD van Rooyen.

Apologies:

Ministers LN Sisulu, TM Joemat-Pettersson, ME Nkoana-Mashabane, GE Nkwinti, FA Mbalula, TM Masutha, NP Mokonyane, NA Ramatlhodi and LD Zulu.

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2019 -07- 19 DECLASSIFIED
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SECRETARY OF THE CABINET

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MINUTES OF THE CABINET MEETING OF 6 JULY 2016

Present:

President JG Zuma (Chairperson), Deputy President MC Ramaphosa and Ministers JT Radebe, LN Sisulu, SC Cwele, TM Joemat-Pettersson, BEE Molewa, AM Motshekga, PA. Motsoaledi, ME Nkoana-Mashabane, GE Nkwinti, BE Nzimande, ED Peters, S Shabangu, MKN Gqaba, FA Mbalula, TW Nxesi, MN Oliphant, DA Hanekom, L Brown, TM Masutha, AF Muthambi, NPT Nhleko, S Zokwana, LD Zulu, MJ Zwane and DDD van Rooyen.

Apologies:

Ministers NN Mapisa-Nqakula, GNM Pandor, EN Mthethwa, RH Davies, PJ Gordhan, BO Dlamini, E Patel, MD Mahlobo, NP Mokonyane and NA Ramathodi.

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SECRETARY OF THE CABINET

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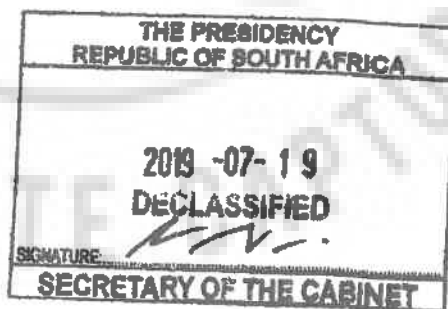
MINUTES OF THE CABINET MEETING OF 31 AUGUST 2016

Present:

Deputy President MC Ramaphosa (Chairperson and Acting President) and Ministers JT Radebe, LN Sisulu, GNM Pandor, SC Cwele, EN Mthethwa, PJ Gordhan, AM Motshekga, PA Motsoaledi, GE Nkwinti, BE Nzimande, E Patel, S Shabangu, BO Dlamini, MKN Gigaba, FA Mbalula, TW Nxesi, MN Oliphant, TM Masutha, AF Muthambi, NPT Nhleko, NA Ramathodi, S Zokwana, LD Zulu, MJ Zwane and DDD van Rooyen.

Apologies:

President JG Zuma and Ministers NN Mapisa-Nqakula, RH Davies, T Joemat-Pettersson, BEE Molewa, ME Nkoana-Mashabane, ED Peters, DA Hanekom, L Brown, MD Mahlobo and NP Mokonyane.



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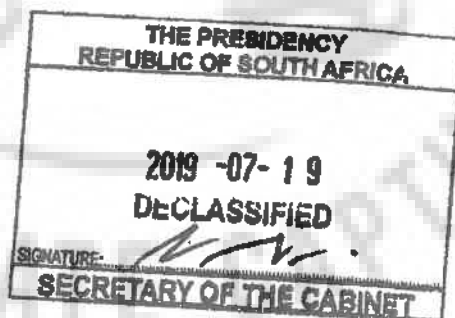
MINUTES OF THE CABINET MEETING OF 14 SEPTEMBER 2016

Present:

President JG Zuma (Chairperson), Deputy President MC Ramaphosa and Ministers LN Sisulu, GNM Pandor, SC Cwele, EN Mthethwa, RH Davies, PJ Gordhan, TM Joemat-Pettersson, AM Motshekga, GE Nkwinti, BE Nzimande, E Patel, S Shabangu, BO Dlamini, MKN Gigaba, FA Mbalula, TW Nxesi, MN Oliphant, DA Hanekom, L Brown, TM Masutha, AF Muthambi, NPT Nhleko, NA Ramatlhodi, S Zokwana, LD Zulu, MJ Zwane and DDD van Rooyen.

Apologies:

Ministers JT Radebe, NN Mapisa-Nqakula, BEE Molewa, PA Motsoaledi, ME Nkoana-Mashabane, ED Peters, MD Mahlobo and NP Mokonyane.



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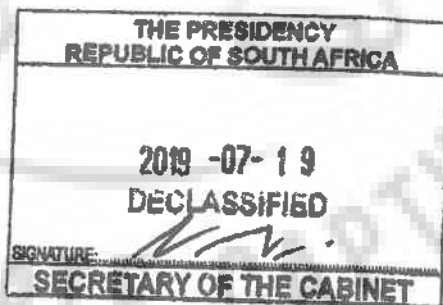
MINUTES OF THE CABINET MEETING OF 21 JUNE 2017

Present:

President JG Zuma (Chairperson), Deputy President MC Ramaphosa and Ministers JT Radebe, LN Sisulu, NN Mapisa-Nqakula, GNM Pandor, SC Cwele, EN Mthethwa, PA Motsoaledi, GE Nkwinti, BE Nzimande, E Patel, TW Nxesi, MN Oliphant, L Brown, NP Mokonyane, AF Muthambi, NPT Nhleko, S Zokwana, LD Zulu, MJ Zwane, DDD van Rooyen, MJ Maswanganyi, HB Mkhize and T Xasa.

Apologies:

Ministers RH Davies, BEE Molewa, AM Motshekga, ME Nkoana-Mashabane, S Shabangu, BO Dlamini, MKN Gigaba, FA Mbalula, MD Mahlobo, TM Masutha, A Dlodlo and MT Kubayi.



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8 MINISTER IN THE PRESIDENCY FOR PLANNING, MONITORING AND EVALUATION

8.1 DISCUSSION ON CURRENT AFFAIRS

(Document entitled "Discussion on Current Affairs: 13 April 2016")

8.1.1 The Cabinet noted the contents of the above-mentioned document (Annexure B), dealing with the following:

(a) Key issues in the Communication environment:

- (i) 2016 Local Government Elections;
- (ii) Constitutional Court Judgment;
- (iii) South African Revenue Service (SARS);
- (iv) Congratulatory Notes; and
- (v) Condolences;

(b) Progress on the Implementation of programmes:

- (i) Operation Phakisa - Progress;
- (ii) e-Channel Project;
- (iii) Imbizo Focus Week; and
- (iv) Human Settlements; and

(c) Upcoming communication campaigns and events:

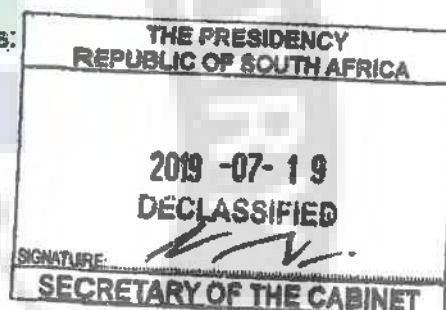
- (i) International Agenda; and
- (ii) Freedom Month.

8.1.2 The Cabinet approved -

- (a) the general thrust of the document, subject to the revision of the following items under the key issues in the communication environment:

[REDACTED]

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Cabinet

24

13 April 2016

Minister
DDD van
Rooyen

- (b) that the Ministers of Labour, of Finance and of Mineral Resources prepares a briefing for Cabinet on the implications of the decision of certain banks and auditing firms to close the accounts of and withdraw auditing services from Oakbay Investments; and

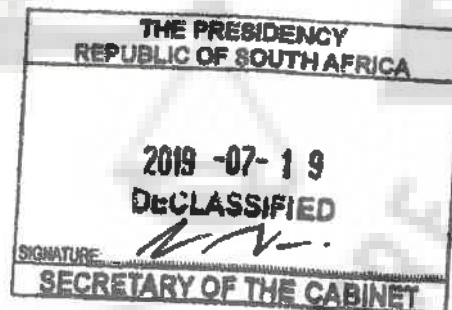
Ministers
MN
Oliphant,
PJ Gordhan
and MJ
Zwane

- (c) the Ministers would also investigate the conduct of the banking/financial sector companies in relation to the closure of the accounts, especially as it relates to client confidentiality.

Minutes approved on 26 April 2016

SECRETARY
Date:

PRESIDENT



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8 MINISTER OF MINERAL RESOURCES**8.1 BRIEFING ON THE IMPLICATION OF THE DECISION OF CERTAIN BANKS AND AUDIT FIRMS TO CLOSE THE ACCOUNTS OF AND WITHDRAWING AUDITING SERVICES FROM OAKBAY INVESTMENTS**

(No document. Refer to paragraph 8.1.1(a) and (b) of the minutes dated 13 April 2016)

The Cabinet -

- (a) noted a request that the memorandum be withdrawn for further refinement and consultation;
- (b) agreed that the focus of the memorandum deal with the conduct of the banking/financial sector companies in relation to the closure of the accounts, especially as it relates to client confidentiality, amongst others; and
- (c) approved that the Ministers of Mineral Resources, of Finance and of Labour brief the President and the Deputy President prior to submitting the revised memorandum to Cabinet.

Ministers
PJ Gordhan
and MN
Oliphant

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2019 -07- 19

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5 MINISTER OF MINERAL RESOURCES

5.1 BRIEFING ON THE IMPLICATION OF THE DECISION OF CERTAIN BANKS AND AUDIT FIRMS TO CLOSE THE ACCOUNTS OF AND WITHDRAWING AUDITING SERVICES FROM OAKBAY INVESTMENTS

(Cabinet decision of 2016, dated 29 June 2016, file number IMC/01, Department of Mineral Resources. Refer to item 3.1 of the minutes dated 22 June 2016)

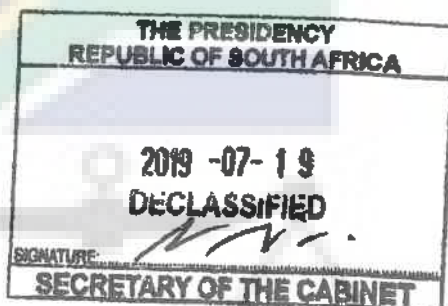
The Cabinet -

- (a) noted the progress made in relation to the report on the implications of the decision of certain banks and audit firms to close the accounts of and withdrawing auditing services from Oakbay Investments and that the memorandum required more work to be done;
- (b) approved that the task team, including the Minister of Communications, intervene, where possible, to further assist the 16 000 workers affected by the action of the banks as referred to in the memorandum; Ministers
PJ Gordhan
and MN
Oliphant
- (c) approved that the Minister of Finance, in collaboration with relevant Members, further develops measures ensuring the effective transformation of the financial and banking sectors (refer to paragraph 3.5.7(c)(ii) of the minutes dated 4 March 2015 as well as item 3.3.2 of the minutes dated 6 December 2006).
- (d) approved that in view of (c) above, and the memorandum discussed by Cabinet (on 6 July 2016), that the Minister of Finance reviews the recommendations and submits memoranda including, amongst others, the following:
 - (i) The possible establishment of an independent Banking Tribunal to assist aggrieved customers or alternatively to expand the mandate of the Banking Ombudsman with a view to addressing actions referred to in the memorandum;
 - (ii) Consider reviewing the Financial Intelligence Centre Act (FICA) with a view to strengthening reporting and addressing the concerns raised in the memorandum as well as possible unreasonable practices against "Politically Exposed Persons" (PEPs);
 - (iii) Consider the existing provisions for clearing banks with a view to allowing more banks to participate;

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THE PRESIDENCY REPUBLIC OF SOUTH AFRICA 2016-07-19 DECLASSIFIED SECRETARY OF THE CABINET
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- (iv) Further investigation into the generic nature of the existence of similar decisions the banks and auditing firms undertook, adversely affecting companies or individuals as well as possible collusion in the banking and financial sector; and
- (e) reiterated an earlier Cabinet decision for the Post Bank to be transformed into a State Bank and requested that the Minister of Telecommunications and Postal Services fast track the process (refer to paragraph 5.1.2(h) of the minutes dated 3 and 4 February 2015);
- Minister SC
Cwele



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Cabinet

2

31 August 2016

1 PRESIDENT**1.1 MOMENT OF SILENCE**

The Cabinet observed a moment of silence for prayer or meditation.

1.2 APPROVAL OF THE MINUTES OF 6 JULY 2016

The Cabinet approved the minutes, subject to the following amendments:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

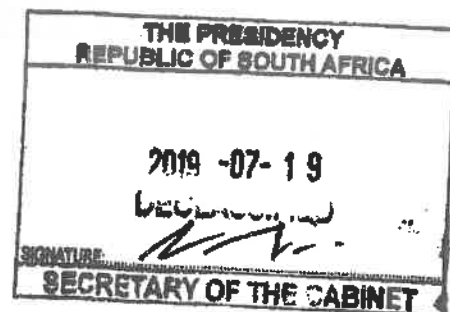
1.3 MATTERS ARISING FROM THE MINUTES OF 6 JULY 2016**1.3.1 Briefing on the Implication of the decision of certain banks and audit firms to close the accounts of and withdrawing auditing services from Oakbay Investments**

(Cabinet memorandum 1 of 2016, dated 29 June 2016, file number JMC/01, Department of Mineral Resources. Refer to para 2.1 of the minutes dated 22 June 2016)

The Cabinet -

- (a) noted with concern that the above-mentioned cabinet memorandum appeared in the media on 31 August 2016;
- (b) approved that the Secretary to Cabinet in collaboration with the State Security Agency (SSA) investigate the security breach and report back to Cabinet in due course; and

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(Cabinet meeting on 18 of 2016, dated 14 September 2016, file number M/2/2/3-Presidency, Department of Public Service and Administration)

The Cabinet noted the subpoena served by the Public Protector on the Secretary of Cabinet to produce declarations of interests of all members of the Cabinet.

CONFIDENTIAL

STATE CAPTURE

THE PRESIDENCY
REPUBLIC OF SOUTH AFRICA

2010-02-10

THE PRESIDENCY
REPUBLIC OF SOUTH AFRICA

2019-07-19
DECLASSIFIED

SIGNATURE

SECRETARY OF THE CABINET

Cabinet

4

21 June 2017

2 DEPUTY PRESIDENT**2.1 PARLIAMENTARY AFFAIRS**

(Leader of Government Business)

All
Members

2.1.1 The Cabinet noted a report entitled "Report from the Leader of Government Business (LOGB) to Cabinet: 21 June 2017" (Annexure A), which was distributed at the meeting. The Report dealt with –

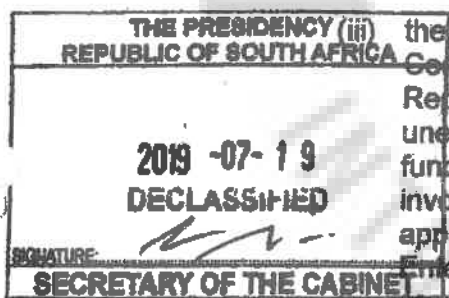
- (a) the Parliamentary Programme approved on 15 June 2017;
- (b) a summary of questions for written reply; and
- (c) details of Ministers who have unanswered questions for written reply.

2.1.2 The Cabinet –

- (a) noted concerns raised by Members and approved that the Leader of Government Business (LOGB) would be engaging the Presiding Officers of Parliament with a view to discussing matters relating to:

[REDACTED]

[REDACTED]



the process followed by Parliament (the Chair of Chairs: Committees) to further discuss the "State of Capture: Report on an investigation into alleged improper and unethical conduct by the President and other state functionaries relating to alleged improper relationships and involvement of the Gupta family in the removal and appointment of Ministers and Directors of State Owned Enterprises (SOEs) resulting in improper and possibly corrupt awarding of state contracts and benefits to the Gupta family's business" (Report No. 6 of 2016/17 by the Public Protector) by Parliamentary Committees;

(b)


[REDACTED]

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

AFFIDAVIT BY ENOCH GODONGWANA

I, the undersigned



ENOCH GODONGWANA

do hereby state under oath that:

1. I am the Chairperson of the Committee on Economic Transformation of the African National Congress ("ANC") and the former Deputy Minister of Public Enterprises and Economic Development, respectively.
2. I depose to this affidavit in reply to the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State, (*"the Commission"*). The Commission's letter directed to me is dated 15 August 2019 and attached to this affidavit marked Annexure "A". The Commission's letter is in relation to the statement submitted to it by Ms Barbara Hogan, the former Minister of Public Enterprises between May 2009 and 31 October 2010. During that period I held the position of Deputy Minister of Public Enterprises.
3. The facts deposed to in this affidavit are within my own personal knowledge and belief, and are both true and correct.




ZW

THE PURPOSE OF THIS AFFIDAVIT

4. The information requested by the Commission makes reference to the following aspects of Ms Hogan's statement:
- a) the reasons for, and the circumstances surrounding the delay in the filling of the position of the position of Group Chief Executive Officer of Transnet for over a year; and
 - b) the dispute between Mr Jacob Maroga, who was the CEO of Eskom, and the Eskom Board of Directors that was led by Mr Bobby Godsell, and any such role that I may have played in attempts to resolve that dispute.


TRANSNET

5. I confirm that after the resignation of Ms Maria Ramos as the CEO of Transnet in February 2009, Mr Pravin Gordhan was recommended as the only candidate for the CEO position after a careful selection process and extensive engagement between the Transnet Board and the then Minister of Public Enterprises, Ms Bridget Mabandla.
6. Shortly after his recommendation, Mr Gordhan withdrew his candidature, and several months later he was appointed as Minister of Finance after the May 2009 General Elections. At the time there were rumours that emerged that Mr Siyabonga Gama, who was CEO of Transnet Freight Rail (TFR) at the time, was second on the list of preferred candidates for the position of Transnet CEO. This was not in fact the case. Mr Gama was not second on any list.
7. The Board experienced difficulties in obtaining a firm directive on the appointment of a CEO subsequent to Mr Gordhan's withdrawal. The recommendation of a highly capable and experienced black candidate made by Mr Fred Phaswana (as referred to

 MZ

in paragraph 32 of Ms Hogan's affidavit), who was the Chairperson of the Transnet Board at the time, was made with reference to Mr Sipho Maseko, who is now the CEO of Telkom.

8. At the time, there was disciplinary action taken against Mr Gama, as he was suspended by Ms Ramos prior to her resignation from Transnet and he was still under suspension during this stage of the Board's attempts to appoint a CEO. Ms Hogan informed me about her discussion with the former President, Mr Zuma, in which he informed her that he was adamant that Mr Gama was his only choice for the CEO position, and that he insisted that no appointment was to be made to the position until the disciplinary proceedings against Mr Gama had been completed.
9. I can confirm that, as stated in paragraph 35 of Ms Hogan's affidavit, that there were some members within the ANC, who were of the view that Mr Gama should be appointed as CEO of Transnet. Mr Gwede Mantashe's position as I recall was that the Deployment Committee of the ANC was also in favour of Mr Gama.
10. There were accusations made against Mr Chris Wells that he had initiated the disciplinary action against Mr Gama in order to eliminate him as a contender for the CEO position. I believe this to be untrue. Mr Wells was not interested in the CEO position; although he had put his name forward, he soon withdrew his name after realising the politics involved in the appointment of the Transnet CEO.
11. Mr Zuma continued to insist that no appointment be made at Transnet until his candidate of choice, Mr Gama, had undergone and completed the disciplinary processes against him. It was clear to me that there was a concerted effort by a section of the ANC which supported Mr Gama's candidature for Transnet CEO—the support for Mr Gama was difficult to understand because he was facing disciplinary action for procurement irregularities.

Handwritten signature and initials, likely of the witness or official, located at the bottom right of the page.

12. Subsequent to Mr Gama's dismissal from Transnet, as a result of him being found guilty of the charges against him, Ms Hogan and I compiled a Cabinet Memorandum (finally dated 27 October 2010) and marked Annexure "K" to Ms Hogan's statement, for the appointment of a new Transnet Board who would then commence the process of appointing a new CEO as the last candidate had withdrawn.

13. I confirm that Ms Hogan proceeded to communicate with Mr Zuma and sent him two CV's of the proposed candidates. Ms Hogan informed me that her attempts to secure a meeting with Mr Zuma prior to submitting the names of the preferred candidates to Cabinet, were unsuccessful. Mr Zuma failed to respond to Ms Hogan's request for assistance to expedite the placing of the Transnet Cabinet Memorandum on to the Cabinet Agenda for the Cabinet meeting on 15 September 2010.

14. On 31 October 2010, I received a phone call from the President's office informing me that I was required to attend at Mahlabisa Ndlopfu to meet President Zuma. I informed the President's office that I was unfortunately in East London and would be unable to meet with the President in person. Moments later, I received a telephone call from Mr Zuma. He informed me that he was with Mr Mantashe and that it was decided that I would be re-deployed by the ANC as Deputy Minister of Public Enterprises to Deputy Minister of Department of Economic Development. I accepted the decision. However, I believe that the decision by Mr Zuma was influenced by the principled stance which I took to resist his attempts to ensure that Mr Gama was appointed at all costs as CEO of Transnet.

ESKOM

15. On 29 October 2009, Ms Hogan sought legal advice regarding the dispute between Mr Maroga and the Eskom Board of Directors and she conferred with me at the offices of Eskom. During my discussion with Ms Hogan on that day, she requested me to

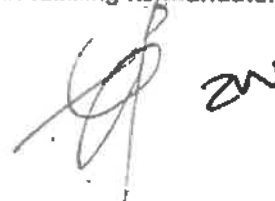
meet with Mr Maroga privately and persuade him to exit elegantly to prevent further damage to himself, as well as a public crisis which Eskom could not afford.

16. I confirm that I met with Mr Maroga on 6 November 2009, and at the end of our meeting, Mr Maroga and I came to an in-principle agreement that he would leave Eskom. He said, however, that he would contemplate on the terms of his exit and he would revert by the following Monday, 9 November 2009, which he never did. The meeting was on a Friday and Mr Maroga was traveling to Limpopo that weekend. On his return from Limpopo on Monday, 9 November 2009, Mr Maroga, as opposed to reverting on the terms of his exit as discussed in our meeting, instead went to the Eskom offices with a contingent (who were protesting) from the Black Management Forum. Mr Maroga thereafter refused to meet with me and stated that he would only meet with Ms Hogan.

17. On the same day, Monday, 9 November 2009, I confirm that I met with Mr Zuma at Luthuli House (as referred to in paragraph 81 of Ms Hogan's affidavit) and presented him a copy of the letter written by Mr Maroga and addressed to Ms Hogan, the Eskom Board and the Chairperson of the Portfolio Committee in Parliament, announcing that he remained the CEO and Director of Eskom, and that the shareholder at the highest level had confirmed that all decisions regarding his status must be formally requested from and granted by the shareholder (the letter is marked Annexure "N" to Ms Hogan's statement). Mr Zuma denied having knowledge of the contents of the letter.

18. Indeed, I was furious about this letter—particularly because it became apparent to me that despite the efforts Ms Hogan and me to stabilise Eskom, we were being undermined and/or frustrated in other structures and higher offices. At the very least we were not receiving any support from the President.

19. I trust that the above will be of assistance to the Commission. I remain at its disposal should it require any further information that will assist it in fulfilling its mandate.

Handwritten signature and initials, likely of the author, in black ink.



ENOCH GODONGWANA

SIGNED AND SWORN TO BEFORE ME AT SANDTON
ON THIS THE 26TH DAY OF AUGUST 2019, THE
DEPONENT HAVING ACKNOWLEDGED THAT
HE KNOWS AND UNDERSTANDS THE CONTENTS
OF THIS AFFIDAVIT, HAS NO OBJECTION TO
TAKING THE PRESCRIBED OATH AND CONSIDERS
THE OATH BINDING ON HIS CONSCIENCE.



COMMISSIONER OF OATHS

ZINTLE WALAZA
EX OFFICIO COMMISSIONER OF OATHS
PRACTISING ATTORNEY R.S.A.
171 KATHERINE STREET
LIBERTY LIFE OFFICE PARK
BLOCK 2, 2ND FLOOR
STRATHAVON SANDTON 2090



IRR

South African Institute of Race Relations

The power of ideas

POLITICAL MUSICAL CHAIRS

**TURNOVER IN THE NATIONAL EXECUTIVE
AND ADMINISTRATION SINCE 2009**

GARETH VAN ONSELEN

APPENDIX A

CABINET RESHUFFLES

				1st Cabinet 10 May 2009 – 31 October 2010 13 Months	2nd Cabinet 31 October 2010 – 24 October 2011 12 Months	3rd Cabinet 24 October 2011 – 12 June 2012 8 Months	4th Cabinet 12 June 2012 – 3 October 2012 5 Months	5th Cabinet 3 October 2012 – 9 July 2013 10 Months
				26 CHANGES		9 CHANGES	8 CHANGES	2 CHANGES
1.	Presidency	President	1	Mr JG Zuma	Mr JG Zuma	Mr JG Zuma	Mr JG Zuma	Mr JG Zuma
		Deputy President	2	Mr K Motlanthe	Mr K Motlanthe	Mr K Motlanthe	Mr K Motlanthe	Mr K Motlanthe
2.	Agriculture, Forestry and Fisheries	Minister	2	Ms T Joemat-Pettersson	Ms T Joemat-Pettersson	Ms T Joemat-Pettersson	Ms T Joemat-Pettersson	Ms T Joemat-Pettersson
		Deputy Minister	2	Dr PW Mulder	Dr PW Mulder	Dr PW Mulder	Dr PW Mulder	Dr PW Mulder
3.	Arts & Culture	Minister	3	Ms L Xingwana	Mr P Mashatile	Mr P Mashatile	Mr P Mashatile	Mr P Mashatile
		Deputy Minister	4	Mr P Mashatile	Dr MJ Phaahla	Dr MJ Phaahla	Dr MJ Phaahla	Dr MJ Phaahla
4.	Basic Education	Minister	1	Ms MA Motshekga	Ms MA Motshekga	Ms MA Motshekga	Ms MA Motshekga	Ms MA Motshekga
		Deputy Minister	1	Mr E Surty	Mr E Surty	Mr E Surty	Mr E Surty	Mr E Surty
5.	Communications	Minister	6	Mr S Nyanda	Mr R Padayachee	Ms D Pule	Ms D Pule	Ms D Pule
		Deputy Minister	4	Ms D Pule	Mr O Bapela	Ms TS Ndabeni	Ms TS Ndabeni	Ms TS Ndabeni
6.	Cooperative Governance & Traditional Affairs	Minister	5	Mr S Shiceka	Mr S Shiceka	Mr R Baloyi	Mr R Baloyi	Mr R Baloyi
		Deputy Ministers	2	Mr Y Carrim	Mr Y Carrim	Mr Y Carrim	Mr Y Carrim	Mr Y Carrim
			1					
7.	Correctional Services/And Justice (2014)	Minister	3	Ms NN Mapisa-Nqakula	Ms NN Mapisa-Nqakula	Ms NN Mapisa-Nqakula	Mr JS Ndebele	Mr JS Ndebele
		Deputy Ministers	3	Ms HB Mkhize	Adv N Ramathlodi	Adv N Ramathlodi	Adv N Ramathlodi	Adv N Ramathlodi
			1					
8.	Defence and Military Veterans	Minister	2	Ms L Sisulu	Ms L Sisulu	Ms L Sisulu	Ms NN Mapisa-Nqakula	Ms NN Mapisa-Nqakula
		Deputy Minister	2	Mr T Makwetla	Mr T Makwetla	Mr T Makwetla	Mr T Makwetla	Mr T Makwetla
9.	Economic Development	Minister	1	Mr E Patel	Mr E Patel	Mr E Patel	Mr E Patel	Mr E Patel
		Deputy Minister	4	Ms G Mahlangu-Nkabinde	Mr E Godongwana	Mr E Godongwana	Ms HB Mkhize	Ms HB Mkhize
10.	Energy	Minister	4	Ms ED Peters	Ms ED Peters	Ms ED Peters	Ms ED Peters	Ms ED Peters
		Deputy Minister	2		Ms B Thompson	Ms B Thompson	Ms B Thompson	Ms B Thompson
11.	Environmental Affairs	Minister	1					
		Deputy Minister	1					

6th Cabinet 9 July 2013 – 25 May 2014 11 Months	7th Cabinet 25 May 2014 – 22 September 2015 18 Months	8th Cabinet 22 September 2015 – 9 December 2015 2 Months	9th Cabinet 9 December 2015 – 13 December 2015 5 Days	10th Cabinet 13 December 2015 – 30 March 2017 16 Months	11th Cabinet 30 March 2017 – Present
9 CHANGES	47 CHANGES	2 CHANGES	1 CHANGE	2 CHANGES	20 CHANGES
Mr JG Zuma	Mr JG Zuma	Mr JG Zuma	Mr JG Zuma	Mr JG Zuma	Mr JG Zuma
Mr K Motlanthe	Mr C Ramaphosa	Mr C Ramaphosa	Mr C Ramaphosa	Mr C Ramaphosa	Mr C Ramaphosa
Ms T Joemat-Petersson	Mr S Zokwana	Mr S Zokwana	Mr S Zokwana	Mr S Zokwana	Mr S Zokwana
Dr PW Mulder	Mr B Cele	Mr B Cele	Mr B Cele	Mr B Cele	Mr B Cele
Mr P Mashatile	Mr N Mthethwa	Mr N Mthethwa	Mr N Mthethwa	Mr N Mthethwa	Mr N Mthethwa
Dr MJ Phaahla	Ms R Mabudafhasi	Ms R Mabudafhasi	Ms R Mabudafhasi	Ms R Mabudafhasi	Ms M Soty
Ms MA Motshekga	Ms MA Motshekga	Ms MA Motshekga	Ms MA Motshekga	Ms MA Motshekga	Ms MA Motshekga
Mr E Surty	Mr E Surty	Mr E Surty	Mr E Surty	Mr E Surty	Mr E Surty
Mr Y Carrim	Ms F Muthambi	Ms F Muthambi	Ms F Muthambi	Ms F Muthambi	Ms A Dlodlo
Ms TS Ndabeni	Ms TS Ndabeni Abrahams	Ms TS Ndabeni Abrahams	Ms TS Ndabeni Abrahams	Ms TS Ndabeni Abrahams	Ms T Mahambehlala
Mr SL Tsenoli	Mr PJ Gordhan	Mr PJ Gordhan	Mr PJ Gordhan	Mr DDD Van Rooyen	Mr DDD Van Rooyen
Mr AC Nel	Mr AC Nel	Mr AC Nel	Mr AC Nel	Mr AC Nel	Mr AC Nel
	Mr O Bapela	Mr O Bapela	Mr O Bapela	Mr O Bapela	Mr O Bapela
Mr JS Ndebele	Mr M Masutha	Mr M Masutha	Mr M Masutha	Mr M Masutha	Mr M Masutha
Adv N Ramathodi	Mr J Jeffery	Mr J Jeffery	Mr J Jeffery	Mr J Jeffery	Mr J Jeffery
	Mr T Makwetla	Mr T Makwetla	Mr T Makwetla	Mr T Makwetla	Mr T Makwetla
Ms NN Mapisa-Nqakula	Ms NN Mapisa-Nqakula	Ms NN Mapisa-Nqakula	Ms NN Mapisa-Nqakula	Ms NN Mapisa-Nqakula	Ms NN Mapisa-Nqakula
Mr T Makwetla	Mr K Maphatsoe	Mr K Maphatsoe	Mr K Maphatsoe	Mr K Maphatsoe	Mr K Maphatsoe
Mr E Patel	Mr E Patel	Mr E Patel	Mr E Patel	Mr E Patel	Mr E Patel
Ms HB Mkhize	Mr M Masuku	Mr M Masuku	Mr M Masuku	Mr M Masuku	Mr M Masuku
Mr B Martins	Ms T Joemat-Petersson	Ms T Joemat-Petersson	Ms T Joemat-Petersson	Ms T Joemat-Petersson	Ms M Kubayi
Ms B Thompson	Ms T Majola	Ms T Majola	Ms T Majola	Ms T Majola	Ms T Majola
	Ms E Molewa	Ms E Molewa	Ms E Molewa	Ms E Molewa	Ms E Molewa
	Ms B Thomson	Ms B Thomson	Ms B Thomson	Ms B Thomson	Ms B Thomson

				1st Cabinet 10 May 2009 – 31 October 2010 13 Months	2nd Cabinet 31 October 2010 – 24 October 2011 12 Months	3rd Cabinet 24 October 2011 – 12 June 2012 8 Months	4th Cabinet 12 June 2012 – 3 October 2012 5 Months	5th Cabinet 3 October 2012 – 9 July 2013 10 Months
					26 CHANGES	9 CHANGES	8 CHANGES	2 CHANGES
12.	Finance	Minister	4	Mr PJ Gordhan	Mr PJ Gordhan	Mr PJ Gordhan	Mr PJ Gordhan	Mr PJ Gordhan
		Deputy Minister	3	Mr NM Nene	Mr NM Nene	Mr NM Nene	Mr NM Nene	Mr NM Nene
13.	Health	Minister	1	Dr PA Motsoaledi	Dr PA Motsoaledi	Dr PA Motsoaledi	Dr PA Motsoaledi	Dr PA Motsoaledi
		Deputy Minister	3	Dr M Sefularo	Dr G Ramokgopa	Dr G Ramokgopa	Dr G Ramokgopa	Dr G Ramokgopa
14.	Higher Education and Training	Minister	1	Dr BE Nzimande	Dr BE Nzimande	Dr BE Nzimande	Dr BE Nzimande	Dr BE Nzimande
		Deputy Minister	2		Ms HB Mkhize	Ms HB Mkhize	Mr M Manana	Mr M Manana
15.	Home Affairs	Minister	3	Dr N Dlamini-Zuma	Dr N Dlamini-Zuma	Dr N Dlamini-Zuma	Dr N Dlamini-Zuma	Ms N Pandor
		Deputy Minister	2	Mr MKN Gigaba	Ms F Chohan	Ms F Chohan	Ms F Chohan	Ms F Chohan
16.	Human Settlements	Minister	3	Mr TME Sexwale	Mr TME Sexwale	Mr TME Sexwale	Mr TME Sexwale	Mr TME Sexwale
		Deputy Minister	1	Ms ZA Kota-Fredericks	Ms ZA Kota-Fredericks	Ms ZA Kota-Fredericks	Ms ZA Kota-Fredericks	Ms ZA Kota-Fredericks
17.	International Relations and Cooperation	Minister	1	Ms ME Nkoana-Mashabane	Ms ME Nkoana-Mashabane	Ms ME Nkoana-Mashabane	Ms ME Nkoana-Mashabane	Ms ME Nkoana-Mashabane
		Deputy Ministers	2	Mr El Ebrahim	Mr El Ebrahim	Mr El Ebrahim	Mr El Ebrahim	Mr El Ebrahim
			3	Ms S van der Merwe	Mr M Fransman	Mr M Fransman	Mr M Fransman	Mr M Fransman
18.	Justice & Constitutional Development	Minister	1	Mr JT Radebe	Mr JT Radebe	Mr JT Radebe	Mr JT Radebe	Mr JT Radebe
		Deputy Minister	2	Mr AC Nel	Mr AC Nel	Mr AC Nel	Mr AC Nel	Mr AC Nel
19.	Labour	Minister	2	Mr M Mdladlana	Ms MN Oliphant	Ms MN Oliphant	Ms MN Oliphant	Ms MN Oliphant
		Deputy Minister	3					
20.	Mining/Mineral Resources	Minister	3	Ms S Shabangu	Ms S Shabangu	Ms S Shabangu	Ms S Shabangu	Ms S Shabangu
		Deputy Minister	1		Mr G Oliphant	Mr G Oliphant	Mr G Oliphant	Mr G Oliphant
21.	Police	Minister	3	Mr N Mthethwa	Mr N Mthethwa	Mr N Mthethwa	Mr N Mthethwa	Mr N Mthethwa
		Deputy Minister	3	Mr F Mbalula	Ms MM Soty	Ms MM Soty	Ms MM Soty	Ms MM Soty
22.	Public Enterprises	Minister	3	Ms B Hogan	Mr MKN Gigaba	Mr MKN Gigaba	Mr MKN Gigaba	Mr MKN Gigaba
		Deputy Minister	4	Mr E Godongwana	Mr B Martins	Mr B Martins	Mr G Magwanishe	Mr G Magwanishe
23.	Public Service and Administration	Minister	6	Mr R Baloyi	Mr R Baloyi	Mr R Padayachie	Ms L Sisulu	Ms L Sisulu
		Deputy Minister	3	Mr R Padayachie	Ms A Dlodlo	Ms A Dlodlo	Ms A Dlodlo	Ms A Dlodlo
24.	Public Works	Minister	4	Mr G Doidge	Ms G Mahlangu-Nkabinde	Mr L W Nxesi	Mr L W Nxesi	Mr L W Nxesi
		Deputy Minister	2	Ms H Bogopane-Zulu	Ms H Bogopane-Zulu	Mr J Cronin	Mr J Cronin	Mr J Cronin

6th Cabinet 9 July 2013 – 25 May 2014 11 Months	7th Cabinet 25 May 2014 – 22 September 2015 18 Months	8th Cabinet 22 September 2015 – 9 December 2015 2 Months	9th Cabinet 9 December 2015 – 13 December 2015 5 Days	10th Cabinet 13 December 2015 – 30 March 2017 16 Months	11th Cabinet 30 March 2017 – Present
9 CHANGES	47 CHANGES	2 CHANGES	1 CHANGE	2 CHANGES	20 CHANGES
Mr PJ Gordhan	Mr N Nene	Mr N Nene	Mr DDD Van Rooyen	Mr PJ Gordhan	Mr M Gigaba
Mr NM Nene	Mr M Jonas	Mr M Jonas	Mr M Jonas	Mr M Jonas	Mr S Buthelezi
Dr PA Motsoaledi	Dr PA Motsoaledi	Dr PA Motsoaledi	Dr PA Motsoaledi	Dr PA Motsoaledi	Dr PA Motsoaledi
Dr G Ramokgopa	Dr J Phaahla	Dr J Phaahla	Dr J Phaahla	Dr J Phaahla	Dr J Phaahla
Dr BE Nzimande	Dr BE Nzimande	Dr BE Nzimande	Dr BE Nzimande	Dr BE Nzimande	Dr BE Nzimande
Mr M Manana	Mr M Manana	Mr M Manana	Mr M Manana	Mr M Manana	Mr M Manana
Ms N Pandor	Mr M Gigaba	Mr M Gigaba	Mr M Gigaba	Mr M Gigaba	Prof H Mkhize
Ms F Chohan	Ms F Chohan	Ms F Chohan	Ms F Chohan	Ms F Chohan	Ms F Chohan
Ms C September	Ms L Sisulu	Ms L Sisulu	Ms L Sisulu	Ms L Sisulu	Ms L Sisulu
Ms ZA Kota-Fredericks	Ms ZA Kota-Fredericks	Ms ZA Kota-Fredericks	Ms ZA Kota-Fredericks	Ms ZA Kota-Fredericks	Ms ZA Kota-Fredericks
Ms ME Nkoana-Mashabane	Ms ME Nkoana-Mashabane	Ms ME Nkoana-Mashabane	Ms ME Nkoana-Mashabane	Ms ME Nkoana-Mashabane	Ms ME Nkoana-Mashabane
Mr El Ebrahim	Ms N Mfeketho	Ms N Mfeketho	Ms N Mfeketho	Ms N Mfeketho	Ms N Mfeketho
Mr M Fransman	Mr L Landers	Mr L Landers	Mr L Landers	Mr L Landers	Mr L Landers
Mr JT Radebe					
Mr J Jeffery					
Ms MN Oliphant	Ms MN Oliphant	Ms MN Oliphant	Ms MN Oliphant	Ms MN Oliphant	Ms MN Oliphant
	Mr P Holomisa	Mr P Holomisa	Mr P Holomisa	Mr P Holomisa	Mr P Holomisa
Ms S Shabangu	Adv N Ramathlodi	Mr MJ Zwane	Mr MJ Zwane	Mr MJ Zwane	Mr MJ Zwane
Mr G Oliphant	Mr G Oliphant	Mr G Oliphant	Mr G Oliphant	Mr G Oliphant	Mr G Oliphant
Mr N Mthethwa	Mr N Nhleko	Mr N Nhleko	Mr N Nhleko	Mr N Nhleko	Mr F Mbalula
Ms MM Sotyu	Ms MM Sotyu	Ms MM Sotyu	Ms MM Sotyu	Ms MM Sotyu	Mr B Mkongi
Mr MKN Gigaba	Ms L Brown	Ms L Brown	Ms L Brown	Ms L Brown	Ms L Brown
Mr G Magwanishe	Mr G Magwanishe	Mr G Magwanishe	Mr G Magwanishe	Mr G Magwanishe	Mr B Martins
Ms L Sisulu	Mr OC Chabane	Adv N Ramathlodi	Adv N Ramathlodi	Adv N Ramathlodi	Ms F Muthambi
Ms A Dlodlo	Ms A Dlodlo	Ms A Dlodlo	Ms A Dlodlo	Ms A Dlodlo	Ms D Letsatsi-Dube
Mr L W Nxesi	Mr LW Nxesi	Mr LW Nxesi	Mr LW Nxesi	Mr LW Nxesi	Mr N Nhleko
Mr J Cronin	Mr J Cronin	Mr J Cronin	Mr J Cronin	Mr J Cronin	Mr J Cronin

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				26 CHANGES		9 CHANGES	8 CHANGES	2 CHANGES
25.	Rural Development and Land Reform	Minister	1	Mr G Nkwinti	Mr G Nkwinti	Mr G Nkwinti	Mr G Nkwinti	Mr G Nkwinti
		Deputy Minister	1					
			5	Dr MJ Phaahla	Mr L W Nxesi	Mr SL Tsenoli	Mr SL Tsenoli	Mr SL Tsenoli
26.	Science & Technology	Minister	3	Ms N Pandor	Ms N Pandor	Ms N Pandor	Ms N Pandor	Mr DA Hanekom
		Deputy Minister	2	Mr DA Hanekom	Mr DA Hanekom	Mr DA Hanekom	Mr DA Hanekom	
27.	Small Business Development	Minister	1					
		Deputy Minister	2					
28.	Social Development	Minister	2	Ms E Molewa	Ms BO Dlamini	Ms BO Dlamini	Ms BO Dlamini	Ms BO Dlamini
		Deputy Minister	3	Ms BO Dlamini	Ms BM Ntuli	Ms BM Ntuli	Ms BM Ntuli	Ms BM Ntuli
29.	Sport and Recreation	Minister	3	Mr M Stofile	Mr F Mbalula	Mr F Mbalula	Mr F Mbalula	Mr F Mbalula
		Deputy Minister	1	Mr GC Oosthuizen	Mr GC Oosthuizen	Mr GC Oosthuizen	Mr GC Oosthuizen	Mr GC Oosthuizen
30.	State Security	Minister	2	Mr SC Cwele	Mr SC Cwele	Mr SC Cwele	Mr SC Cwele	Mr SC Cwele
		Deputy Minister	1					
31.	The Presidency: National Planning	Minister	1	Mr TA Manuel	Mr TA Manuel	Mr TA Manuel	Mr TA Manuel	Mr TA Manuel
32.	The Presidency: Performance Monitoring and Evaluation	Minister	1	Mr OC Chabane	Mr OC Chabane	Mr OC Chabane	Mr OC Chabane	Mr OC Chabane
		Deputy Minister	1		Ms D Pule	Mr O Bapela	Mr O Bapela	Mr O Bapela
33.	The Presidency	Minister	1					
		Deputy Minister	1					
34.	Telecommunications and Postal Service	Minister	1					
		Deputy Minister	2					
35.	Tourism	Minister	3	Mr M van Schalkwyk	Mr M van Schalkwyk	Mr M van Schalkwyk	Mr M van Schalkwyk	Mr M van Schalkwyk
		Deputy Minister	2	Ms T Xasa	Ms T Xasa	Ms T Xasa	Ms T Xasa	Ms T Xasa
36.	Trade and Industry	Minister	1	Dr R Davies	Dr R Davies	Dr R Davies	Dr R Davies	Dr R Davies
		Deputy Ministers	2	Ms TV Tobias-Pokolo	Ms TV Tobias-Pokolo	Ms TV Tobias-Pokolo	Ms TV Tobias-Pokolo	Ms TV Tobias-Pokolo
			2	Ms BM Ntuli	Ms E Thabethe	Ms E Thabethe	Ms E Thabethe	Ms E Thabethe

6th Cabinet 9 July 2013 – 25 May 2014 11 Months	7th Cabinet 25 May 2014 – 22 September 2015 18 Months	8th Cabinet 22 September 2015 – 9 December 2015 2 Months	9th Cabinet 9 December 2015 – 13 December 2015 5 Days	10th Cabinet 13 December 2015 – 30 March 2017 16 Months	11th Cabinet 30 March 2017 – Present
9 CHANGES	47 CHANGES	2 CHANGES	1 CHANGE	2 CHANGES	20 CHANGES
Mr G Nkwinti	Mr G Nkwinti	Mr G Nkwinti	Mr G Nkwinti	Mr G Nkwinti	Mr G Nkwinti
	Mr M Skwatsha	Mr M Skwatsha	Mr M Skwatsha	Mr M Skwatsha	Mr M Skwatsha
Ms P Tshwete	Ms C Mashego-Dlamini	Ms C Mashego-Dlamini	Ms C Mashego-Dlamini	Ms C Mashego-Dlamini	Ms C Mashego-Dlamini
Mr DA Hanekom	Ms N Pandor	Ms N Pandor	Ms N Pandor	Ms N Pandor	Ms N Pandor
Mr M Masutha					
	Ms L Zulu	Ms L Zulu	Ms L Zulu	Ms L Zulu	Ms L Zulu
	Ms E Thabethe	Ms E Thabethe	Ms E Thabethe	Ms E Thabethe	Ms N November
Ms BO Dlamini	Ms BO Dlamini	Ms BO Dlamini	Ms BO Dlamini	Ms BO Dlamini	Ms BO Dlamini
Ms BM Ntuli	Ms H Bogopane-Zulu	Ms H Bogopane-Zulu	Ms H Bogopane-Zulu	Ms H Bogopane-Zulu	Ms H Bogopane-Zulu
Mr F Mbalula	Mr F Mbalula	Mr F Mbalula	Mr F Mbalula	Mr F Mbalula	Mr T Nxesi
Mr GC Oosthuizen	Mr GC Oosthuizen	Mr GC Oosthuizen	Mr GC Oosthuizen	Mr GC Oosthuizen	Mr GC Oosthuizen
Mr SC Cwele	Mr D Mahlobo	Mr D Mahlobo	Mr D Mahlobo	Mr D Mahlobo	Mr D Mahlobo
	Ms E Molekane	Ms E Molekane	Ms E Molekane	Ms E Molekane	Ms E Molekane
Mr TA Manuel					
Mr OC Chabane					
Mr O Bapela					
	Mr J Radebe	Mr J Radebe	Mr J Radebe	Mr J Radebe	Mr J Radebe
	Mr B Manamela	Mr B Manamela	Mr B Manamela	Mr B Manamela	Mr B Manamela
	Dr S Cwele	Dr S Cwele	Dr S Cwele	Dr S Cwele	Dr S Cwele
	Ms H Mkhize	Ms H Mkhize	Ms H Mkhize	Ms H Mkhize	Ms S Ndabeni-Abrahams
Mr M van Schalkwyk	Mr D Hanekom	Mr D Hanekom	Mr D Hanekom	Mr D Hanekom	Ms T Xasa
Ms T Xasa	Ms T Xasa	Ms T Xasa	Ms T Xasa	Ms T Xasa	Ms E Thabethe
Dr R Davies	Dr R Davies	Dr R Davies	Dr R Davies	Dr R Davies	Dr R Davies
Ms TV Tobias-Pokolo	Mr M Masina	Mr M Masina	Mr M Masina	Mr M Masina	Mr G Magwanishe
Ms E Thabethe					

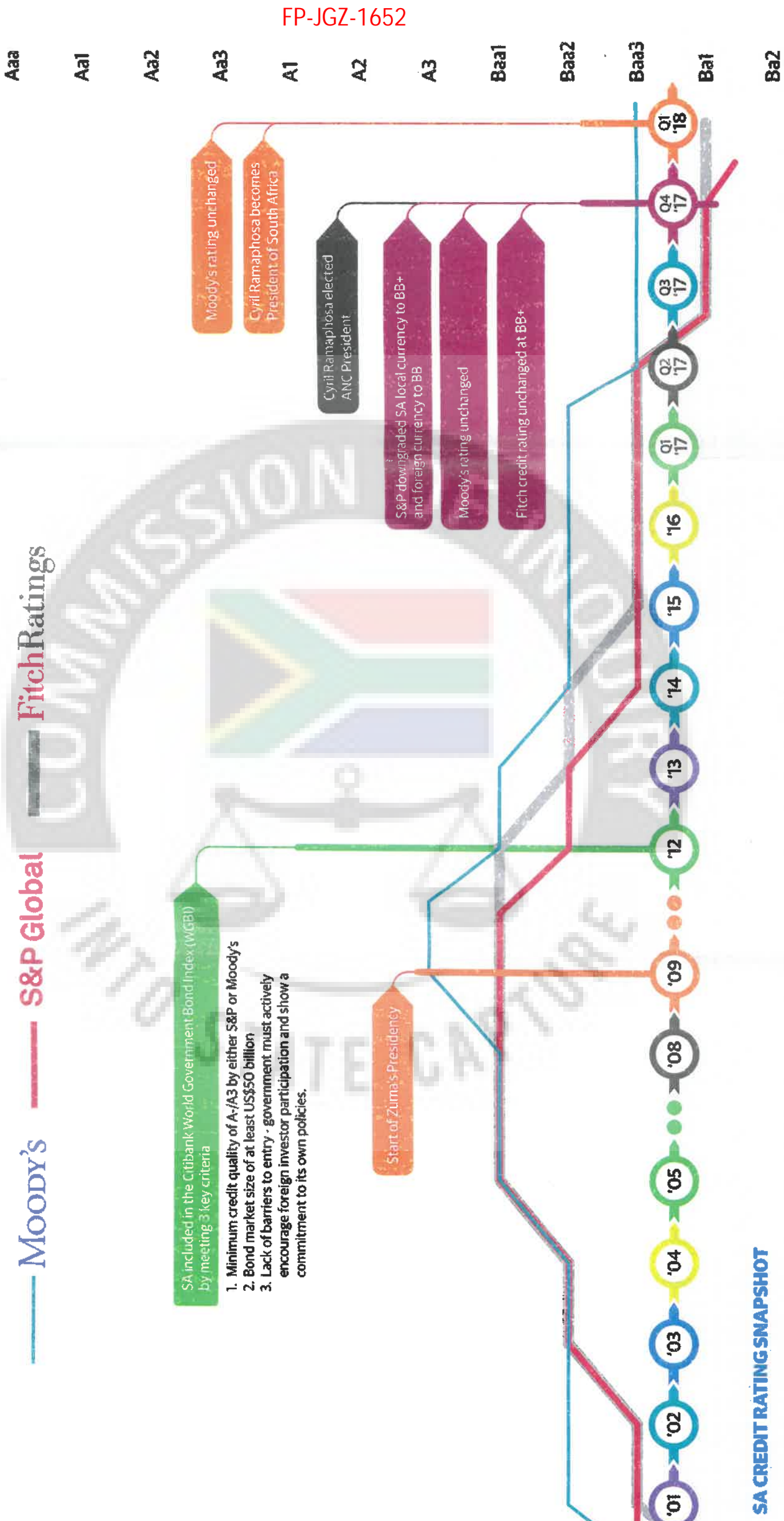
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					26 CHANGES	9 CHANGES	8 CHANGES	2 CHANGES
37.	Transport	Minister	4	Mr SJ Ndebele	Mr SJ Ndebele	Mr SJ Ndebele	Mr B Martins	Mr B Martins
		Deputy Minister	2	Mr J Cronin	Mr J Cronin	Mr J Cronin	Ms S Chikunga	Ms S Chikunga
38.	Water and Environmental Affairs	Minister	3	Ms B Sonjica	Ms BE Molewa	Ms BE Molewa	Ms BE Molewa	Ms BE Molewa
		Deputy Minister	2	Ms RT Mabhudafhasi	Ms RT Mabhudafhasi	Ms RT Mabhudafhasi	Ms RT Mabhudafhasi	Ms RT Mabhudafhasi
39.	Women, Children and People with Disabilities	Minister	2	Ms N Mayende-Sibiya	Ms L Xingwana	Ms L Xingwana	Ms L Xingwana	Ms L Xingwana
		Deputy Minister	1			Ms HI Bogopane-Zulu	Ms HI Bogopane-Zulu	Ms HI Bogopane-Zulu
40.	Women in the Presidency	Minister	1					



6th Cabinet 9 July 2013 – 25 May 2014 11 Months	7th Cabinet 25 May 2014 – 22 September 2015 18 Months	8th Cabinet 22 September 2015 – 9 December 2015 2 Months	9th Cabinet 9 December 2015 – 13 December 2015 5 Days	10th Cabinet 13 December 2015 – 30 March 2017 16 Months	11th Cabinet 30 March 2017 – Present
9 CHANGES	47 CHANGES	2 CHANGES	1 CHANGE	2 CHANGES	20 CHANGES
Ms ED Peters	Ms ED Peters	Ms ED Peters	Ms ED Peters	Ms ED Peters	Mr J Maswanganyi
Ms S Chikunga	Ms S Chikunga	Ms S Chikunga	Ms S Chikunga	Ms S Chikunga	Ms S Chikunga
Ms BE Molewa	Ms N Mokonyane	Ms N Mokonyane	Ms N Mokonyane	Ms N Mokonyane	Ms N Mokonyane
Ms RT Mabhudathasi	Ms P Tshwete	Ms P Tshwete	Ms P Tshwete	Ms P Tshwete	Ms P Tshwete
Ms L Xingwana					
Ms HI Bogopane-Zulu					
	Ms Shabangu	Ms Shabangu	Ms Shabangu	Ms Shabangu	Ms Shabangu



SOUTH AFRICA'S CREDIT RATING HISTORY 1994 - 2018



Moody's		S&P		Fitch		
Long-term	Short-term	Long-term	Short-term	Long-term	Short-term	
Aaa	P-1	AAA	A-1+	AAA	F1+	Prime
Aa1		AA+		AA+		High grade
Aa2		AA		AA		
Aa3		AA-		AA-		
A1	P-2	A+	A-1	A+	F1	Upper medium grade
A2		A		A		
A3		A-		A-		
Baa1		BBB+		BBB+		
Baa2	P-3	BBB	A-2	BBB	F2	Lower medium grade
Baa3		BBB-		BBB-		
Ba1		BB+		BB+		
Ba2		BB		BB		
Ba3	Not prime	BB-	B	BB-	B	Non-investment grade speculative
B1		B+		B+		Highly speculative
B2		B		B		
B3		B-		B-		
Caa1	Not prime	CCC+	C	CCC	C	Substantial risks
Caa2		CCC				Extremely speculative
Caa3		CCC-				Default imminent with little prospect for recovery
Ca		CC				
	C					
C	Not prime		/	DDD	/	In default
/		D		DD		
/				D		
/						



REPURPOSING GOVERNANCE

TRANSNET BOARD UNDER MALUSI GIGABA

Minister Public Enterprises

**November 2010
to May 2014**



**Director General
Public Enterprises**
Tshediso Matona
Dec 2010 - Sept 2014



Advisors to the Minister

Siyabonga
Mahlangu
Dec 2010 -
May 2014

Thamsanqa
Msomi
(Chief of Staff)
Dec 2010 -
May 2014

Transnet Board Chair



Mafika Mkhwanazi *
Dec 2010 - Dec 2014

Transnet Board Members

Ellen Tshabalala

Israel Skosana

Nazmeera Moola

Michele Fannuchi

Doris Tshepe

Iqbal Sharma *

Nunu Ntshingila/Njeke*

Ayanda Ceba (company secretary) *

Juergen Schrempp (a)

Nishi Choubey (b)(d)

Yasmina Forbes (b) *

Peter Malungani(c)

Peter Moyo (c)

Nowazi Gcaba (c)

Don Mkwanzani (c) *

Tembakazi Mnyaka (c)

Harry Gazendam (d)

Nomavuso Mnxasana (e) *

* On Board Acquisitions and
Disposals Committee

Director of Transnet Second
Defined Benefit Fund

Transnet CEO



Chris Wells (Acting)
Mar 2009 - Mar 2011



Brian Molefe
Mar 2011 - April 2015

Chair of Board tender committee



Don Mkhwanazi
Jan 2011 - July 2012



Iqbal Sharma *
Aug 2012 - Dec 2014

Financial Director



Anoj Singh
2009 - Aug 2015

TRANSNET BOARD UNDER LYNNE BROWN

Minister Public Enterprises

**May 2014 to
February 2018**



**Director General
Public Enterprises**

Richard Seleke
Nov 2015 to Present



PA to the Minister

Kim Davids
May 2014 - July 2017

Transnet Board Chair



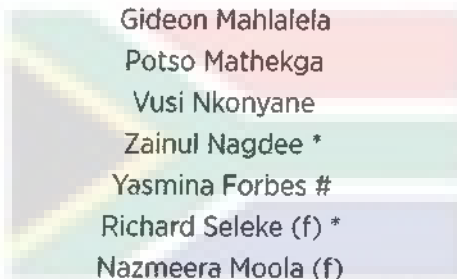
Linda Mabaso *
Dec 2014 - May 2018

Chair of Board tender committee



Stanley Shane (i) * #

Transnet Board Members



Gideon Mahlalela
Potso Mathekga
Vusi Nkonyane
Zainul Nagdee *
Yasmina Forbes #
Richard Seleke (f) *
Nazmeera Moola (f)
Ayanda Ceba (company secretary) (g)
Nokuthula Khumalo (company
secretary) (h)
Stanley Shane (i) *
Peter Williams (j)
Lana Kinley (k)
Seth Radebe (k)
Brett Stagman (l)

Transnet CEO



Brian Molefe
Feb 2011 - April 2015



Siyabonga Gama *
April 2015 - Present

Financial Director



Anoj Singh
2009 - Aug 2015



Garry Pita
Oct 2015 to April 2018

Head of Group Treasury



Mathane Makgatho
Mar 2013 to early 2015



Phetolo Ramesobudi
Early 2015 to Present

(a) Resigned 2011

(b) Appointed 2011

(c) Dismissed / resigned 2012

(d) Retired 2013

(e) Appointed 2013

(f) Resigned 2015

(g) Resigned 2016

(h) Appointed 2016

(i) Resigned 2017

(j) Passed away 2017

(k) Appointed 2017

(l) Appears to have
resigned been
dismissed by 2018

REPURPOSING GOVERNANCE

ESKOM BOARD UNDER MALUSI GIGABA

Minister Public Enterprises

**November 2010
to May 2014**



**Director General
Public Enterprises**

Tshediso Matona
Dec 2010 – Sept 2014



**Advisors to
the Minister**

Siyabonga Mahlangu
Dec 2010 – May 2014

Eskom Board Chair



Mpho Makwana
Nov 2009 – June 2011



Zola Tsotsi
June 2011 – March 2015

Eskom Board Members

Bernie Fanaroff
Queendy Gungubele
Neo Lesela *
Bejabulile Luthuli *
Chwayita Mabude
Yasmin Masithela
Collin Matjila *
Boni Mehlomakulu *
Mafika Mkwanazi *
Phenyane Sedibe
Lily Zondo
MJ Husain *
MM Matutu

Eskom CEO



Brian Dames
July 2010 – March 2014

Financial Director



Paul O'Flaherty *
Nov 2009 – July 2013



Caroline Henry (Acting)
July 2013 – Jan 2014



Tsholofelo Molefe
Jan 2014 – June 2015

ESKOM BOARD UNDER LYNNE BROWN

Minister Public Enterprises

**May 2014
to Present**



**Director General
Public Enterprises**
Richard Seleke
Nov 2015 to Present



PA to the Minister
Kim Davids
May 2014 – July 2017

Eskom Board Chair



Zola Tsotsi
to March 2015



Ben Ngubane^a
April 2015 -
June 2017



Zethembe
Khoza (Acting)^a
June 2017 -
present

Eskom Board Members

Chwayita Mabude^a

Nazia Carrim^a

Venete Jarlene Klein^a

Giovanni Michele Leonardi (Swiss)

Devapushpurn Viroshini Naidoo^a

Pathmanathan Naidoo

Mark Vivian Pamensky^a

Romeo Khumalo^b

Mariam Cassim^a

New members June 2016:

Pulane Molokwane

Simphiwe Dinga

Banothile Makhubela

Sathiaseelan Gounden

Eskom CEO (including Acting CEOs)



Collin Matjila
(Acting)^a
April 2014 –
Oct 2014



Tshediso Matona
Oct 2014 –
March 2015



Brian Molefe^b
April 2015 –
Nov 2016



Matshela Koko
(Acting)^c
Nov 2016 –
May 2017



Johnny Dladla
(Acting)
June 2017 –
present

Financial Director



Tsholofelo Molefe
Jan 2014 – June 2015



Anoj Singh
Aug 2015 – July 2017

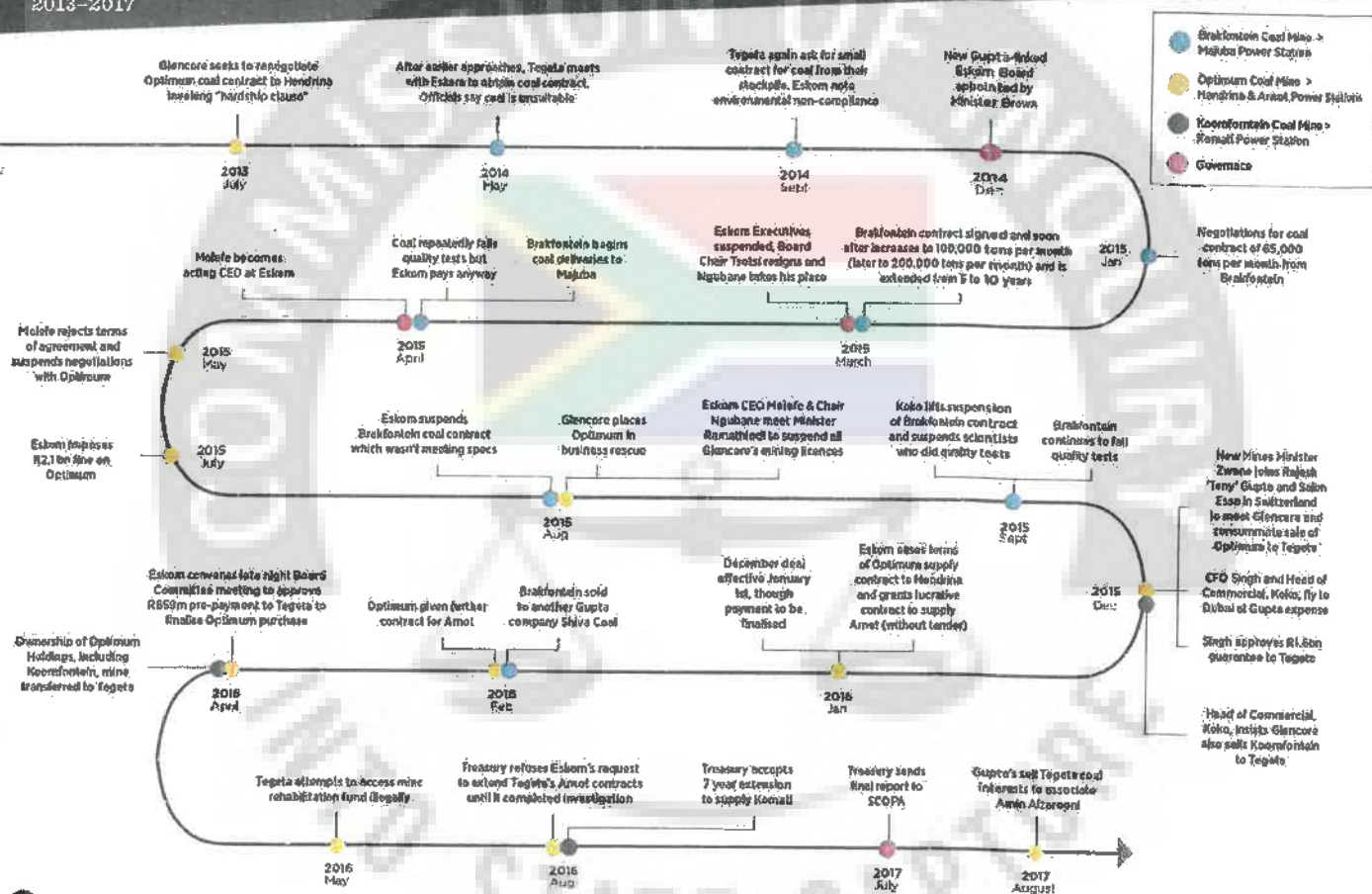
^a On tender committee

a. Dismissed/resigned 2017 b. Dismissed/resigned 2016

c. (Group Executive for Technology and Commercial/ Generation 2014 - 2016)

GUPTA COAL

2013-2017



South African Airways					
Individual or Event	Start	End	Months	Position	Position2
Sizakela Mzimela	01-Apr-10	08-Oct-12	30,70	CEO	Executive Directors
Kaushik R Patel	01-Dec-07	31-May-11	42,57	CFO	Executive Directors
Ms Ruth Kibuuka	01-Feb-09		-1 328,17	Company Secretary	Executive Directors
Thuli Mpshe	01-Sep-10	31 May 2016	69,97	General Manager: Human Resources	Executive Directors
Chris Smyth	01-Jan-06	31 March 2010	51,67	General Manager: Operations	Executive Directors
Sandra Coetzee	01-May-10	30 September 2012	29,43	General Manager: Legal, Risk and Compliance	Executive Directors
Nico Bezuidenhout	01-Oct-06	31-Jul-16	119,70	CEO- Mango Airlines	Executive Directors
Cynthia Stimpel	01-Dec-06	31-Jul-16	117,67	General Manager: Treasury	Executive Directors
Musa Zwane	01-Sep-15	30 October 2017	26,33	CEO: SAA	Executive Directors
Jan Blake	01-Dec-07	15-Dec-15	97,87	General Manager: Mergers and Acquisitions	Executive Directors
Cherly Carolus	01-Jan-09	28-Sep-12	45,53	Chairperson of the Board	Board Member
Duduzile Myeni	01-Sep-09	30-Oct-16	87,20	Chairperson of the Board	Board Member
Yakhe Kwinana	01-Dec-09	23-Aug-16	81,90	Deputy Chairperson	Board Member
Masimba Dahwa	01-Aug-14	31-Dec-15	17,23	Chief Procurement Officer	Executive Directors
Teddy Daka	01-Sep-09	28 September 2012	37,43	Board Member	Board Member
Mr Wolf Meyer	01-Jun-11	18-Nov-15	54,37	CFO	Executive Directors
Ursula Fikelepi	01-Nov-13	31-Dec-16	38,53	General Manager: Legal, Risk and Compliance	Executive Directors
Sylvain Bosc.	01-Jun-14	30-Nov-15	18,23	General Manger: Chief Commercial Officer	Executive Directors
Dr John Tambi	01-Nov-14	30-Oct-15	12,10	Board Member	Board Member
Anthony Dixon	01-Nov-14	31-Oct-15	12,13	Board Member	Board Member
Mr Wolf Meyer	01-Jun-11	16-Nov-16	66,50	CFO	Executive Directors
Ms P Nhantsi (CFO)	04-Mar-16	11-Mar-18	24,57	CFO	Executive Directors
Ms P Nhantsi	01-Nov-15	03-Mar-16	4,10	Acting CFO	Executive Directors
Thami Sogwazile	01-Oct-14	30-Sep-18	48,67	CPO	Executive Directors
Arson Malola-Phiri	30-Sep-12	31-Aug-16	47,70	SAA- Technical	Executive Directors
Malusi Gigaba	01-Nov-10	25-May-14	43,37	Minister of DPE	Minister of DPE
Barbara Hogan	10-May-09	31-Oct-10	17,97	Minister of DPE	Minister of DPE
Siyabonga Mahlangu	01-Nov-10	25-May-14	43,37	Minister Advisor	Minister Advisor
Nhlanhla Nene	26-May-14	09-Dec-15	18,73	Minister- Finance	Minister- Finance
Pravin Gordhan	14-Dec-15	31 March 2017	15,77	Minister- Finance	Minister- Finance

REPUBLIC OF SOUTH AFRICA

SOUTH GAUTENG HIGH COURT, JOHANNESBURG

Case No. A5021/11

DATE:16/10/2011

REPORTABLE

In the matter between:

MR PHIRWA JACOB MAROGA

Applicant

and

ESKOM HOLDINGS LIMITED

First Respondent

MAKWANA, MPHO N.O.

Second Respondent

MINISTER OF PUBLIC ENTERPRISES

Third Respondent

JUDGMENT

MEYER, J

[1] This is an appeal against the whole of the judgment and orders, including the order as to costs, delivered by Masipa J on 10 December 2010. The Court *a quo* dismissed the application of the appellant, Mr PJ Maroga. The relief which he sought

against the first respondent (Eskom) and the third respondent (the Minister) was an order for specific performance of his employment contract – for re-instatement as the Chief Executive Officer of Eskom retrospectively as from 2 November 2009 - or for the payment of damages to him of nearly R86 mil.

[2] The Court *a quo* found that Mr Maroga had made a clear, unequivocal, and unconditional resignation offer to the Eskom Board on 28 October 2009, that the Eskom Board had accepted Mr Maroga's resignation, and that the consensual termination of his contract of employment had been effective once the acceptance of his offer of resignation by the Eskom Board had been communicated to him during the evening on 28 October 2009.

[3] In making these findings the Court *a quo* adopted a robust approach to the materially disputed issues of fact that had arisen on the papers. The correctness of the affidavit version of Eskom on the relevant disputed issues was accepted and the version of Mr Maroga, which *inter alia* is that he had not '... by any stretch of the imagination ...' conveyed an intention to resign as Chief Executive Officer and that the Eskom Board had deliberately and unlawfully repudiated his written contract of employment', was rejected. The Court *a quo* found '... that Mr Maroga's version, taken as a whole on affidavit, was so contradictory, unreliable and so demonstrably lacking in credence that it should be rejected out of hand on affidavit.' The factual background and conflicting versions are extensively set out in the judgment of Masipa J. I need only refer to Eskom's version tersely.

[4] On Eskom's version, Mr Maroga informed the board members present at the Eskom Board meeting on 28 October 2009 that he had thought long and hard about the matter and that he had concluded that he could not continue to work with Eskom's Chairperson, Mr Godsell. He then made an offer to resign. Following his offer to resign, Mr Godsell also offered to resign. Mr Maroga and Mr Godsell later recused themselves from the board meeting so that the remaining members of the board who were present could decide whose offer of resignation to accept. After due consideration, the Eskom Board resolved unanimously to accept Mr Maroga's offer of resignation. Two directors were mandated by the Eskom Board to convey its decision to Mr Maroga and to Mr Godsell. A dinner was arranged with them that evening at a hotel. The Eskom Board resolution was communicated to them and Mr Maroga did not object to the communication that the board had accepted his resignation. The four directors, including Mr Maroga, parted ways fully recognising that Mr Maroga's employment contract had been terminated by the Board's acceptance of his resignation offer and it was agreed that the calculation of his final payout would be done later. The next morning, 29 October 2009, Mr Maroga handed out copies of his letter to the Eskom directors present at the resumed board meeting and to the Minister, who joined the meeting, wherein he stated that, upon reflection overnight, his 'remarks of frustration' could not be construed as an offer to resign.

[5] Mr Maroga, in the Court *a quo* and in this Court, chose for the matter to be argued on the conflicting affidavit evidence. The basis upon which the disputed issues of fact are to be approached was thus stated by Heher JA in *Wrightman t/a JW Construction v Headfour (Pty) Ltd and Another* 2008 (3) SA 371 (SCA), at para [12]:

'Recognising that the truth almost always lies beyond mere linguistic determination the courts have said that an applicant who seeks final relief on motion must, in the event of conflict, accept the version set up by his opponent unless the latter's allegations are, in the opinion of the court, not such as to raise a real, genuine or bona fide dispute of fact or are so far-fetched or clearly untenable that the court is justified in rejecting them merely on the papers: *Plascon-Evans Paints Ltd v Van Riebeeck Paints (Pty) Ltd* 1984 (3) SA 623 (A) at 634E – 635C.'

[6] In the words of Cameron JA in *Fakie NO v CCII Systems (Pty) Ltd* 2006 (4) SA 326 (SCA) para 56:

'...a respondent's version can be rejected in motion proceedings only if it is 'fictitious' or so far-fetched and clearly untenable that it can confidently be said, on the papers alone, that it is demonstrably and clearly unworthy of credence.'

[7] When the disputed issues of fact are approached in accordance with these principles the Court *a quo* would, in my view, not have been justified in rejecting Eskom's version as not raising 'real, genuine or bona fide' disputes of fact or that its allegations and denials are 'so far-fetched or clearly untenable' that they could confidently be rejected on the papers as 'demonstrably and clearly unworthy of credence. I am satisfied that the affidavits of Eskom extensively, 'seriously and unambiguously' addressed the facts that are disputed by it. See: *Wrightman*, para [13]. The reasons given by the Court *a quo* for accepting Eskom's version and rejecting that of Mr Maroga are convincing and lead me to conclude that the veracity of the disputes raised by Eskom can at face value not be questioned. It is clear from a reading of the judgment that the Court *a quo* was, correctly in my view, not satisfied as to the inherent credibility of the appellant's factual averments on the disputed issues. See: *Ripoll-Dausa v Middleton NO and Others* 2005 (3) SA 141 (CPD), at p 151 I – J.

[8] It was submitted on behalf of Mr Maroga that even if Eskom's version is accepted the offer of resignation made by Mr Maroga was not clear and unequivocal and is accordingly not legally effective or that it was conditional. Counsel referred to decided cases, including *Kragga Kamma Estates CC & Another v Flanagan* 1995 (2) SA 367 (A), *Amazwi Power Products (Pty) Ltd v Turnbull* (2008) 29 ILJ 2554 (LAC), *Fijen v Council for Scientific and Industrial Research* (1994) 15 ILJ 759 (LAC), and *Chemical Energy Paper Printing Wood and Allied Workers Union and Another v Glass and Aluminium* 2000 CC (2002) 23 ILJ 695 (LAC) in support of the legal propositions that a voluntary resignation, which is accepted by an employer, brings about the termination of the employment contract by mutual and voluntary agreement between the parties, but to be legally effective, an employee, either by words or conduct, has to evince a clear and unambiguous intention not to go on with his or her contract of employment - the employee has to lead a reasonable person to the conclusion that he or she does not intend to fulfill his or her part of the contract - and resignations in the heat of the moment have been held not to be effective. I need not review these judgments. On Eskom's version, which must in these proceedings be accepted, there is no room for finding that Mr Maroga's words and conduct did not evince a clear and unambiguous intention on his part not to go on with his contract of employment should his offer of resignation be accepted or that the Eskom Board's conclusion that he did not intend to fulfill his part of the contract in such event did not meet the reasonable person requirement or that Mr Maroga's offer to resign had been made in the heat of the moment. The undisputed facts also do not support the contention that Mr Maroga's

resignation offer had been a conditional one, and such contention was, in my view, correctly rejected by the Court *a quo*.

[9] Mr Maroga also contends that the conduct of the Eskom Board and that of the former Minister was inconsistent with the Constitution of the Republic of South Africa, Act 108 of 1996, and more particularly sections 10, 22, 33 and 195 thereof. This contention is founded upon the facts set out by Mr Maroga that are bona fide and on reasonable grounds disputed by Eskom and the Minister. Again, the undisputed facts do not support such a case that Eskom or the former Minister acted in a way that is inconsistent with the Constitution and particularly the basic values and principles governing public administration that are set out in section 195(1) thereof to which counsel for Mr Maroga limited his argument before us. This finding makes it unnecessary to consider the other constitutional issues that arise from Mr Maroga's contention in this regard, such as whether or not section 195 of the Constitution is directly justiciable. The Court *a quo*, correctly in my view, also decided this matter without reaching the constitutional issues. Kentridge AJ, in *S v Mhlungu and Others* 1995 (3) SA 867 (CC), para [59], said this:

'I would lay it down as a general principle that where it is possible to decide any case, civil or criminal, without reaching a constitutional issue, that is the course which should be followed.'

[10] I interpolate to refer to the striking out of paragraphs 32.2 – 32.7 of Mr Maroga's founding affidavit by the Court *a quo*. It was contended on behalf of Mr Maroga that the matter struck out was relevant to the central question whether or not Mr Maroga had offered to resign. I disagree. A dispute about his consensual resignation had only arisen on the morning of 29 October 2009. The matter struck out relates to mediation

attempts initiated by the presidency since then, which was after the termination of Mr Maroga's contract of employment with Eskom. The paragraphs struck out are irrelevant to the central question referred to by Mr Maroga's counsel.

[11] I now turn to the next question, which is whether the Eskom Board had the authority to accept Mr Maroga's offer to resign. It was contended on behalf of Mr Maroga in the court *a quo* and also in this Court that the Eskom Board did not have the power in law to terminate his contract of employment. The high water mark of this contention was that Article 10.4 of the Eskom Articles of Association vests the power to appoint its CEO in the Minister and, because the Eskom Articles are silent on the power to terminate the CEO's contract of employment, the principle laid down by the Constitutional Court in *Masetlha v President of the Republic of South Africa and Another* 2008 (1) SA 566 (CC), paras [68] and [69], finds application, which is that the person who has the power to appoint also has the power to dismiss. This contention, which was in my view correctly rejected by the Court *a quo*, is refuted by the provisions of the Eskom Articles of Association and particularly Article 16.1 thereof, by the conclusion of a contract of employment between Eskom and its CEO, by the distinction between the CEO's capacity as a director and his or her capacity as an employee (see: *Amazwi Power Products (Pty) Ltd v Turnbull* (2008) 9 BLLR 817 (LAC), paras [12] – [15], and the unreported decision of Malan J in *Daloxolo Mpofu v South African Broadcasting Corporation Limited (SABC) and Others* (WLD 2008/18386), para [23]), and by the fundamental distinguishing features between *Masetlha* and the present matter.

[12] The Eskom Articles of Association define 'Minister' as '... the Minister of Public Enterprises in his capacity as the representative of the Republic, as the Member, or if

any other Minister is designated as being responsible to hold the shares on behalf of the Republic, then that Minister acting in such capacity'. It defines 'Member' in turn as '... the Minister.' Article 10.4 provides that the '... Member shall appoint the Chairperson as well as the Chief Executive/Managing Director after consultation with the board of directors.' Article 16.1 reads:

'The management and control of the company shall be vested in the directors who, in addition to the powers and authorities by these Articles expressly conferred upon them, may exercise all such powers, and do all such acts and things, as may be exercised or done by the company and are not hereby or by any Act expressly directed or required to be exercised or done by the company in general meeting but subject nevertheless to such management and control not being inconsistent with these Articles or with any resolution passed at any general meeting of the member in accordance therewith and directors shall not have authority to perform any act which falls outside the capacity of the company, including any act referred to in clause 5 of the Memorandum of Association but no resolution passed by the company in general meeting shall invalidate any prior act of the directors which would have been valid if such resolution had not been passed. The general powers given by this Article shall not be limited or restricted by any special authority or power given to the directors by any other Article.'

[13] Article 10.4 accordingly empowers the Minister to appoint a CEO. This is a power given to the shareholder to appoint a CEO to the board of directors. The Minister is not empowered to appoint a CEO as employee of Eskom or to conclude an employment contract with a CEO. Article 16.1 vests the board, and not the shareholder, with all the powers of the company, except those expressly reserved to its members in general meeting. The powers to appoint, implement, enforce and terminate contracts of employment form part of the usual management and control powers of a board of directors, the exercise of which powers have not in this instance been conferred upon the shareholder, which is the Minister in his representative capacity. The CEO of Eskom enjoys a dual status of director and of employee. His or her

appointment as Chief Executive/ Managing Director of Eskom falls within the prerogative of the member, who is the Minister, after consultation with the board of directors and his or her appointment as such is followed by the conclusion of a contract of employment between Eskom and the CEO. The Eskom Articles of Association do not contemplate that the Republic of South Africa, or its representative, the Minister, becomes the employer of the CEO. Masipa J, in my view, correctly emphasised the fact that the contract of employment upon which Mr Maroga's cause of action is founded was one concluded between him and Eskom.

[14] *Masethla* was concerned with a special statutory power of appointment of the Director-General of the National Intelligence Agency that was required to be exercised by the President in pursuit of the interests of national security. The powers of the Minister in this instance to *inter alia* initially have appointed the first board of directors upon the conversion of Eskom into a company (Article 10.2) and the Minister's continued power to appoint the Chairperson as well as the CEO (Article 10.4) are not constitutional or statutory powers, but powers conferred upon the Minister by Eskom's Articles of Association.

[15] In conclusion, I am accordingly of the view that there would not have been any valid basis for the Court *a quo* to have rejected the version of Eskom or of the Minister in these motion proceedings on the materially disputed issues of fact. The Eskom Board, as was correctly held by the Court *a quo*, had the authority to accept Mr Maroga's offer to resign. Masipa J accordingly, in my view, correctly accepted the version of Eskom that Mr Maroga had made a clear, unequivocal, and unconditional offer to resign to the Eskom Board, which offer had been accepted by the Eskom Board,

and that the consensual termination of his contract of employment had been effective once the acceptance of his offer of resignation had been communicated to him at the dinner during the evening of 28 October 2009. These findings make it unnecessary for me to consider whether or not it is appropriate to order specific performance on the facts of this matter or whether Mr Maroga could pursue a claim for damages in motion proceedings such as these.

[16] Finally, the matter of costs. Counsel for Mr Maroga submitted that the costs order made by the Court *a quo* is ambiguous. Mr Maroga was ordered to pay the costs and for such costs to include the costs consequent upon the employment of five counsel. The first and second respondents were represented by three counsel in the Court *a quo* and the third respondent by two counsel. I interpret the costs order made as one in which Mr Maroga was ordered to pay the costs of the first and second respondents, including the costs consequent upon the engagement of the services of three counsel, and he was also ordered to pay the costs of the third respondent, including the costs consequent upon the third respondent having engaged the services of two counsel. Interference by this Court with the costs order made by the Court *a quo*, is in my view, accordingly not warranted.

[17] Counsel for Mr Maroga submitted that we should follow the approach laid down by the Constitutional Court in *Biowatch Trust v Registrar, Genetic Recourses, and Others* 2009 (6) SA 232 (CC) for constitutional litigation matters and not grant a costs order against Mr Maroga should he be unsuccessful in this appeal. In *Biowatch*, Sachs J, at pp 56 I – 57, said this:

'I conclude, then, that the general point of departure in a matter where the State is shown to have failed to fulfil its constitutional and statutory obligations, and where different private parties are affected, should be as follows: the State should bear the costs of litigants who have been successful against it, and ordinarily there should be no costs orders against any private litigants who have become involved. This approach locates the risk for costs at the correct door – at the end of the day, it was the State that had control over its conduct.'

[18] In my view the *Biowatch* approach finds no application in this appeal. The state has not been shown to have failed to fulfill its constitutional and statutory obligations. The Court *a quo* concluded that Mr Maroga's contract of employment had been terminated by mutual consensus between him and the Eskom Board. Such finding, in my judgment, should be confirmed by this Court. I am further of the view that the engagement of one senior and of one junior counsel on behalf of the first and second respondents and on behalf of the third respondent was prudent and warranted.

[19] In the result the following order is made:

1. The appeal is dismissed.
2. The appellant is ordered to pay the costs of the first and second respondents, including the costs consequent upon the employment of two counsel, one being a senior counsel.
3. The appellant is ordered to pay the third respondent's costs, including the costs consequent upon the employment of two counsel, one being a senior counsel.

P.A. MEYER
JUDGE OF THE HIGH COURT

MAKHANYA J

I agree with my brother Meyer J.

G.M. MAKHANYA
JUDGE OF THE HIGH COURT

COPPIN J

I agree with my brother Meyer J.

P. COPPIN
JUDGE OF THE HIGH COURT

16 November 2011

Date of hearing: 31 October 2011

Date of Judgment: 16 November 2011

Counsel for the appellant: Adv. I V Maleka SC
Adv. V Ngalwana

Counsel for the first and second respondents: Adv. T Bruinders SC
Adv. K Pillay
Adv. B Makola

Council for the third respondent: Adv. P Pretorius
Adv. FA Boda
Adv. P Khoza

Attorneys for the appellant: Mkhabela Huntley Adekeye Inc.
Block C
No 7 Eton Road
Sandhurst
2196
Johannesburg
Ref: Mr Morris

Attorneys for the first and second respondent: Bowman Gilfillan Inc.
165 West Street
Sandton
Johannesburg
Ref: J Kaapu

Attorney for the third respondent: The State Attorney

10th Floor, North State Building

95 Markiet Street, Cnr Kruis Street

Johannesburg

Ref: Z Nhlayisi



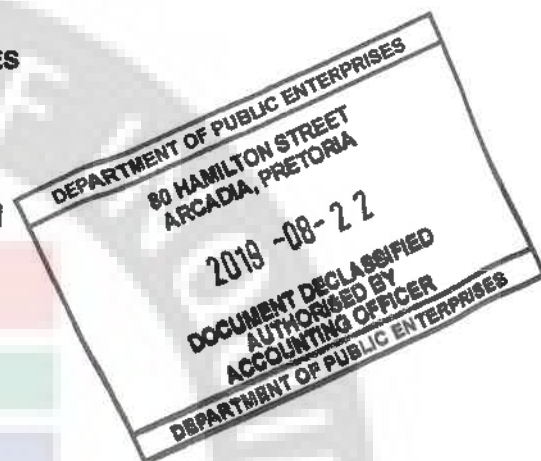


SECRET



MINISTRY OF PUBLIC ENTERPRISES

CABINET MEMORANDUM NO : 2 of 2011
DATE : 14 February 2011
FILE NUMBER : 2/2/1

**1 SUBJECT**

The appointment of Mr Brian Molefe as the Group Chief Executive of Transnet.

2 PURPOSE

For Cabinet to note the appointment of Mr Brian Molefe as the Group Chief Executive of Transnet and as the *ex officio* member of the Transnet Board of Directors.

3 SUMMARY

The Transnet Board undertook a process to fill the current vacancy of Transnet Group Chief Executive. Consequently, Dr Mandla Gantsho, Mr Brian Molefe and Mr Mninawe Silinga were identified as suitable candidates for the position. The Board recommended any of the three candidates for appointment. Cabinet is requested to note the appointment of Mr Brian Molefe as the most suitable candidate for the position of Group Chief Executive of Transnet. Mr Brian Molefe has extensive senior management experience and experience in asset management (Curriculum Vitae attached as **Annexure A**).

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4 STRATEGIC FOCUS OF THE MEMORANDUM

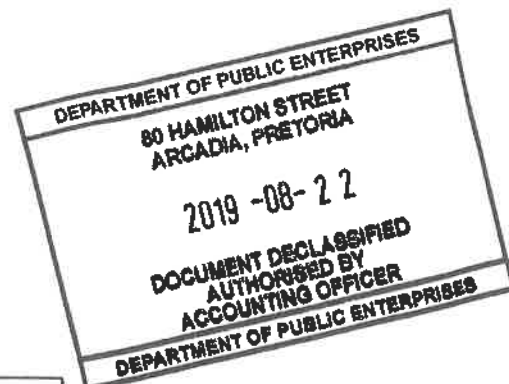
Transnet is a critical State Owned Enterprise and thus requires a Group Chief Executive with the requisite skills, experience and expertise.

5 DISCUSSION

- 5.1 In view of the position of the Group Chief Executive of Transnet being vacant, the Transnet Board commenced the process of appointment of a new Group Chief Executive. The Board ensured that the job specification included the commercial objectives of Transnet and the role that Transnet has to play in a developmental state.
- 5.2 The position was advertised and Transnet appointed an Executive Search Company to assist with the search for a suitable candidate. It was also decided that an internal and external search be conducted simultaneously. The Board members were also given an opportunity to nominate individuals that they considered to be suitable for the position. A total of 63 candidates were considered for the position, after which the Board shortlisted 9 candidates for interviews.
- 5.3 A comprehensive interview process was undertaken which resulted in the Board identifying three recommended candidates who could fill the position of Group Chief Executive of Transnet. The candidates are Dr Mandla Gantsho, Mr Brian Molefe and Mr Mninawe Silinga. The Board indicated that any of the three candidates are highly suitable for the appointment as Group Chief Executive of Transnet.
- 5.4 Cabinet is requested to note the appointment of Mr Brian Molefe as the Group Chief Executive of Transnet.

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NAME	GENDER	RACE	CURRENT POSITION	SKILLS
Brian Molefe	Male	Black	Managing Director: Karibu Holdings	Executive Management, Strategy and Asset Management

5.5 Mr Brian Molefe is the current Managing Director of Karibu Holdings and has been in the position since August 2010. He was the Chief Executive Officer of the Public Investment Corporation (PIC) for seven years and was previously a Deputy Director General of Asset and Liability Management unit in the National Treasury. Mr Molefe holds a Masters of Business Leadership from the University of South Africa (Curriculum Vitae attached as Annexure A).

5.6 In consideration of the strategic challenges confronting Transnet, Mr Molefe's expertise in asset management gained during his tenure at the PIC, and his understanding of capital markets is considered valuable in assisting Transnet to deal with the funding challenges.

5.7 With the appointment of Mr Brian Molefe as the *ex officio* member of the Transnet Board, the profile of the Board (excluding international candidates) will comprise of 67 % African, 13% White, 20% Indian and 0% coloured with 67 % male and 33 % female.

6 IMPLEMENTATION PLAN

Following notification to Cabinet, the Minister of Public Enterprises will proceed with the appointment of Mr Brian Molefe as Transnet's Group Chief Executive. The appointment shall be made subject to the conclusion of a five year formal contract of employment between Mr Brian Molefe and the Transnet Board of Directors.

7 ORGANISATIONAL AND PERSONNEL IMPLICATIONS

None

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8 FINANCIAL IMPLICATIONS

None. The financial obligation with respect to the appointment will be to the cost of Transnet.

9 COMMUNICATION IMPLICATIONS

The Minister of Public Enterprises will communicate the appointment of the new Group Chief Executive to the Transnet Board and other relevant stakeholders.

10 CONSTITUTIONAL IMPLICATIONS

None

11 IMPLICATIONS FOR VULNERABLE GROUPS

None

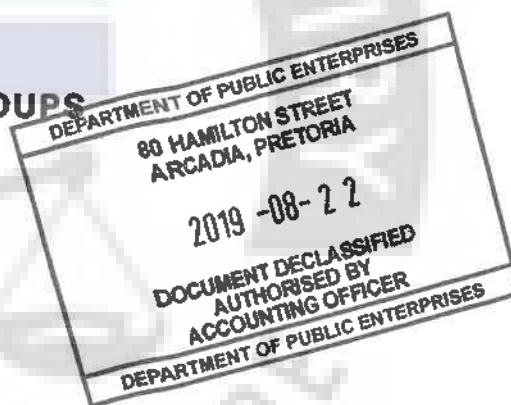
12 SECURITY IMPLICATIONS

None

13 DEPARTMENTS AND PARTIES CONSULTED, RESPONSES AND COMMENTS

13.1 The Department of Public Enterprises.

13.2 The memorandum was not finalised in consultation with the Cluster as the CEO appointment process is the prerogative of the Minister of Public Enterprises and the Board of Directors of Transnet.



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14 RECOMMENDATIONS

It is recommended that Cabinet

- 14.1 note the appointment of Mr Brian Molefe as the Group Chief Executive of Transnet.

15 OFFICIAL RESPONSIBLE FOR THE MEMORANDUM

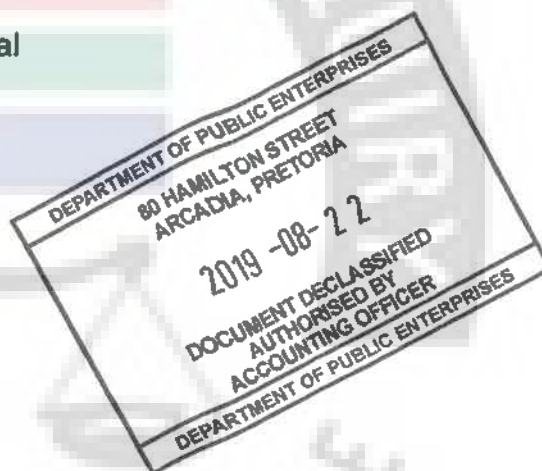
I declare that the memorandum adheres to the guidelines provided by the Cabinet for the drafting of memoranda.

Name: Ms Raisibe Lepule

Designation: Acting Deputy Director General

Telephone: 012 431 1009

Cellular: 0828857109

**16 HEAD OF DEPARTMENT**

Mr Tshediso Matona, Director General

Department of Public Enterprises

Telephone: 012 431 1000

17 AUTHORISATION FOR PROCESSING THE MEMORANDUM


MR MALUSI GIGABA, MP
MINISTER

14 February 2011.

Is there a need for an electronic presentation to be done in addition to the memorandum?: **NO**





MINISTRY: PUBLIC ENTERPRISES

REPUBLIC OF SOUTH AFRICA

Private Bag X15, Hatfield, Pretoria, 0028

CABINET MEMORANDUM NO : 4 of 2011
DATE : 25 May 2011
FILE NUMBER : 2/2/1

**1 SUBJECT**


The appointment of four (4) Non-Executive Directors to the Transnet Limited ("Transnet") Board of Directors ("Transnet Board").

2 PURPOSE

- 2.1 To obtain Cabinet's approval for the appointment of four (4) new Non-Executive Directors to the Transnet Board.
- 2.2 Further, for Cabinet to concur with the appointment of Mr Iqbal Sharma as Chairperson and Non-Executive Director of the Transnet Board.

3 SUMMARY

- 3.1 Transnet's Articles of Association provide for a maximum of eighteen (18) Directors. There are currently sixteen (16) Directors on the Transnet Board, of which fourteen (14) are Non-Executive Directors and two (2) are Executive Directors, namely, Mr Brian Molefe (Chief Executive Officer) and Mr Anoj Singh (Acting Chief Financial Officer), who are *ex officio* members of the Transnet Board. Accordingly, there are two (2) vacant Non-Executive Directors positions on the Transnet Board. It is recommended that two (2)

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nominees be considered for appointment as Non-Executive Directors to fill these two (2) vacant positions on the Transnet Board.

- 3.2 In addition, it is recommended that two (2) Non-Executive Directors of the Transnet Board not be re-appointed at the Annual General Meeting of Transnet to be held on 24 June 2011 ("AGM"). In their place, two (2) nominees are recommended to be considered for appointment to the Transnet Board as Non-Executive Directors. Furthermore, it is recommended that Mr Iqbal Sharma, a current member of the Transnet Board, be appointed as the Chairperson and Non-Executive Director of the Transnet Board to replace Mr Mafika Mkwana, the current Chairperson of the Transnet Board.

4 STRATEGIC FOCUS OF THE MEMORANDUM

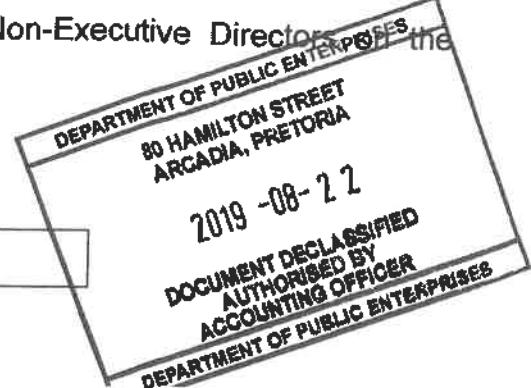
Transnet is a critical and strategic state owned enterprise which requires a complement of board directors with the requisite competencies (skills, experience, expertise and knowledge) and qualifications to enable the company to effectively deliver on its mandate. In light of the extensive capital expansion programme currently underway at Transnet and operational challenges facing the business, it is crucial that the Transnet Board is at its full strength.

5 DISCUSSION

- 5.1 Transnet's Articles of Association provide for a maximum of eighteen (18) directors on the Transnet Board. The selection of the board of directors is the responsibility of the Shareholder at the AGM. Therefore, the vacancies on the Transnet Board provide the Shareholding Minister with an opportunity to appoint individuals with the skills and attributes that suit Transnet's requirements.
- 5.2 The current Transnet Board (attached hereto as **Annexure A**) consists of sixteen (16) board members including two (2) Executive Directors. Accordingly, there are vacancies for two Non-Executive Directors on the Transnet Board.

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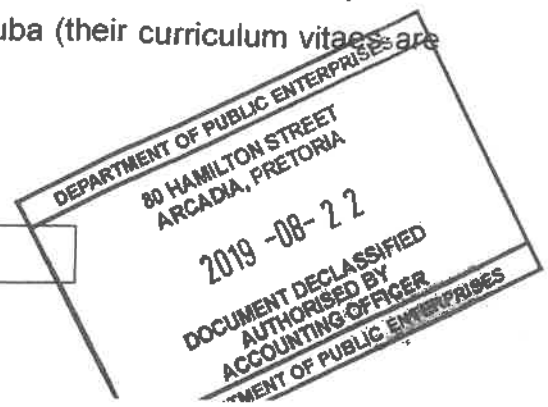
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- 5.3 In light of the current vacancies on the Transnet Board, the Department of Public Enterprises ("Department") conducted a skills gap analysis and identified some gaps on the Transnet Board. To address the skills gap, the Department recommends that the Transnet Board must be strengthened in the areas of Information and Communications Technology (ICT) and Rail.
- 5.4 Consequently, Mr Nishi Choubey and Ms Yasmin Forbes, have been identified as having the appropriate skills and experience in the areas mentioned above and are proposed for appointment as new Non-Executive Directors to the Transnet Board. Mr Nishi Choubey is Managing Director – Projects, Hind Terminals Pvt. Ltd. This appointment will bring a wealth of rail, warehousing and multi-modal logistics skills to the Transnet Board. Ms Yasmin Forbes is a National Sales Manager - CMUT, Oracle SA and her skills are Information and Communications Technology (ICT) sales, business development and brand creation and sustainability.
- 5.5 The Department believes that the profiles of the two (2) candidates address the skills gap that currently exists on the Transnet Board, and their appointment will strengthen Transnet Board's capacity in fulfilling Transnet's mandate and implementing the company's business strategy. Their curriculum vitae are attached hereto as **Annexure B**.
- 5.6 The current Non-Executive Directors of Transnet were appointed for a three year term, subject to annual confirmation by the Minister of Public Enterprises. The Department has determined that Mr Mafika Mkwanaazi and Mr Don Mkhwanazi should retire at the AGM and recommends that these directors should not be re-appointed. The changes to the Transnet Board will reinforce the Transnet Board's capacity to deal with the challenges currently facing the business.
- 5.7 It is proposed that Mr Mafika Mkwanaazi and Mr Don Mkhwanazi be replaced by Mr Almir De Sousa and Ms Maphefo Mohuba (their curriculum vitae are attached as **Annexure B**).

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5.8 Mr Almir De Sousa is a Project Lawyer at Aurecon Angola/ Mozambique. His skills are legal, international trade, public private partnership and project finance. Ms Mohuba is the owner and Managing Director of Moreteng Investments with strong business, operational and executive experience.

5.9 It is also proposed that Mr Iqbal Sharma, a current Non-Executive Director of the Transnet Board, replaces Mr Mafika Mkwana as the Chairperson of the Transnet Board. Mr Iqbal Sharma worked as a Deputy Director-General for the Department of Trade and Industry and brings a wealth of leadership skills and exceptional executive experience in the trade and investment field to the Transnet Board.

5.10 With these appointments, the Transnet Board will consist of a full complement of eighteen (18) Directors comprising of sixteen (16) Non-Executive Directors and two (2) Executive Directors.

5.11 The demographics for the new Transnet Board will comprise of twelve (11) males (61%) and seven (7) females (39%). Apart from the proposed rail specialist, Mr Nishi Choubey, who is an international candidate, eleven (11) Africans, one (1) White, five (4) Indians and one (1) Coloured. The proposed new Transnet Board is attached hereto as Annexure C.

6 IMPLEMENTATION PLAN

Following Cabinet's approval, the Minister of Public Enterprises will appoint the new Non-Executive Directors to the Transnet Board for a term of three (3) years, subject to annual review at Transnet's Annual General Meeting.

7 ORGANISATIONAL AND PERSONNEL IMPLICATIONS

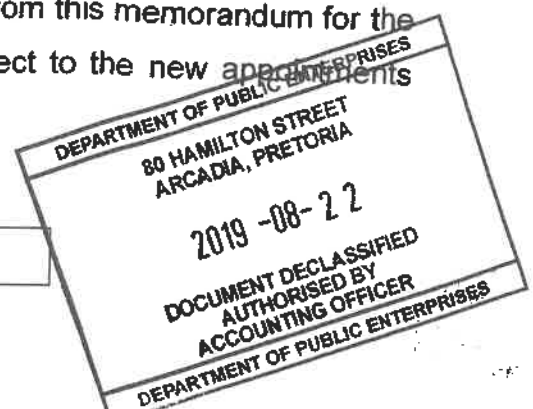
None

8 FINANCIAL IMPLICATIONS

There are no financial implications emanating from this memorandum for the Department. The financial obligation with respect to the new appointments will be borne by Transnet.

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9 COMMUNICATION IMPLICATIONS

Subsequent to obtaining Cabinet's approval for the appointment of the four (4) nominees, the Minister of Public Enterprises will communicate the appointment of the new Directors to the Transnet Board.

10 CONSTITUTIONAL IMPLICATIONS

None

11 IMPLICATIONS FOR VULNERABLE GROUPS

None

12 SECURITY IMPLICATIONS

None

13 DEPARTMENTS AND PARTIES CONSULTED, RESPONSES AND COMMENTS

13.1 Department of Public Enterprises.

13.2 The memorandum was not finalised in consultation with the Directors-General' Cluster.

14 RECOMMENDATIONS

It is recommended that Cabinet:

14.1 approves the appointment of Ms Yasmin Forbes, Mr Nishi Choubey, Mr Almir De Sousa and Ms Maphefo Mohuba as Non-Executive Directors of the Transnet Board for a term of three (3) years, subject to annual review by the Minister of Public Enterprises.

14.2 concurs with the appointment of Mr Iqbal Sharma as the Chairperson and Non-Executive Director of the Transnet Board for a term of three (3) years, subject to annual review by the Minister of Public Enterprises.

15 OFFICIAL RESPONSIBLE FOR THE MEMORANDUM

I declare that the memorandum adheres to the guidelines provided by the Cabinet for drafting of memoranda.

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Name: Ms Raisibe Lepule

Designation: Acting Deputy Director General

Telephone: 011 431 1099

Cellular: 082 885 7109


16 HEAD OF DEPARTMENT

Name: Mr Tshediso Matona

Designation: Director General

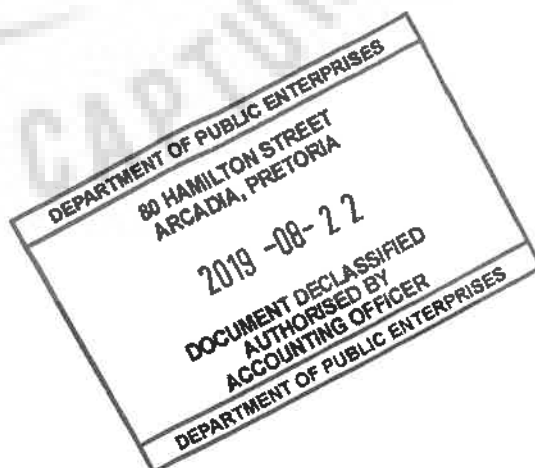
Telephone: 011 431 1173

17 AUTHORISATION FOR PROCESSING THE MEMORANDUM


MALUSI GIGABA MP
MINISTER

25 May 2011

Is there a need for an electronic presentation to be done in addition to the memorandum? No



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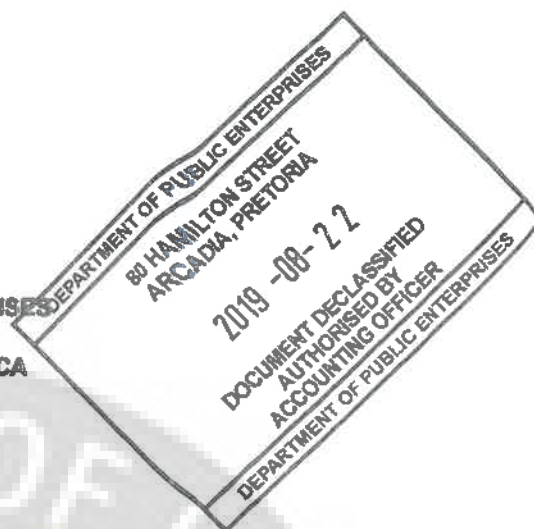
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MINISTRY: PUBLIC ENTERPRISES

REPUBLIC OF SOUTH AFRICA

Private Bag X15, Hatfield, Pretoria, 0028



CABINET MEMORANDUM NO : 9 of 2015
DATE : 13 September 2015
FILE NUMBER : 2/2/1

1 SUBJECT

APPOINTMENT OF CHIEF EXECUTIVE OFFICER, THE CHIEF FINANCIAL OFFICER AND THE CHAIRPERSON OF THE BOARD OF ESKOM SOC LIMITED.

2 PURPOSE

- 2.1 For Cabinet to note the appointment of Mr Brian Molefe as the Chief Executive Officer and Mr Anoj Singh as Chief Financial Officer of Eskom Holdings SOC Ltd ("Eskom") and *ex officio* members of the Eskom Board of Directors.
- 2.2 For Cabinet to approve the appointment of Dr Baldwin (Ben) Ngubane as the Chairperson of the Eskom Board of Directors with effect from 1 October 2015 to 30 September 2018, subject to annual review.

3 SUMMARY

- 3.1 Eskom has been plagued by poor financial and operational performance. To rescue the situation at Eskom, in consultation with the Boards of Eskom and Transnet, we had agreed to second Mr Brian Molefe to Eskom as Acting CEO. Further recognising the deep-rooted financial challenges which require strategic

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intervention this was followed by the secondment of the CFO of Transnet, Mr Anoj Singh, to Eskom.

3.2 After much deliberation and assessment of the performance challenges facing the company, the Eskom Board has recommended that Cabinet confirm the appointments of Mr Molefe as CEO and Mr Singh as CFO to permanently fill the vacancies created by the recent resignations. Cabinet is requested to note the Executive appointments and approve their membership as *ex officio* to the Eskom Board.

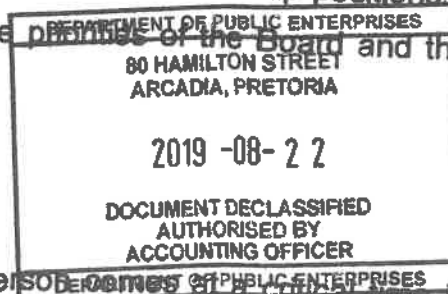
3.3 Furthermore, under the astute leadership of the Acting Chairperson of the Board, Dr Baldwin (Ben) Ngubane, the Board and the company has enjoyed considerable stability. In the current circumstances Eskom would be able to, amongst other critical operations, execute its maintenance plan effectively, with minimum load shedding, as experienced in the past month. I therefore recommend the appointment of Dr Ngubane as Chairperson of the Eskom Board, for a three-year term with effect from 1 October 2015 to 30 September 2018, subject to annual review.

4 STRATEGIC FOCUS OF THE MEMORANDUM

4.1 Eskom's mandate is to provide electricity and related services such as generation, transmission, distribution and retail thereof. Given the magnitude of the financial and operational challenges and the need to provide sustainable electricity to meet the countries demands, there is a need to stabilise the leadership of Eskom as a matter of priority. Notably, the CEO and CFO must, among other attributes, be able to engage effectively and efficiently manage the affairs of the company to shift Eskom to a new trajectory of performance within a short period of time. In addition, Eskom has a number of vacancies at critical Executive leadership positions. Filling these vacancies will be one of the immediate priorities of the Board and the new CEO.

5 DISCUSSION

5.1 The appointments of CEO, CFO and Chairperson are critical time in the business cycle of the company. These positions have been vacant since April 2015

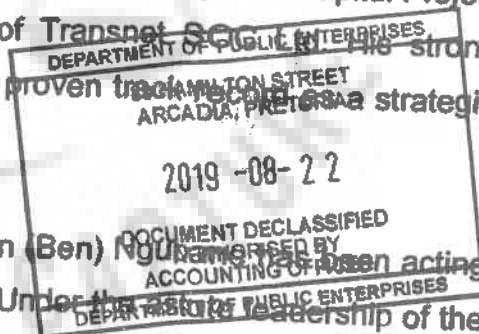


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and it is recommended that permanent appointments are made as soon as possible in order to stabilise the Executive leadership, build investor confidence and steer Eskom to financial and operational sustainability.

- 5.2 **CEO of Eskom.** The Board has recommended that Mr Molefe be confirmed as the new CEO of Eskom. A copy of his Curriculum Vitae is attached as **Annexure A**.
- 5.3 Mr Molefe obtained a Honorary Doctorate in Engineering from the University of Glasgow Caledonian and a Masters in Business Leadership from the University of South Africa. His academic training and business acumen has been demonstrated in his vast expertise in running large enterprises such as Public Investment Corporation (PIC) and Transnet. He has a well-known track record of being able to turn around ailing companies and this is already being demonstrated in his acting position at Eskom.
- 5.4 **CFO of Eskom.** The Board has recommended that Mr Singh be confirmed as the new CFO of Eskom. A copy of his Curriculum Vitae is attached as **Annexure B**.
- 5.5 Mr Singh qualified as a Chartered Accountant in 2000. He has over 15 years' experience in Finance; Auditing; Commercial; Strategy Development and Execution; Financial Risk Modelling and Management; Treasury and Capital Project Management. Mr Singh is currently the CFO of Transnet SOC Ltd. His strong technical and commercial ability, together with a proven track record as a strategic leader will be valuable to the company.
- 5.6 **Chairperson of the Board of Eskom.** Dr Baldwin (Ben) Ngubane has been acting in the position of Chairperson since 1 April 2015. Under the astute leadership of the Acting Chairperson of the Board, Dr Baldwin (Ben) Ngubane, the Board and the company has enjoyed considerable stability. I therefore recommend the appointment of Dr Ngubane as Chairperson of the Eskom Board for a three-year term, with effect from 1 October 2015 to 30 September 2018, subject to annual review. Dr Ngubane's Curriculum Vitae is attached as **Annexure D**.
- 5.7 In the current circumstances, with the collective leadership of the Board and new Executives, Eskom would be able to, amongst other critical operations, execute its



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maintenance plan effectively, with minimum load shedding, as experienced in the past month.

- 5.8 Demographically, the Board is represented by 5 Africans (38.5%), 1 White (7.7%), 5 Indians (38.5%), 1 Coloured (7.7%) and 1 Swiss International (7.7%); with 8 (61.5%) being male and 5 (38.5%) being female. The membership of the Eskom Board subsequent to these appointments is attached as **Annexure C**.
- 5.9 In terms of Eskom's Memorandum of Incorporation (MOI) the Board must have a minimum of 3 and a maximum of 15 Directors. With these appointments the Eskom Board will comprise of 11 Non-Executive Directors and 2 Executive Directors.

6 IMPLEMENTATION PLAN

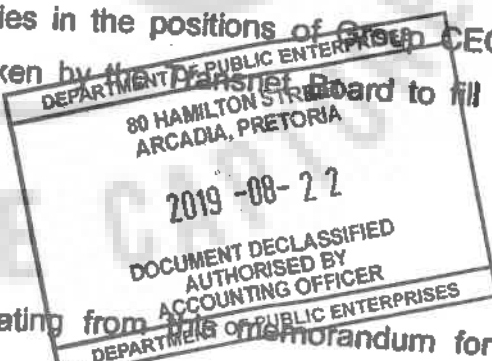
Following Cabinet consultation, the Minister of Public Enterprises will appoint Mr Molefe as CEO, Mr Singh as CFO and Dr Ngubane as Chairperson of the Board of Eskom. The appointment of the two Executives will be subject to Eskom's conditions of service with a contract of employment.

7 ORGANISATIONAL AND PERSONNEL IMPLICATIONS

Should Mr Molefe and Mr Singh accept the appointment as CEO and CFO of Eskom, respectively, there will be vacancies in the positions of Group CEO and Group CFO at Transnet. Steps will be taken by the Transnet Board to fill these positions immediately.

8 FINANCIAL IMPLICATIONS

There are no financial implications emanating from this memorandum for the Department. The financial obligation with respect to the remuneration of the CEO, CFO and Chairperson will be determined by the Minister in consultation with the Board in line with Eskom's MOI and the DPE Remuneration and Incentive Standards.



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9 COMMUNICATION IMPLICATIONS

The Minister of Public Enterprises will communicate these appointments to the Eskom Board and other relevant stakeholders.

10 CONSTITUTIONAL IMPLICATIONS

None

11 SECURITY IMPLICATIONS

None

12 IMPLICATIONS FOR VULNERABLE GROUPS

None

13 DEPARTMENTS AND PARTIES CONSULTED, RESPONSES AND COMMENTS

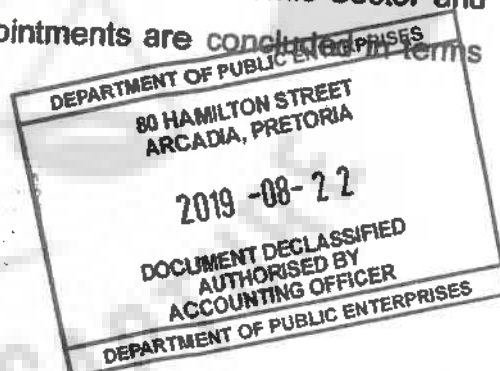
13.1 Department of Public Enterprises and the Eskom Board.

13.2 The memorandum was not finalised in consultation with the Economic Sector and Infrastructure Development Cluster as these appointments are concluded in terms of Eskom's Memorandum of Incorporation (MOI).

14 RECOMMENDATIONS

It is recommended that Cabinet:

- 14.1 Notes the appointment of Mr Brian Molefe as the Chief Executive Officer of Eskom Holdings SOC Ltd and *ex officio* member of its Board of Directors;
- 14.2 Notes the appointment of Mr Anoj Singh as Chief Financial Officer of Eskom Holdings SOC Ltd and *ex officio* member of its Board of Directors; and
- 14.3 Approves the appointment of Dr Baldwin Ngubane as Chairperson of the Eskom Board of Directors for a three-year term, with effect from 1 October 2015 to 30 September 2018, subject to annual review.



SECRET

6

15 CONTACT PERSON

I declare that the memorandum adheres to the Guidelines dated June 2013 provided by the Cabinet Secretariat for the drafting of memoranda. The requirements in relation to electronic presentations were noted.

Name: Orcilla Ruthnam

Designation: Chief Director: Governance

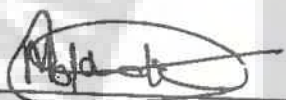
Contact details:

Telephone: 012 431 1144

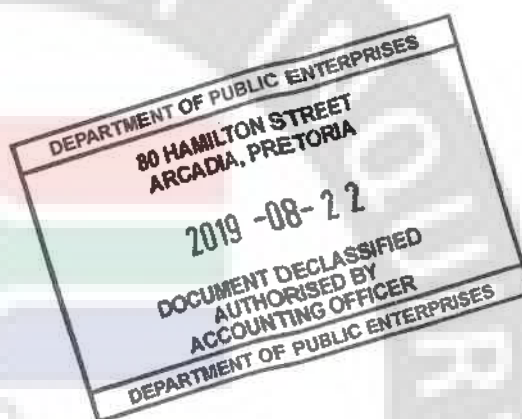
Cellular: 082 567 3408

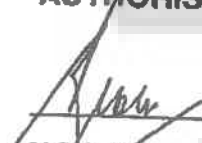
E-mail: orcilla.ruthnam@dpe.gov.za

16 HEAD OF DEPARTMENT

M.A. 

MRS MATSIETSI MOKHOLO
ACTING DIRECTOR-GENERAL

**17 AUTHORISATION FOR PROCESSING THE MEMORANDUM**


MS LYNNE BROWN, MP
MINISTER

13 SEPTEMBER 2015

Is there a need for an electronic presentation to be done in addition to the memorandum? No

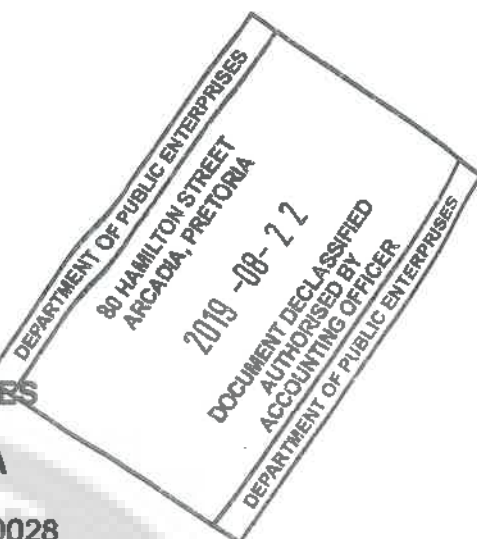
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MINISTRY: PUBLIC ENTERPRISES

REPUBLIC OF SOUTH AFRICA

Private Bag X15, Hatfield, Pretoria, 0028



CABINET MEMORANDUM NO : 9A of 2015
DATE : 20 October 2015
FILE NUMBER : 2/2/1

1 SUBJECT

APPOINTMENT OF CHIEF EXECUTIVE OFFICER, THE CHIEF FINANCIAL OFFICER AND THE CHAIRPERSON OF THE BOARD OF ESKOM SOC LIMITED.

2 PURPOSE

- 2.1 For Cabinet to note the appointment of Mr Brian Molefe as the Chief Executive Officer and Mr Anoj Singh as Chief Financial Officer of Eskom Holdings SOC Ltd ("Eskom") and *ex officio* members of the Eskom Board of Directors on a fixed term contract of five (5) years with effect from 1 October 2015 to 30 September 2020, subject to annual performance review.
- 2.2 For Cabinet to approve the appointment of Dr Baldwin (Ben) Ngubane as the Chairperson of the Eskom Board of Directors with effect from 1 October 2015 to 30 September 2018, subject to annual performance review.

3 SUMMARY

- 3.1 Between the period of November 2014 and April 2015, Eskom was been plagued by poor financial and operational performance. To rescue the situation at Eskom, in

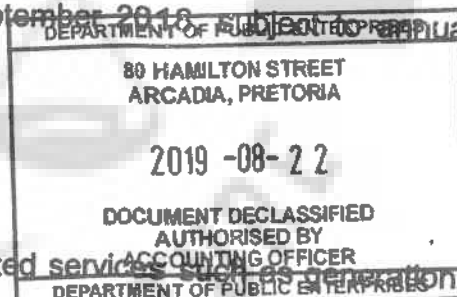
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consultation with the Boards of Eskom and Transnet, we had agreed to second Mr Brian Molefe to Eskom as Acting CEO. Further recognising the deep-rooted financial challenges which require strategic intervention this was followed by the secondment of the CFO of Transnet, Mr Anoj Singh, to Eskom.

3.2 After much deliberation and assessment of the performance challenges facing the company, the Eskom Board has recommended that Cabinet confirm the appointments of Mr Molefe as CEO and Mr Singh as CFO to permanently fill the vacancies created by the recent resignations. Cabinet is requested to note the Executive appointments and approve their membership as *ex officio* to the Eskom Board.

3.3 Furthermore, under the astute leadership of the Acting Chairperson of the Board, Dr Baldwin (Ben) Ngubane, the Board and the company has enjoyed considerable stability. In the current circumstances Eskom would be able to, amongst other critical operations, execute its maintenance plan effectively, with minimum load shedding, as experienced in the past month. I therefore recommend the appointment of Dr Ngubane as Chairperson of the Eskom Board, for a three-year term with effect from 1 October 2015 to 30 September 2018, subject to annual review.

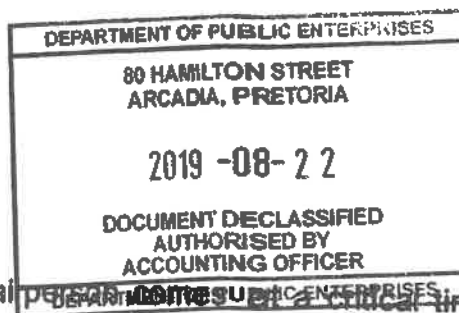


4 STRATEGIC FOCUS OF THE MEMORANDUM

4.1 Eskom's mandate is to provide electricity and related services such as generation, transmission, distribution and retail thereof. Given the magnitude of the financial and operational challenges and the need to provide sustainable electricity to meet the country's demands, there is a need to stabilise the leadership of Eskom as a matter of priority. Notably, the CEO and CFO must, among other attributes, be able to engage effectively and efficiently manage the affairs of the company to shift Eskom to a new trajectory of performance within a short period of time. In addition, Eskom has a number of vacancies at critical Executive leadership positions. Filling these vacancies will be one of the immediate priorities of the Board and the new CEO.

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5 DISCUSSION

- 5.1 The appointments of CEO, CFO and Chairperson come at a critical time in the business cycle of the company. These positions have been vacant since April 2015 and it is recommended that permanent appointments are made as soon as possible in order to stabilise the Executive leadership, build investor confidence and steer Eskom to financial and operational sustainability.
- 5.2 **CEO of Eskom.** The Board has recommended that Mr Molefe be confirmed as the new CEO of Eskom. A copy of his Curriculum Vitae is attached as Annexure A.
- 5.3 Mr Molefe received a Honorary Doctorate in Engineering from the University of Glasgow Caledonian and a Masters in Business Leadership from the University of South Africa. His academic training and business acumen has been demonstrated in his vast expertise in running large enterprises such as Public Investment Corporation (PIC) and Transnet. He has a well-known track record of being able to turn around ailing companies and this is already being demonstrated in his acting position at Eskom.
- 5.4 **CFO of Eskom.** The Board has recommended that Mr Singh be confirmed as the new CFO of Eskom. A copy of his Curriculum Vitae is attached as Annexure B.
- 5.5 Mr Singh qualified as a Chartered Accountant in 2000. He has over 15 years' experience in Finance; Auditing; Commercial; Strategy Development and Execution; Financial Risk Modelling and Management; Treasury and Capital Project Management. Mr Singh is currently the CFO of Transnet SOC Ltd. His strong technical and commercial ability, together with a proven track record as a strategic leader will be valuable to the company.
- 5.6 **Chairperson of the Board of Eskom.** Dr Baldwin (Ben) Ngubane has been acting in the position of Chairperson since 1 April 2015. Under the astute leadership of the Acting Chairperson of the Board, Dr Baldwin (Ben) Ngubane, the Board and the company has enjoyed considerable stability. I therefore recommend the appointment of Dr Ngubane as Chairperson of the Eskom Board for a three-year term, with effect from 1 October 2015 to 30 September 2018, subject to annual review. Dr Ngubane's Curriculum Vitae is attached as Annexure D.

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- 5.7 In the current circumstances, with the collective leadership of the Board and new Executives, Eskom would be able to, amongst other critical operations, execute its maintenance plan effectively, with minimum load shedding, as experienced in the past month.
- 5.8 Demographically, the Board is represented by 5 Africans (38.5%), 1 White (7.7%), 5 Indians (38.5%), 1 Coloured (7.7%) and 1 Swiss International (7.7%); with 8 (61.5%) being male and 5 (38.5%) being female. The membership of the Eskom Board subsequent to these appointments is attached as **Annexure C**.
- 5.9 In terms of Eskom's Memorandum of Incorporation (MOI) the Board must have a minimum of 3 and a maximum of 15 Directors. With these appointments the Eskom Board will comprise of 11 Non-Executive Directors and 2 Executive Directors.

6 IMPLEMENTATION PLAN

Following Cabinet consultation, the Minister of Public Enterprises will appoint Mr Molefe as CEO, Mr Singh as CFO and Dr Ngubane as Chairperson of the Board of Eskom. The appointment of the two Executives will be subject a contract of employment and Eskom's conditions of service.

7 ORGANISATIONAL AND PERSONNEL IMPLICATIONS

Should Mr Molefe and Mr Singh accept the appointments as CEO and CFO of Eskom, respectively, there will be vacancies in the positions of Group CEO and Group CFO at Transnet. Steps will be taken by the Transnet Board to fill these positions immediately.

8 FINANCIAL IMPLICATIONS

There are no financial implications emanating from this memorandum for the Department. The financial obligation with respect to the remuneration of the CEO, CFO and Chairperson will be determined by the Minister in consultation with the Board in line with Eskom's MOI and the DPE Remuneration and Incentive Standards.



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9 COMMUNICATION IMPLICATIONS

The Minister of Public Enterprises will communicate these appointments to the Eskom Board and other relevant stakeholders.

10 CONSTITUTIONAL IMPLICATIONS

None

11 SECURITY IMPLICATIONS

None

12 IMPLICATIONS FOR VULNERABLE GROUPS

None

**13 DEPARTMENTS AND PARTIES CONSULTED, RESPONSES AND COMMENTS**

13.1 Department of Public Enterprises and the Eskom Board.

13.2 The memorandum was not finalised in consultation with the Economic Sector and Infrastructure Development Cluster as these appointments are concluded in terms of Eskom's Memorandum of Incorporation (MOI).

14 RECOMMENDATIONS

It is recommended that Cabinet:

- 14.1 Notes the appointment of Mr Brian Molefe as the Chief Executive Officer of Eskom Holdings SOC Ltd and *ex officio* member of its Board of Directors on a fixed term contract of five (5) years with effect from 1 October 2015 to 30 September 2020, subject to annual performance review;
- 14.2 Notes the appointment of Mr Anoj Singh as Chief Financial Officer of Eskom Holdings SOC Ltd and *ex officio* member of its Board of Directors on a fixed term contract of five (5) years with effect from 1 October 2015 to 30 September 2020, subject to annual performance review; and
- 14.3 Approves the appointment of Dr Baldwin Ngubane as Chairperson of the Eskom Board of Directors for a three-year term with effect from 1 October 2015 to 30 September 2018, subject to annual review.

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15 CONTACT PERSON

I declare that the memorandum adheres to the Guidelines dated June 2013 provided by the Cabinet Secretariat for the drafting of memoranda. The requirements in relation to electronic presentations were noted.

Name: Orcilla Ruthnam

Designation: Chief Director: Governance

Contact details:

Telephone: 012 431 1144

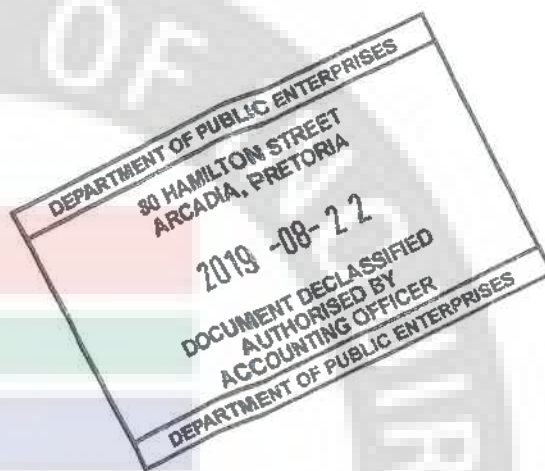
Cellular: 082 567 3408


E-mail: orcilla.ruthnam@dpe.gov.za

16 HEAD OF DEPARTMENT

MA 

MRS MATSIETSI MOKHOLO
ACTING DIRECTOR-GENERAL

**17 AUTHORISATION FOR PROCESSING THE MEMORANDUM**


MS LYNNE BROWN, MP
MINISTER

20 OCTOBER 2015

Is there a need for an electronic presentation to be done in addition to the memorandum? No



MINISTER
PUBLIC ENTERPRISES
REPUBLIC OF SOUTH AFRICA

Private Bag X15, Hatfield, 0028 Tel: 012 431 1116/1150 Fax: 012 431 1039
Private Bag X9079, Cape Town, 8000 Tel: 021 461 6376/7469 Fax: 021 465 2361/461 1741

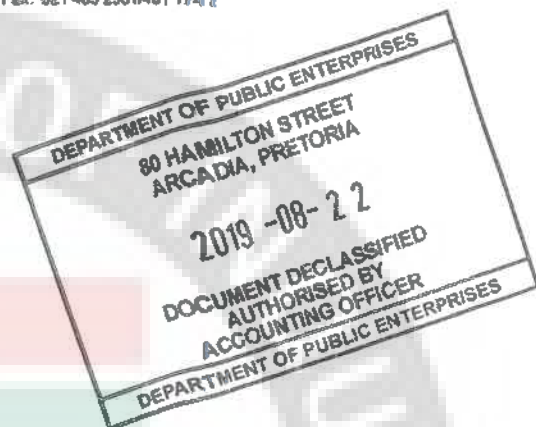
Approved

*Ngubane is appointed for 3 years with no financial
• 5 years appointment
• Minister's financial
• Brian's CV is wrong not needed
• The Cabinet Doc is wrong.*

President Jacob Zuma
The President of the Republic of South Africa
The Presidency
Private Bag X1000
PRETORIA
0001

Tel: 012 300 5200
Fax: 012 323 8246

Dear Mr President



Request Permission for the Direct Submission of the Cabinet Memorandum No. 9 of 2015 to the Cabinet Meeting for the Appointment of the Chief Executive Officer (CEO), the Chief Financial Officer (CFO) and the Chairperson of the Board of Eskom Holdings SOC Ltd, scheduled for 23 September 2015

I hereby request the President's permission for the direct submission of the above-mentioned Cabinet Memorandum for discussion at the Cabinet Meeting scheduled for Wednesday, 23 September 2015.

Eskom has been plagued by poor financial and operational performance. To rescue the situation at Eskom, in consultation with the Boards of Eskom and Transnet, we had agreed to second Mr Brian Molefe to Eskom as Acting CEO. Further recognising the deep-rooted financial challenges which require strategic intervention this was followed by the secondment of the CFO of Transnet, Mr Anoj Singh, to Eskom.

After much deliberation and assessment of the performance challenges facing the company, the Eskom Board has recommended that I confirm the appointments of Mr Molefe as CEO and Mr Singh as CFO. Cabinet is requested to note the two Executive appointments and approve their appointments as *ex officio* to the Eskom Board.

Furthermore, under the astute leadership of the Acting Chairperson of the Board, Dr Baldwin (Ben) Ngubane, the Board and the company has enjoyed considerable stability. In the current circumstances Eskom would be able to, amongst other critical operations, execute its maintenance plan effectively, with minimum load shedding, as experienced in the past month. I therefore recommend to Cabinet the appointment of Dr Ngubane as Chairperson of the Eskom Board with effect from 1 October 2015 to 30 September 2018, for a three-year term, subject to annual review.

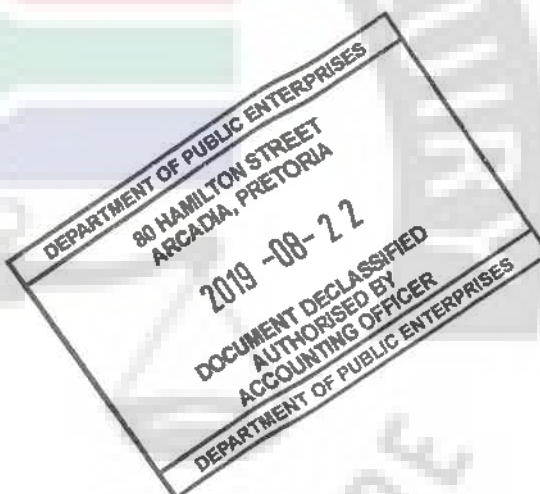
I am cognisant of the requirements for the drafting of Cabinet Memoranda as set out in the document entitled "Guide for the Drafting of Cabinet Memoranda" as well as all decisions relating to the timely and correct distribution of Cabinet memoranda. However, in light of the urgency relating to these appointments, it is deemed prudent to make a direct submission to Cabinet as set out herein.

Due to the extreme sensitivity of the information as well as the process, I request that copies of the Cabinet Memorandum be made available to Cabinet Members on the morning of the meeting. After receiving Cabinet concurrence the communication plan will be handled by me, together with the Eskom Board, to other relevant stakeholders.

I trust that this urgent request will receive the President's favourable consideration.

Yours sincerely


MS LYNNE BROWN, MP
MINISTER OF PUBLIC ENTERPRISES
DATE: 13/09/2015





public enterprises

Department:
Public Enterprises
REPUBLIC OF SOUTH AFRICA

DECISION MEMORANDUM

TO : MS. LYNNE BROWN, MP
MINISTER

FROM : ADV. MELANCHTON MAKOBE

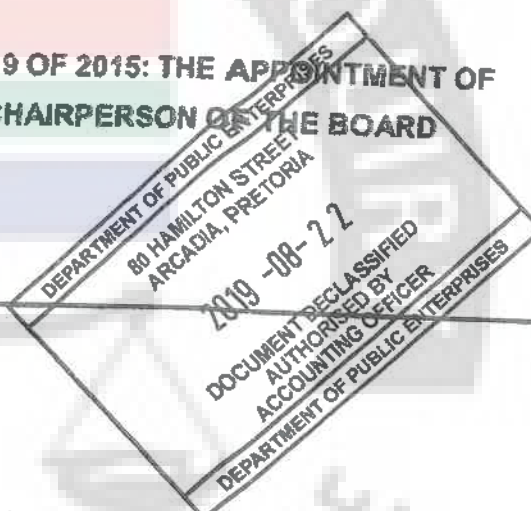
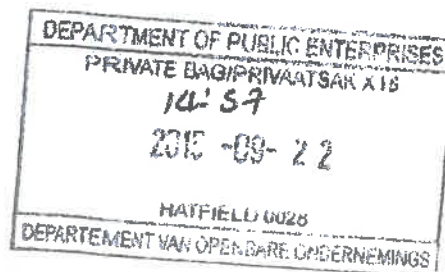
ACTING DEPUTY DIRECTOR-GENERAL: LGR

FILE REF : 15/1/3/1

IDMS REF : 184047

SUBJECT : CABINET MEMORANDUM NO. 9 OF 2015: THE APPOINTMENT OF
ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

DATE : 13 SEPTEMBER 2015



1. PURPOSE

- 1.1 To request the Minister to approve an urgent submission of the Cabinet Memorandum no. 9 of 2015 on the appointment of the Chief Executive Officer (CEO), the Chief Financial Officer (CFO) and the Chairperson of the Board of Eskom Holdings SOC Ltd to the Cabinet meeting scheduled for 23 September 2015.
- 1.2 To request the Minister to sign the letter to the President requesting permission for direct submission to the Cabinet meeting scheduled for 23 September 2015. The letter to the President is attached hereto as **Annexure "A"**.
- 1.3 To request the Minister to sign Cabinet Memorandum no. 9 of 2015, if in agreement with the contents thereof. A copy of the Cabinet Memorandum is attached hereto as **Annexure "B"**.

CABINET MEMORANDUM NO. 9 OF 2015: THE APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

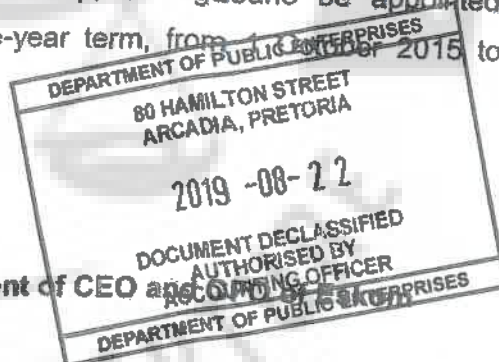
2. SUMMARY

- 2.1 Eskom has been plagued by poor financial and operational performance. To rescue the situation at Eskom, the Minister in consultation with the Boards of Eskom and Transnet, agreed to second Mr Brian Molefe to Eskom as Acting CEO. Further recognising the deep-rooted financial challenges which require strategic intervention, the secondment was followed by the secondment of the CFO of Transnet, Mr Anoj Singh, to Eskom.
- 2.2 The Eskom's People and Governance Committee ("the P & G Committee") at their meeting held on 9 September 2015, resolved that Mr Brian Molefe be appointed (confirmed) to the position of CEO and further that Mr Anoj Singh be appointed (confirmed) to the position of CFO of Eskom to permanently fill the vacancies created by the recent resignations.
- 2.3 There has been a vacancy in the position of Chairperson of the Board since 1 April 2015. Dr Baldwin Ngubane has been acting in the position and it is recommended that, in view of the stability created by his leadership, Dr Ngubane be appointed as Chairperson of the Eskom Board for a three-year term, from 1 October 2015 to 30 September 2018, subject to annual review.

3. ANALYSIS AND FINDINGS

3.1. The Board's submission on the Appointment of CEO and CFO of Eskom

- 3.1.1 On 11 September 2015, the Interim Chairperson of the Eskom Board wrote a letter to the Minister informing Minister of the recommendation, by the Board, to appoint Mr Molefe as the new CEO of Eskom and providing a rationale for the appointment of Mr Molefe as opposed to continuing the secondment arrangement between Eskom and Transnet. The letter motivated that Mr Molefe combined competencies (qualifications, skills, experience), his proven track record of turning around ailing companies and the work he has done thus far at Eskom is evidence for the Board to make this recommendation to the Minister. Furthermore, the Board has witnessed that public confidence in Eskom has increased exponentially, future strategies have been developed and approved by the Board for implementation and it is of paramount importance that certainty of leadership at the top is required to stabilise Eskom.



CABINET MEMORANDUM NO. 9 OF 2015: THE APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

The Board is of the view that no other person would at this point be able to maintain the current upward trajectory that Mr Molefe has placed the company on. Confirming Mr Molefe as the CEO would also enable him to fill critical positions in Eskom which are vacant. A copy of the letter from Eskom on the appointment of CEO is attached hereto as **Annexure "C"**.

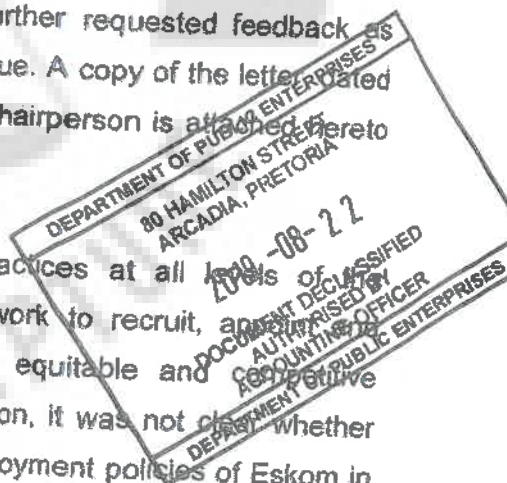
- 3.1.2 On 11 September 2015, the Interim Chairperson of the Eskom Board wrote a letter to the Minister informing Minister of the recommendation, by the Board, to appoint Mr Singh as the new CFO of Eskom and providing a rationale for the appointment of Mr Singh as opposed to continuing the secondment arrangement between Eskom and Transnet. Key considerations include Eskom's need to for certainty of leadership, especially on the financial strategy, the management of financial risks and the oversight of Eskom's funding and capital investment programme. The letter informs the Minister that the Board is unanimously of the view that, given Mr Singh's **experience, skills and competencies**, he is the recommended person for appointment as the new CFO. A copy of the letter from Eskom on the appointment of the CFO is attached hereto as **Annexure "D"**.

- 3.2 On receipt of the two letters (Annexure C and D) the Department requested Eskom to provide the following information to be able to advise the Minister appropriately. A copy of the email exchange between the Department and Eskom together with additional documents (including legal opinion and supplementary legal opinion) is attached hereto as **Annexure "E"**. The following issues were raised:

- 3.2.1 Whether there was any specific provision in the human resource policies and procedures which informed the recommendation of the Board to opt for appointing Mr Molefe as opposed to undertaking a competitive recruitment process.
- 3.2.2 Whether the Board had undertaken additional competency or psychometric assessments to strengthen the recommendation.
- 3.2.3 In view of the practice and the DPE appointment guidelines, whether consideration was given to the term of contract. The Department's and Cabinet position has been to appoint Executives of SOC for a 5 year fixed term contract, subject to annual review.
- 3.2.4 Whether the Board had considered the remuneration package should Mr Molefe accept the appointment?

CABINET MEMORANDUM NO. 9 OF 2015: THE APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

- 3.3 Eskom responded ("Annexure E") by providing the following information:
- 3.3.1 Copies of the CVs, Identification Document and qualifications of the recommended candidates;
- 3.3.2 A copy of the legal opinion dated 15 June 2015;
- 3.3.3 Consideration of the term of appointment for both the CEO and CFO;
- 3.3.4 Consideration of the remuneration and incentives for both the CEO and CFO;
- 3.3.5 A supplementary legal opinion dated 15 September 2015;
- 3.3.6 The criteria for the appointment of the CEO; and
- 3.3.7 An update of the letter dated 11 September 2015 on the appointment of the CEO.
- 3.4 It must be noted that soon after the Minister became aware of the resignation of the former CEO, to ensure that Eskom would be aware of the requirements and expectations in the recruitment of a **new CEO of Eskom**, the Minister wrote a letter to the Interim Chairperson of Eskom requesting that the recruitment of a new CEO be prioritised. In the letter, the Minister requested a copy of the legal opinion and recommendation on the optimal route to follow on the recruitment of a new CEO. The Minister further requested feedback as soon as the Board has applied its mind to the issue. A copy of the letter dated 27 June 2015, from the Minister to the Interim Chairperson is attached hereto as **Annexure "F"**.
- 3.5 SOC employment policies, procedures and practices at all levels of the organisation must create an appropriate framework to recruit, appoint, manage employees. Normally there is a fair, equitable and competitive recruitment process. In the Board's first submission, it was not clear whether the Board was acting in compliance with the employment policies of Eskom in opting to deviate from a competitive recruitment process.
- 3.6 Paragraph 3.6 of the legal opinion, dated 18 June 2015, indicated that the Department was contacted for a copy of the Guidelines for the appointment of Chief Executive for the State Owned Companies and that the Department had responded that there is no document that title. It should be noted that the Department does not have any record of this specific request from Eskom's legal counsel.



CABINET MEMORANDUM NO. 9 OF 2015: THE APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

3.7 Clause 13.3.1 of Eskom's Memorandum of Incorporation (MOI) states that the Board shall identify, nominate and evaluate potential candidates for appointment as the CE in accordance with the Guidelines for the appointment of CEOs. The Shareholder shall appoint the CE from the shortlist of candidates provided by the Board, in accordance with the Guidelines. A copy of the Guidelines is attached hereto as Annexure "G".

3.8 Subsequent to receiving the legal opinion (dated 18 June 2015) the Guidelines were provided to Eskom, who in turn provided a supplementary legal opinion, dated 15 September 2015. The opinion advised Eskom to provide the Minister with a copy of the criteria used for when considering the competencies for a new CEO and well as details of the recruitment process prior to making a recommendation on the appointment. Given that the Guidelines provides that one of the steps to be followed is that the Board shall, through its Governance and Nomination Committee, submit a minimum of three (3) shortlisted candidates and their preferred candidate to the Shareholder Minister for further assessment and interview by the Minister if she deemed it necessary especially if this is an external candidate.

3.9 It should be noted that the supplementary information provided is useful in advising the Minister holistically and served to strengthen the recommendation contained in this memorandum. In terms of the MOI the Shareholder is required to, in writing; approve both nominations for the CEO and CFO for appointment by the Board. The Minister, following the consultations with Cabinet, will write to the Board, formally informing the Board of the decision. It is recommended that the Minister mention the need for the Board to observe all prescripts and processes whether these are in the form of the MOI or the DPE guidelines. This would avoid a similar situation such as this where supplementary information had to be requested in order to provide the Minister with adequate advice on the appointment of CEO and CFO.

3.10 The profile of Mr Molefe is as follows:

Mr Molefe obtained an Honorary Doctorate in Engineering in 2015 from the University of Glasgow Caledonian and a Masters in Business Leadership in 2003 from the University of South Africa. His academic training and business acumen has been demonstrated in his vast expertise in running large enterprises such as Public Investment Corporation (PIC) and Transnet. He has

CABINET MEMORANDUM NO. 9 OF 2015: THE APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

a well-known track record of being able to turn around ailing companies and this is already being demonstrated in his acting position at Eskom. The Department supports the Board's recommendation to the Minister for the approval of Mr Brian Molefe as the new CEO of Eskom. His CV is hereto attached in "Annexure B" as part of the Cabinet Memorandum.

3.11 With regard to the recruitment of a **new CFO of Eskom**, the Minister is referred to paragraph 3.1.2 of this memorandum in terms of the Board's motivation to appointment Mr Singh given his competencies and the experience the Board has during Mr Singh's secondment period thus far. The profile of Mr Singh is as follows:

3.11.1 Mr Singh qualified as a Chartered Accountant in 2000. He has over 15 years' experience in Finance; Auditing; Commercial; Strategy Development and Execution; Financial Risk Modeling and Management; Treasury and Capital Project Management. Mr Singh is currently the CFO of Transnet SOC Ltd. His strong technical and commercial ability, together with a proven track record as a strategic leader will be valuable to the company. In light of the above, the Department supports the Board's recommendation to the Minister for the approval of Mr Anoj Singh as the new CFO of Eskom. His CV is hereto attached in "Annexure B" as part of the Cabinet Memorandum.

3.12 **Remuneration of CEO and CFO of Eskom:**

3.12.1 The Eskom Board proposes that both incumbents be remunerated at the same level as their current guaranteed remuneration. For purposes of considering the recommendation the Department has had to compare the remuneration of CEO and CFO paid to both Eskom and Transnet over the year. In view of the fact that Eskom CEO did not serve a full year, table 1 below indicates the amount paid to the Executive Directors of Eskom for the 2013/14 financial year.

	Director's fees	Salaries	Short-term bonus Payment	Long-term bonus payment	Other Payment	Termination and benefits	Total 2013/14	Total 2014/15
Executive Directors	-	11 641	-	3 949	563	8 275	24 428	17 341
BA Dames ⁶	-	7 931	-	1 928	501	5 007	15 367	8 464
TBL	-	2 622	-	508	40	-	3	2

CABINET MEMORANDUM NO. 9 OF 2015: THE APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

Molefe ⁷							170	904
PS O'Flaherty ⁸	-	1 088	-	1 513	22	3 268	5 891	5 973

Table 1: Remuneration of Executive Directors of Eskom for the 2013/2014 Financial Year

⁶ Resigned 31 March 2014. Included in salaries is an amount of R1.9 million relating to back-pay salary increase from 2011

⁷ Appointed as Finance Director on 14 January 2014. Previously group Executive: Group Customer Services

⁸ Resigned 10 July 2013.

3.12.2 Table 2 below depicts the earnings of the both Executive Directors of Eskom for the 2014/15 Financial Year. It should be noted that Minister had approved a guaranteed remuneration of R6.1 million for the CEO and R3.5 million for the CFO, respectively.

	2015 Director's Salary	2015 Short- term Incentive (R1,000s)	2015 Long- term Incentive (R1,000s)	2015 Other Payments ⁶	2015 Total	2014 Total	
Executive Directors	-	6 766	-	1 104	67	7 937	24 428
BA Dames ¹²	-	-	-	-	-	-	15 367
TJ Matona ¹³	-	3 000	-	-	33	3 033	-
TBL Molefe ¹⁴	-	3 766	-	1 104	34	4 904	3 170
PS O'Flaherty ¹⁵	-	-	-	-	-	-	5 891

Table 2: Remuneration of Executive Directors of Eskom for the 2014/15 financial year

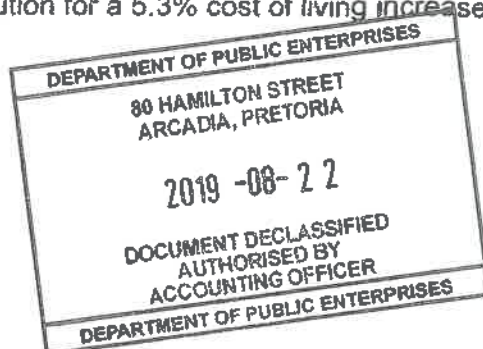
¹² Resigned 31 March 2014. Final termination benefits of R5.2m paid during the year

¹³ Appointed as Chief Executive and Executive Director on 1 October 2014

¹⁴ Appointed finance director on 14 January 2014. Previously Group Executive: Group Customer Service.

¹⁵ Resigned on 10 July 2013.

3.12.3 The guaranteed remuneration of Transnet Group Executive Directors following the AGM resolution for a 5.3% cost of living increase is stated on table 3 below.



CABINET MEMORANDUM NO. 9 OF 2015: THE APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

Exec Member	Guaranteed Total Cost to Company per Annum R thousand (as at 14 September 2015)	Comments
B Molefe	7,032	Guaranteed pay + 5.3% awarded as a cost of living adjustment at the 2015 AGM
A Singh	4,607	Guaranteed pay + 5.3% awarded as a cost of living adjustment at the 2015 AGM

Table 3: Transnet Group Executive Directors guaranteed pay as at 1 April 2015

3.12.4 In terms of the Department's Remuneration and Incentive Standards both Eskom and Transnet are comparable and fall within the same size company (size 12 being a large company) considering the total assets, total revenue, total headcount and total employment costs. The Department therefore has no objection to acceding to the request of Eskom Board to maintain the remuneration of both candidates as being R7, 032 000.00 for the CEO and R4, 607,000.00 for the CFO, respectively.

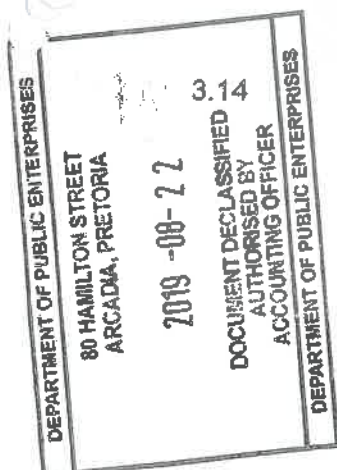
3.13 The additional information provided by Eskom on the term of appointment of both CEO and CFO confirms that they can be appointed on a fix term of five (5) years subject to annual review. The Department is in support of this recommendation as opposed to an evergreen or permanent employment.

3.14 In consideration of the Board's submission, together with the additional information provided, the Department is of the view that Minister should approve the Board's recommendation to appointment Mr Molefe as CEO and Mr Singh as CFO of Eskom, on a fixed term contract of five (5) years, subject to annual review. Should Cabinet approve the recommendation, the Minister is requested to approve the appointment of the CEO and CFO as *ex officio* members to the Eskom Board, subject to the provisions of the MOI.

3.15

Appointment of the Chairperson of the Board:

Following the resignation of Mr Zola Tsotsi as the Chairperson of Eskom Board on 30 March 2015, the Minister appointed Dr Baldwin Siphon Ngubane ("Dr Ngubane") as the Interim Chairperson of the Board.



CABINET MEMORANDUM NO. 9 OF 2015: THE APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

3.15.1 Under the leadership of Dr Ngubane as the Interim Chairperson, the Board and the Company have enjoyed considerable stability. Therefore, in order to maintain the stability at the Board level, it is recommended that the Minister approves the appointment of Dr Ngubane as the Chairperson of the Eskom Board with effect from 1 October 2015 to 30 September 2018, for a three-year term, subject to annual review.

3.16 Demographically, the Board is represented by 5 Africans (38.5%), 1 White (7.7%), 5 Indians (38.5%), 1 Coloured (7.7%) and 1 Swiss International (7.7%); with 8 (61.5%) being male and 5 (38.5%) being female. With these appointments the Eskom Board will comprise of 11 Non-Executive Directors and 2 Executive Directors.

4. FINANCIAL IMPLICATIONS

There are no financial implications emanating from this memorandum. The remuneration of the CEO, CFO and Chairperson of Eskom shall be borne by Eskom.

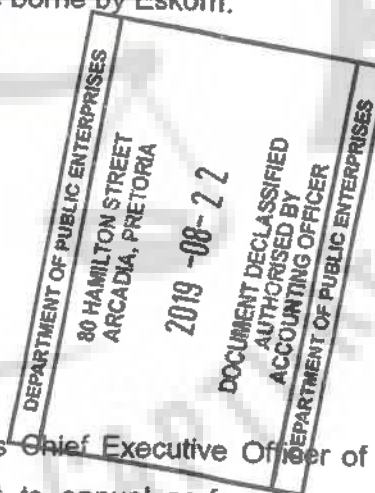
5. CONSULTATION/PROJECT TEAM

LGR / Ministry / Energy Enterprise / Eskom.

6. RECOMMENDATIONS

It is recommended that the Minister:

- 6.1 Approves the appointment Mr Brian Molefe as Chief Executive Officer of Eskom on a fixed term contract of five (5) years, subject to annual performance review with a guaranteed remuneration of R7, 032 000.00;
- 6.2 Approves appointment of Mr Anoj Singh as the Chief Financial Officer of Eskom on a fixed term contract of five (5) years, subject to annual performance review with a guaranteed remuneration of R4, 607 000.00;
- 6.3 Approves the appointment of Dr Baldwin Ngubane as Chairperson of the Eskom Board from 1 October 2015 to 30 September 2018, subject to annual review, by the Minister;
- 6.4 Signs the letter to the President requesting permission for direct submission to the Cabinet meeting 23 September 2015; and
- 6.5 Signs Cabinet Memorandum 9 of 2015, if in agreement with the contents thereof.



CABINET MEMORANDUM NO. 9 OF 2015: THE APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

Memorandum prepared by:



LAWRENCE NEVONDO

ASD: GOVERNANCE

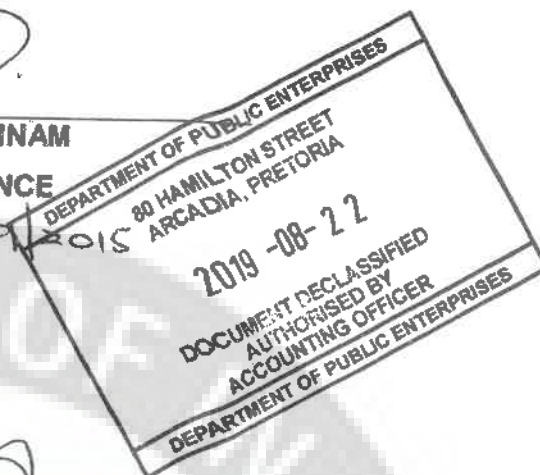
DATE: 13/09/2015



ORCILLA RUTHNAM

CD: GOVERNANCE

DATE: 13/09/2015



REVIEWED AND SUPPORTED:



MELANCHTON MAKOBE

ADDG: LGR

DATE: 13/09/2015



MAKGOLA MAKOLOLO

ADDG: EE

DATE: 13/09/2015



MS MATSIETSI MOKHOLO

ACTING DIRECTOR-

GENERAL

DATE: 13/09/2015

RECOMMENDED / NOT RECOMMENDED / COMMENTS

APPROVED / NOT APPROVED / COMMENTS


MS LYNNE BROWN, MP

MINISTER

DATE: 13/09/2015

NOTED / COMMENTS

MR BULELANI GRATITUDE

MAGWANISHE, MP

DEPUTY MINISTER

DATE:



public enterprises

Department
Public Enterprises
REPUBLIC OF SOUTH AFRICA

DECISION MEMORANDUM

TO : MRS. LYNNE BROWN, MP
MINISTER

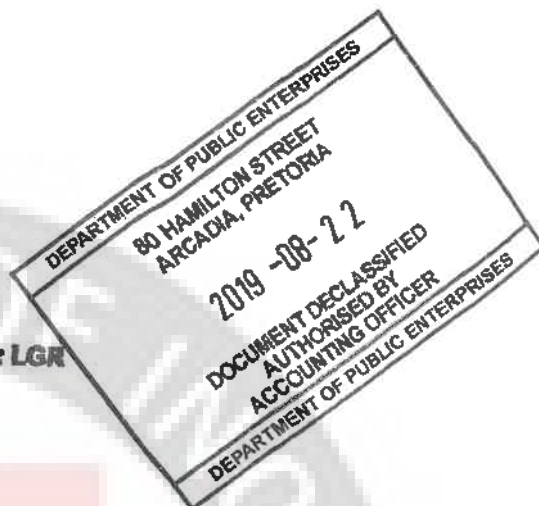
FROM : ADV. MELANCHTON MAKOSE
ACTING DEPUTY DIRECTOR-GENERAL: LGR

FILE REF : 15/1/3/1

IDMS REF : 184244

**SUBJECT : APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON
OF THE BOARD**

DATE : 29 SEPTEMBER 2015



1. PURPOSE

- 1.1 To request the Minister to sign the letter to the Interim Chairperson of Eskom on the appointment of Chief Executive Officer and Chief Financial Officer. A copy of the letter is attached hereto as Annexure "A".
- 1.2 To request the Minister to sign the appointment letter of Mr Brian Molefe as the Chief Executive Officer of Eskom. A copy of the letter is attached hereto as Annexure "B".
- 1.3 To request the Minister to sign the appointment letter of Mr Anoj Singh as the Chief Financial Officer of Eskom. A copy of the letter is attached hereto as Annexure "C".
- 1.4 To request the Minister to sign the appointment letter of Dr Baldwin Ngubane as the Chairperson of Eskom Board. A copy of the letter is attached hereto as Annexure "D".
- 1.5 To request the Minister to sign the letter to the Chairperson of Transnet, informing the Board of the decision taken to appoint Mr Molefe and Mr Singh as the CEO and CFO of Eskom.

Lefapha la Dikgwabo tsa Puso • Lefapha la Dikgwabo tsa Mmuso • Litšhinyano tsa khaba-ntshatshatshani zika-hlabani • Mibheko wa Mibheko a Muvuzo • Department van Operasie Ondernemings • Igore ya Dikgwabo tsa Botshaba • Mibheko ya Mibheko ya Mibheko • Litšho tsa Tamehithithi a-hlabani • Ibebe la tshatshatshani o-hlabani

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10

respectively and as a consequence, requesting the Board to begin the recruitment process for a new CEO and CFO of Transnet. A copy of the letter is attached hereto as Annexure "E"

2.1 On 23 September 2016, Cabinet approved the following appointments:

- **Mr Brian Molefe as the Chief Executive Officer of Eskom and ex-officio to the Board on a five-year fixed term contract, subject to annual performance review on a guaranteed remuneration of R7, 032, 000.00;**
- **Mr Anoj Singh as Chief Financial Officer of Eskom and ex-officio to the Board on a five-year fixed term contract, subject to annual performance review on a guaranteed remuneration of R4, 607, 000.00; and**
- **Dr Baldwin Ngubane as the Chairperson and Non-Executive Director of the Eskom Board of Directors from 1 October 2015 to 30 September 2016, subject to annual review by the Minister of Public Enterprises.**

2.2 The Minister is therefore requested to communicate the Cabinet decision to the Eskom Board by signing the letters attached herein as indicated above. For ease of reference, a copy of the decision memorandum (IDMS: 184047) is attached as Annexure "F".

2.3 In light of the fact that there are currently two secondment arrangements in place between Eskom and Transnet for both Mr Molefe and Mr Singh, their appointments at Eskom create vacancies at Transnet in the same Executive positions.

2.4 As a consequence, the Minister is requested to communicate the Cabinet decision to the Transnet Board and direct the Board to begin the recruitment process for the appointment of a new CEO and CFO of Transnet, in line with the provisions of the MOI and the DPE CEO Appointment Guidelines.

2.5 Moreover, it is expected that the current acting incumbents, namely, Mr Siyabonga Gama (acting GCEO) and Mr Garry Pita (Acting GFCO) be appointed *ex officio* to the Transport Board for the duration of their acting appointments. This will ensure that the Board is in compliance with clause 17.1.2 of the MOI which provides that the Board shall consist of not less than eight Non-Executive Directors and not less than two Executive Directors.

APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD**3. FINANCIAL IMPLICATIONS**

There are no financial implications emanating from this memorandum for the Department. However, remuneration payable to the three appointments shall be borne by Eskom.

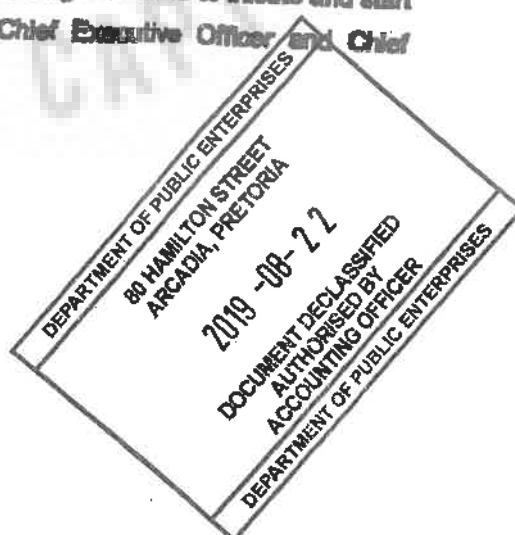
4. CONSULTATION/PROJECT TEAM

LGR

5. RECOMMENDATION


It is recommended that the Minister;

- 5.1 Signs the letter to the Interim Chairperson of Eskom on the appointment of Chief Executive Officer and Chief Financial Officer;
- 5.2 Signs the appointment letter of Mr Brian Molefe as the Chief Executive Officer and ex officio members of the Eskom Board of Directors;
- 5.3 Signs the appointment letter of Mr Anoj Singh as the Chief Financial Officer and ex officio members of the Eskom Board of Directors;
- 5.4 Signs the appointment letter of Dr Baldwin Ngubane as the Chairperson of the Eskom Board of Directors; and
- 5.5 Signs the letter to the Chairperson of Transnet, requesting the Board to initiate and start with the recruitment process of appointing the Chief Executive Officer and Chief Financial Officer.



APPOINTMENT OF ESKOM CEO, CFO AND THE CHAIRPERSON OF THE BOARD

Memorandum prepared by:



LAWRENCE NEVONDO

ADD: GOVERNANCE

DATE: 29/09/2015

REVIEWED AND SUPPORTED:



ORILLA RUTHNAM

CD: GOVERNANCE

DATE: 30/09/2015



MELANCHTON MAKOBE

ADDG: LGR

DATE: 30/09/2015



MS MATSIETSI MOKHOLO

ACTING DIRECTOR-
GENERAL

DATE: 30/09/2015

RECOMMENDED / NOT RECOMMENDED / COMMENTS

APPROVED / NOT APPROVED / COMMENTS

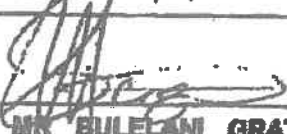


MS LYNNE BROWN, MP

MINISTER

DATE: 2/10/2015

NOTED / COMMENTS

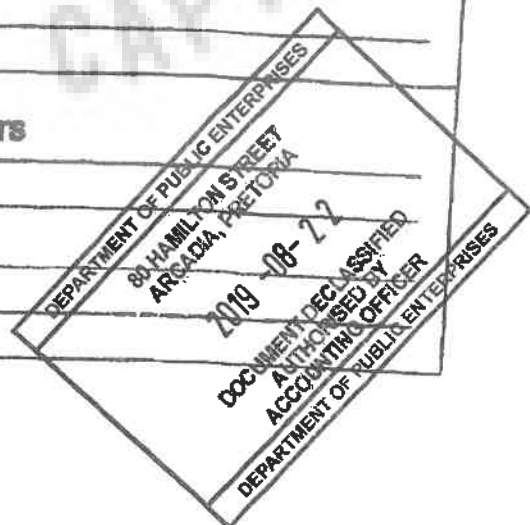


MR BULELANI GRATITUDE

MAGWANISHE, MP

DEPUTY MINISTER

DATE: 10/10/2015





**MINISTER
PUBLIC ENTERPRISES
REPUBLIC OF SOUTH AFRICA**

Private Bag 2119, Pretoria, 2001 Tel: 011 431 1116/1117 Fax: 011 431 1118
Private Bag 20070, Cape Town, 8000 Tel: 021 481 6570/2400 Fax: 021 481 2311/2401 744

CONFIDENTIAL

Ms Linda Mabaso
Chairperson
Transnet SOC Limited
P.O. Box 72501
Parkview, Johannesburg
2122

Tel: 011 308 3001
Fax: 011 308 2636
Email: linda.mabaso@transnet.net
Avenda.Ceba@transnet.net

Dear Ms Mabaso

Transnet Group Chief Executive Officer ("GCEO") and Group Chief Financial Officer ("GCFO")

This serves to formally inform the Transnet Board that Cabinet has endorsed the appointments of Mr Brian Molise as the Chief Executive Officer and Mr Anoj Singh as Chief Financial Officer of Eskom.

I am aware that there are secondment arrangements between Eskom and Transnet for both Mr Molise and Mr Singh, and therefore request that these arrangements be terminated to allow the Transnet Board to begin the recruitment process for a new GCEO and GCFO within delay.

At the start of the process, the Board must provide me with expected timelines and criteria for the recruitment and appointment process of both positions in line with the Memorandum of Incorporation ("MOI"), and Transnet's employment and human resources policies and procedures as well as the Department's prescribed guidelines for the appointment of CEOs. A copy of the guidelines is attached herein for ease of reference.

These positions are critical, hence, the attraction and retention of candidates with the right mix of qualifications, leadership, experience and technical knowledge is vital. In consideration of the business imperatives and the need to sustain public confidence, I urge the Board to observe the acceptable procedures so that the recruitment process and submission is managed with integrity and transparency and is able to withstand scrutiny. I expect the Board to be mindful that the final submission must include separate comprehensive information such as, but not limited to, the following:

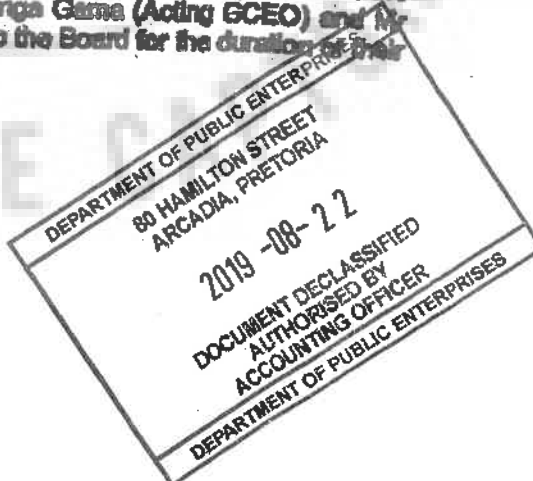
- A cover letter providing a summary and details of the recruitment process and recommendations;
- The CV and Identity Documents of the preferred candidate as well as the CVs of the second and third preferred candidates;
- It is important to ensure that all five candidates are appointable;
- Details of the recruitment, selection panel, search agent, scoring methodology and assessment of each candidate;
- A comprehensive psychometric assessment for the preferred candidate;
- Verifications of qualifications, criminal record and credit checks;
- Declaration of interests;
- Noting that the appointant will be on a five-year fixed term contract, subject to annual performance review;
- Recommending the appointment of the preferred candidate as ex-officio to the Board should approval be granted;
- Verification of the current remuneration package; and
- A detailed motivation on the remuneration offer to be made.

I look forward to receiving the initial scope, with milestones and timelines within 15 business days of the date of this letter. Thereafter, it is expected that both processes should be finalised within three months, bearing in mind my further consultations with Cabinet.

In the interim, in compliance with the provisions of the MOI, I approve that the current acting incumbents, namely Mr Shiyabonga Gama (Acting GCEO) and Mr Gary Pita (GCFO) be appointed as ex officio to the Board for the duration of their appointments.

Yours sincerely


MS LYNNE BROWN, MP
MINISTER OF PUBLIC ENTERPRISES
DATE: 02/08/2019





NEW BOARD TRANSNET after these appointments

NO.	NAME	POSITION	Gender	Race	Qualification	Primary Skills	Date of Appointment
1.	Ms Linda Carol Mabaso	Chairperson Non-Executive Director	Female	African	BProc (Honours)	Legal (Commercial Law)	11/12/14
2.	Mr Stanley David Shene	Non-Executive Director	Male	White	BCOM (Finance)	Finance	11/12/14
3.	Dr Gideon Mahalela	Non-Executive Director	Male	African	PhD/BA Business Administration/ BA Arts	Rail Expert	11/12/14
4.	Ms Potso Elizabeth Mathakga	Non-Executive Director	Female	African	Chemical Engineer + MBL	Engineering and Leadership	11/12/14
5.	Mr Zairul Negdee	Non-Executive Director	Male	Indian	MAP	ICT	11/12/14
6.	Mr Vusi Matthew Nkonyane	Non-Executive Director	Male	African	BA (Social Sciences) / MAP/ MOM (HR)	HR	11/12/14
7.	Mr Peter George Williams	Non-Executive Director	Male	Coloured	BA LLB	Legal	11/12/14
8.	Ms Y Forbes	Non-Executive Director	Female	Coloured	Masters in Business Administration (Bond University) and Diploma in Marketing Management-First Class (Damelin College-Cape Town)	Sales, Business Development and Brand Creation and Sustainability	24/06/2011
9.	Mr Brett Stagman	Non-Executive Directors	Male	White	Boom (Honours)/CA/SA	Financial Accounting	11/12/14
10.	Mr Siyabonga Gama	Executive Director (GCE)	Male	African	BCom, Business Administration and Management General	Corporate Finance, Management and Informational Logistics	TBC
11.	Mr Gary Rincadia	Executive Director (SCFO)	Male	White	Chartered Accountant	Financial Management and Procurement	01/03/2016

DEPARTMENT OF PUBLIC ENTERPRISES
80 HAMILTON STREET
RINCADIA, PRETORIA

2019-08-22

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ACCOUNTING OFFICER
DEPARTMENT OF PUBLIC ENTERPRISES

Linda Mabasa, Chairperson

TRANSNET

Our Ref No: LM/20198

Ms Lynne Brown, MP
Minister of Public Enterprises
Private Bag X15
HATFIELD
0028

BY HAND

AND BY E-mail: Kim.Davids@dpe.gov.za
Nonhlanhla.Mokoena@dpe.gov.za

Dear Honourable Minister Brown

RECOMMENDATION: APPOINTMENT OF THE GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD

We hereby acknowledge and thank the Shareholder Minister for granting the Transnet SOC Ltd ("the Company") with an opportunity to comprehensively deliberate on appointment process for the abovementioned vacant position.

We are writing to request for your approval for the intended appointment of the Group Chief Executive ("GCE") of the Company.

1. Background

- 1.1 The former Group Chief Executive of the Company, Mr Brian Molefe, resigned from the Company with effect from 30 September 2015. Subsequent to making the requisite announcements, and completion of required statutory related matters, the Company's Board reviewed the succession planning process, and appointed an Acting candidate, Mr Siyabonga Innocent Gama based on the readiness and potential to act.
- 1.2 The following considerations were made prior to the commencement of the process to fill the vacancy that has arisen:
 - The *Guidelines for the appointment of a Chief Executive Officer for a State Owned Enterprise ("the Guidelines")*.
 - The Company's Memorandum of Incorporation.
 - The current economic climate, and the resultant impact on the Company.
 - The current Board composition challenges.
 - The urgent need to fill the vacancy, and to bring about stability within the Company through the permanent employment.
 - The respective candidate's readiness to effectively assume the position's responsibilities.

Transnet SOC Ltd
Registration Number
1990/00090/030

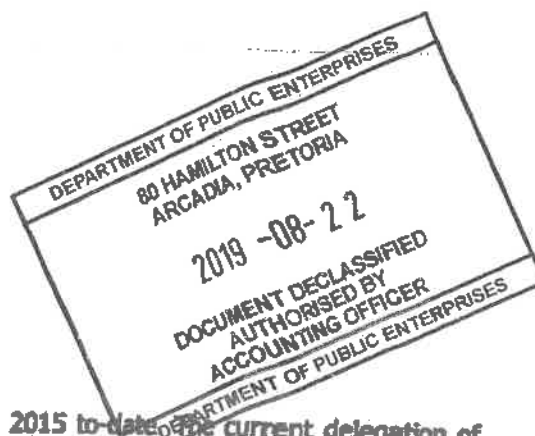
Capitec Centre
120 Commissioner
Street
Johannesburg
2001

P.O. Box 72601
Parktown, Johannesburg
South Africa, 2122
T +27 11 308 3001
F +27 11 308 2836

Directors: LC Mabasa (Chairperson) SI Gama* (Acting Group Chief Executive) Y Forbes GJ Mkhabela PEB Mthethwa ZA Ngqoko VM Nkomo SD Shone
BG Stigman PG Willets GJ Pien* (Acting Group Chief Financial Officer)
*Executive

Group Company Secretary: ANC Caba

www.transnet.co.za



1.3 Mr Gama has been acting GCE from 20 April 2015 to date, the current delegation of authority from the Board of Directors expires on 31 March 2016.

2. The Guidelines for the appointment of a Chief Executive Officer for a State Owned Enterprise ("the Guidelines")

2.1 The Guidelines reiterate that South African Company law authorises the Shareholders of a Company to appoint a Board of Directors ("the Board") to represent the Shareholders and act in the best interest of the Company. The Shareholders' authority includes appointing the Executive Officers of a Company, which includes the Chief Executive Officer and Chief Financial Officer as *ex officio* Board Members.

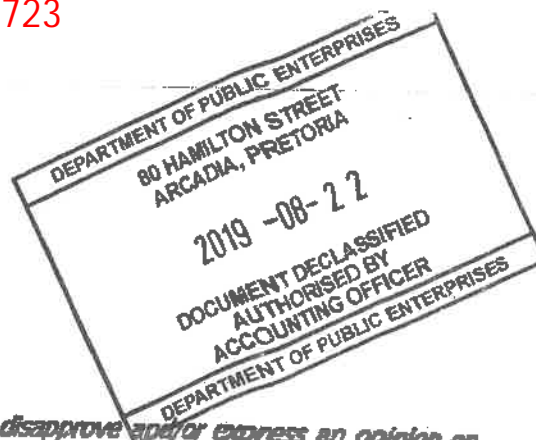
2.2 In terms of the Guidelines, the Chief Executive Officer provides a critical link between Management, the Board, and the Shareholder.

2.3 As set out in the Introduction of the Guidelines:

"This guideline is intended to set out the framework governing the roles and assist the SOE Boards of Directors ("Boards") with providing a framework for succession planning and the appointment of CEOs. Where a Board believes that the guideline or part thereof does not lend itself to implementation or application to address its requirements, and seeks to depart from such application, the Board must notify the Minister in writing of any such departure, providing reasons for any such departure."

2.4 The Guideline also sets out, the due process to be followed by the Board of a State Owned Enterprise ("SOE") when appointing a CEO. The due process can be summarised as follows:

- *"The Board shall endeavour to commence and complete its recruitment and appointment process at least 3 months prior to the departure of the incumbent CEO. In this way the Board should avoid, as far as possible, appointing an "Acting" CEO."*
- *"The Board must disclose to the Shareholder Minister, the recruitment process to be used by the Board in identifying the candidates."*
- *"Prior to commencing with the recruitment process, the Board must submit a description of the key specifications of the position and its selection criteria to the Minister for consideration."*
- *"During the assessment of the candidates, the Board should verify and confirm that all shortlisted candidates have no conflict of interests and will be able to fully execute and carry out the duties of a CEO."*
- *"The Board shall, through its Governance and Nominations Committee, submit a minimum of 3 shortlisted candidates and their preferred candidate to the Shareholder Minister for further assessment and when necessary, interview by the Minister."*



- *"The Shareholder Minister may approve, disapprove and/or express an opinion on the shortlist."*
- *"If the Shareholder Minister approves, he/she will submit his/her recommendation to Cabinet for noting."*

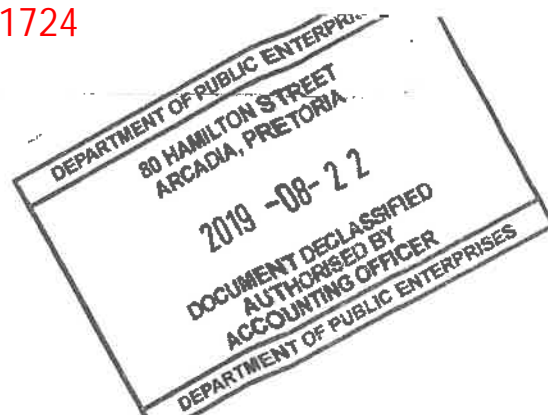
3. The Company's Memorandum of Incorporation

3.1 Clause 16 of the Company's Memorandum of Incorporation stipulates that:

- *"16.1 The Board shall identify, nominate and evaluate potential candidates for appointment as the Group Chief Executive in accordance with the Guidelines."*
- *"16.2 The Shareholder shall appoint the Group Chief Executive from the shortlist of candidates provided by the Board, in accordance with the Guidelines."*
- *"16.5 The Group Chief Executive and the Group Chief Financial Officer shall be subject to the same provisions as to removal as the other Directors (as contemplated in clause 17.11), and if he ceases to be or is suspended from being an employee of the Company, his appointment as a Director shall ipso facto terminate, without prejudice to any claims or damages which may accrue to him as a result of such termination."*

4. Activities conducted by the Board to-date

- 4.1 As a result of the abovementioned factors, the Board decided that preference would be given to a suitably qualified Internal candidate to fill for the vacant position. The resultant benefit thereof would be the following:
- The candidate would be close to the issues that are pertinent to the Company;
 - The proposed process would save time from the recruitment process, and save associated costs; and
 - The Company will appoint a candidate with the requisite knowledge and capability.
- 4.2 Upon the secondment of Mr Molefe to Eskom SOC Ltd on 20 April 2015, and prior to inviting other Members of the Company's Group Executive Committee to participate in the selection process, the Board recommended that Mr Gama assume the role of the acting Group Chief Executive based on his experience, capability and readiness to act. During the acting period, Mr Gama demonstrated expertise, and readiness to assume the role by reintroducing focus into ensuring that operational decisions are consistent with the strategic focus of the Company, to ensure operations are carried out in accordance with business plans approved by the Board, and encouraged the growth of the business by promoting efficiency and integration.
- 4.3 The abovementioned factors, supported by the intense knowledge of the business and strategy, the level of ease, and readiness displayed in assuming the role, coupled with the Investors' response from the August 2015 International Roadshow impressed the Board of his capability. As a result of the consideration above, and the need to urgently fill the vacant position with a suitably qualified individual, the Board decided not to advertise the vacant position internally or externally.



4.4 The following factors were also considered by the Board in making the recommendation on Mr Gama:

- His qualifications and experience.
- His career track record, including his extensive rail expertise, and project management capability.
- His commitment to change and transformation.
- His tenure within the Company.
- His interpersonal skills.
- The experience gained by the candidate during his acting period will assist with his readiness to assume the role.

4.5 On 29 January 2016, the Board recommended the permanent appointment of Mr Gama as the Company's Group Chief Executive on the basis of the strengths he displayed against the competency profile. Further, he has displayed, amongst others, the following vantage points that were impressive to the Board, and assisted in their recommendation:

- Strong strategic competence and track record.
- Intense knowledge of the business of the Company
- A strong South African market knowledge within the broader business and macro-economic landscape.
- Commercial astuteness and seasoned business judgment.
- High levels of integrity.
- Strong negotiation, interpersonal and communication skills.
- His ability to maintain a mature leadership stance, and strong commercial acumen.
- An individual who has the respect and relates well to diversity in the workplace.
- An individual who is tenacious, resilient and tough-minded.

5. Profile of Mr Siyabonga Gama

5.1 Mr Gama has over 21 years' experience in general management in the logistics/commercial/banking/marketing/operational environment, 14 of which were in the capacity of Chief Executive of Transnet Freight Rail. He joined Transnet in 1994 as a Port Planning Manager and Deputy Port Manager, Port of Durban.

5.2 Mr Gama has in depth knowledge of commodity markets, large scale transformation, vision formulation and scenario planning, strategy formulation and implementation, strong business acumen across all functions, strong negotiation and communication skills at the highest level, complex operations management, project management, performance management and improvement, human relations and interpersonal skills and large scale turnarounds.

6. Companies Act – Fit and Proper test

6.1 In terms of Section 69 (2) of the Companies Act ("the Act"), "A person who is ineligible or disqualified, as set out in this section, must not be appointed or elected as a director of a company, or consent to being appointed or elected as a director; or act as a director of a company".

6.2 Accordingly, a "Fit and Proper" tests is an ideal exercise to be conducted on all incumbent directors in an effort to ensure that the directors are compliant to Section

69 of the Companies Act, dealing with the ineligibility and disqualification of persons to be director or prescribed officer. As Mr Gama is an Employee of the Company, the Company would conduct the "Fit and Proper" test. The employment background checks were conducted as part of Mr Gama joining the Company. Further, the verification of qualifications exercise for the Company's Group Executive and Extended Executive Team was conducted in the 2015/16FY, during which Mr Gama's qualifications were verified.

- 6.3 In light of the above, Mr Gama is regarded as having satisfied the "Fit and Proper" test.

7. Financial Implications

- 7.1 A total cost to company remuneration package that is in line with current Executive remuneration levels at the Company will be offered.
- 7.2 The annual total cost to company package of Mr Molefe when he left the Company was R7.6m. Mr Gama was allotted an acting allowance equal to Mr Molefe's salary due to the level of responsibility he assumed during the acting period.

8. Communication Implications

- 8.1 The candidate will be informed of his appointment once the Shareholder Minister approval is obtained. The Chairperson will also inform the Group Executive Committee on the developments. Once all the requisite internal announcements have been made, a press release will be issued by the Company.

9. Constitutional Implications

- 9.1 There are no constitutional implications.

10. Implications for Vulnerable Groups

- 10.1 There are no implications for the vulnerable Groups.

11. Recommendations

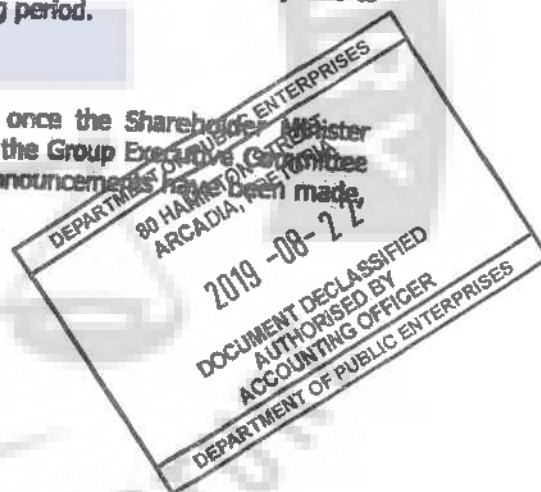
- 11.1 It is recommended that the Shareholder Minister approves the following:
- The appointment of Mr Siyabonga Innocent Gama to the position of Group Chief Executive of Transnet SOC Ltd with effect from a date yet to be determined by the Board, which will be communicated to the Shareholder Minister.
 - The appointment at a total cost to company remuneration package of R7.6m.

By order of the Transnet Board of Directors



Linda Mabaso
Chairperson of Transnet SOC Ltd

24/02/2016





SECRET



MINISTRY: PUBLIC ENTERPRISES

REPUBLIC OF SOUTH AFRICA

Private Bag X15, Hatfield, Pretoria, 0028

CABINET MEMORANDUM NO : 01 of 2016
DATE : 07 March 2016
FILE NUMBER : 2/2/1

1 SUBJECT

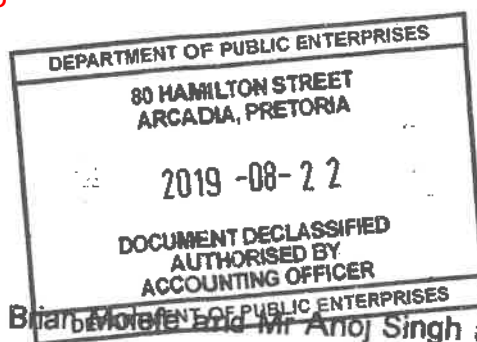
Appointment of Group Chief Executive and the Group Chief Financial Officer of Transnet SOC Limited ("Transnet").

2 PURPOSE

- 2.1 For Cabinet to note the appointment of Mr Siyabonga Gama as the Group Chief Executive ("GCE") of Transnet and *ex officio* member of its Board of Directors on a five (5) year term, with effect from 1 April 2016 to 31 March 2021, subject to annual performance reviews.
- 2.2 Note the appointment of Mr Garry Pita as Group Chief Financial Officer ("GCFO") of Transnet and *ex officio* member of its Board of Directors on a five (5) year term with effect from 01 March 2016 to 28 February 2021, subject to annual performance reviews.

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3 SUMMARY

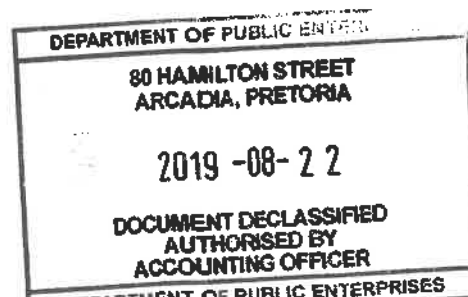
- 3.1 Following the Cabinet's decision to appoint Mr Brian Molefe and Mr Anoj Singh as the new Chief Executive and Chief Financial Officer of Eskom, respectively, Minister informed the Transnet Board of the decision and requested the Board to expedite the recruitment process of the new Group Chief Executive Officer and Group Financial Officer of Transnet without delay as Mr Molefe and Mr Singh were holding those position at Transnet. Upon Minister's approval, Mr Pita was appointed GCFO of Transnet with effect from 1 March 2016 and agreed to inform Cabinet of the appointment when taking the appointment of GCE for noting.
- 3.2 Mr Gama and Mr Pita have been appointed as the acting Group Chief Executive and acting Group Chief Financial Officer, respectively after Mr Molefe and Mr Singh were appointed at Eskom. Since their acting appointment, both Mr Gama and Mr Pita have proven to be ready to take on the responsibilities of Group Chief Executive and Group Chief Financial Officer of Transnet.
- 3.3 It is recommended that Cabinet notes the appointment of Mr Siyabonga Gama as the new GCE and Mr Garry Pita as the new GCFO of Transnet and approve their appointments as ex officio members of the Board.

4 STRATEGIC FOCUS OF THE MEMORANDUM

- 4.1 Transnet SOC Ltd is a public company with the South African government running as its sole shareholder. Both operating and controlling South Africa's major transport infrastructures, Transnet is also responsible for ensuring that the country's transport industries operate according to world-class standards and that they form an integral part of the overall economy.
- 4.2 Transnet is not only vital to South Africa's development, but it also combines forces with other businesses in order to expand transport operations across Africa and beyond. By so doing, Transnet assists in creating valuable business opportunities that extend far beyond the shorelines and borders of the country.

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5 DISCUSSION

- 5.1 After much deliberation and assessment of the performance of the individuals and that of the company, the Transnet Board has recommended that Cabinet confirm the appointments of Mr Gama as GCE and Mr Pita as GCFO to permanently fill the vacancies created by the recent resignations. Cabinet is requested to note the Executive appointments and approve their membership as *ex officio* to the Transnet Board.
- 5.2 **GCE of Transnet.** The Board has recommended that Mr Gama be confirmed as the new GCE of Transnet. A copy of his Curriculum Vitae is attached as **Annexure A**.
- 5.3 He has over 21 years' experience in general management in the logistical, commercial, banking marketing and operational environment, fourteen (14) of which were in the capacity of Chief Executive of Transnet Freight Rail. He joined Transnet in 1994 as a Port Planning Manager and Deputy Port Manager.
- 5.4 **GCFO of Transnet.** The Board has recommended that Mr Pita be confirmed as the new GCFO of Transnet. A copy of his Curriculum Vitae is attached as **Annexure B**.
- 5.5 Mr Pita qualified as a Chartered Accountant in 2004. He is an experienced financial manager and has had extensive exposure in various roles that he has held during his 10 year stay at Transnet. The fact that he has been chosen from within the ranks would augur well with Transnet funders and key stakeholders as it would mean that the incumbent has a very strong appreciation of the issues that the SOC is currently dealing with.
- 5.6 In terms of Transnet's Memorandum of Incorporation (MOI) the Board must have a minimum of ten (10) and a maximum of fourteen (14) Directors. With the appointment of the GCE the Transnet Board will comprise of nine (9) Non-Executive Directors and two (2) Executive Directors, namely the GCE and CFO. Three (3) vacancies for Non-Executive Directors with skills in chartered accounting, rail engineering and project finance remain to be filled.
- 5.7 Demographically, the Board is represented by five (5) Africans (45.5%), three (3) Whites (27.3%), one (1) Indians (9.1%), and two (2) Coloureds (18.2%); with eight

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4

DEPARTMENT OF PUBLIC ENTERPRISES

80 HAMILTON STREET
ARCADIA, PRETORIA

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DEPARTMENT OF PUBLIC ENTERPRISES

(72.7%) being male and three (27.3%) being female. The ownership of the Transnet Board subsequent to these appointments is attached as Annexure C.

6 IMPLEMENTATION PLAN

Following Cabinet consultation, the Minister of Public Enterprises will appoint Mr Gama as GCE and Mr Pita as GCFO ex officio of the Board of Transnet. The appointment of the two Executives will be subject to a contract of employment and Transnet's conditions of service.

7 ORGANISATIONAL AND PERSONNEL IMPLICATIONS

None.

8 FINANCIAL IMPLICATIONS

There are no financial implications emanating from this memorandum for the Department. The remuneration of the Transnet GCE and CFO will be borne by the Company in line with the DPE Remuneration Guidelines as approved by Cabinet in 2007.

9 COMMUNICATION IMPLICATIONS

The Minister of Public Enterprises will communicate the appointments to the Transnet Board and other relevant stakeholders.

10 CONSTITUTIONAL IMPLICATIONS

None

11 SECURITY IMPLICATIONS

None

12 IMPLICATIONS FOR VULNERABLE GROUPS

None

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13 DEPARTMENTS AND PARTIES CONSULTED, RESPONSES AND COMMENTS

13.1 Department of Public Enterprises and the Transnet Board.

13.2 The memorandum was not finalised in consultation with the Economic Sector and Infrastructure Development Cluster as the appointments of Executive Directors are finalised in terms of Transnet's Memorandum of Incorporation (MOI).

14 RECOMMENDATIONS

It is recommended that Cabinet:

- 14.1 Notes the appointment of Mr Siyabonga Gama as the Group Chief Executive of Transnet SOC Ltd and *ex officio* member to the Board of Directors on a five (5) year term, with effect from 01 April 2016 to 31 March 2021, subject to annual performance reviews; and
- 14.2 Notes the appointment of Mr Garry Pita as Group Chief Financial Officer of Transnet SOC Ltd and *ex officio* member to the Board of Directors on a five (5) year term, with effect from 01 March 2016 to 28 February 2021, subject to annual performance reviews.

15 CONTACT PERSON

I declare that the memorandum adheres to the Guidelines dated June 2013 provided by the Cabinet Secretariat for the drafting of memoranda. The requirements in relation to electronic presentations were noted.

Name: Matsietsi Mokholo

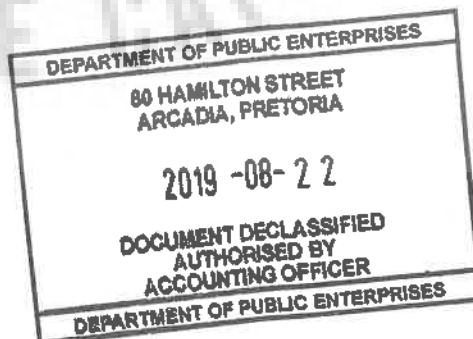
Designation: DDG:LGR

Contact details:

Telephone: 012 431 1047

Cellular: 082 997 7755

E-mail: Matsietsi.mokholo@dpe.gov.za



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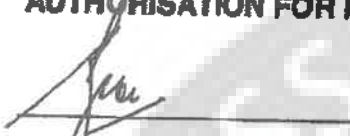
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16 HEAD-OF DEPARTMENT



MR MOGOKARE RICHARD SELEKE
DIRECTOR-GENERAL

17 AUTHORISATION FOR PROCESSING THE MEMORANDUM



MS LYNNE BROWN, MP
MINISTER

12 March 2016

Is there a need for an electronic presentation to be done in addition to the memorandum? No



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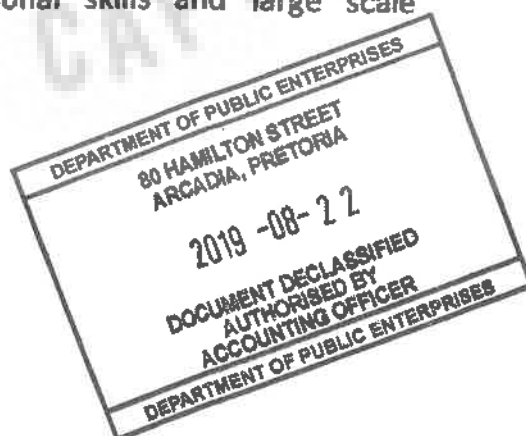
"ANNEXURE A"

CURRICULUM VITAE OF SIYABONGA GAMA**PERSONAL DETAILS**

Nationality	South African
Date of Birth	19 May 1967
Postal Address	Postnet Sulte 165 Private Bag X 23 Gallo Manor 2052
Languages	English, IsiZulu, Siswati, IsiXhosa
Contact Details	011 802 5139 (home); 0789015617 (mobile) 011 802 5583(fax); nanag@mweb.co.za

EXPERIENCE

I have over 23 years' experience in general management at Board/Exco level in the logistics/commercial/banking/marketing/operational environment, 14 of which were in the capacity of Chief Executive Officer in large divisions of Transnet, with particular focus on Innovative optimization of Supply Chain Logistics (ranging from sectors of mining, fuel, manufacturing, cement, containers, chemicals, e.tc.), in depth knowhow of commodity markets, large scale transformation, vision formulation and scenario planning, strategy formulation and Implementation, strong business acumen across all functions, strong negotiation and communication skills at the highest level, complex operations management, project management, performance management and Improvement, human relations and interpersonal skills and large scale turnarounds.





**MINISTRY
PUBLIC ENTERPRISES
REPUBLIC OF SOUTH AFRICA**

Private Bag X15, Hatfield, 0028 Tel: 012 431 1118/1150 Fax: 012 431 1039
Private Bag X9079, Cape Town, 8000 Tel: 021 461 6376/7 Fax: 021 465 2381/465

President Jacob Zuma
The President of the Republic of South Africa
The Presidency
Private Bag X1000
PRETORIA
0001

Tel: 012 300 5200
Fax: 012 323 8246

Dear Mr President

Request Permission for the Late and Direct Submission of the Cabinet Memorandum No. 1 of 2016 to the Cabinet Meeting scheduled for 16 March 2016 for the Appointment of the Transnet SOC Ltd Group Chief Executive (GCE)

I hereby request the President's permission for the late and direct submission of the above-mentioned Cabinet Memorandum for discussion at the Cabinet Meeting scheduled for Wednesday, 16 March 2016.

Following the appointments of Mr Brian Molefe as CEO and Mr Anoj Singh as CFO at Eskom, Cabinet is requested to note the appointment of Mr Siyabonga Gama and Mr Garry Pita as Group Chief Executive and Chief Financial Officer, respectively.

The mandate of Transnet is to assist in lowering the cost of doing business in South Africa, enabling economic growth and ensuring security of supply through the provision of port rail and pipeline infrastructure in a cost effective and efficient manner. Transnet continues to maintain excellent track record of being a sustainable State Owned Company. Hence, there is an urgent need to assist the Board in stabilising Executive leadership by confirming the appointments of the GCE and CFO.

I am cognisant of the requirements for the drafting of Cabinet Memoranda as set out in the document entitled "Guide for the Drafting of Cabinet Memoranda as well as all decisions relating to the timely and correct distribution of Cabinet memoranda. However, in light of the urgency to confirm and stabilise the Executive leadership of Transnet, it is deemed prudent to make a direct submission to Cabinet as set out herein.




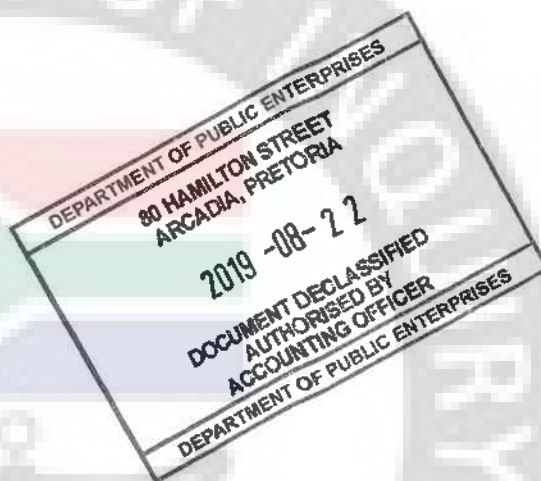
2.

Due to the extreme sensitivity of the information as well as the process, I request that copies of the Cabinet Memorandum be made available to Cabinet Members on the morning of the meeting. After receiving Cabinet concurrence the communication with other relevant stakeholders will be handled by me, together with the Transnet Board.

I trust that this urgent request will receive the President's favourable consideration.

Yours sincerely

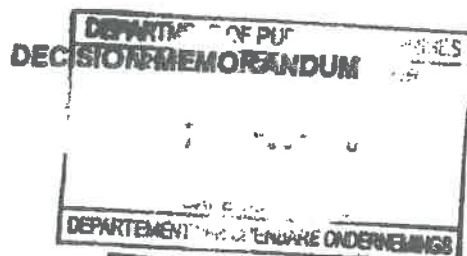

MS LYNNE BROWN, MP
MINISTER OF PUBLIC ENTERPRISES
DATE: 12/02/2016





public enterprises

Department
Public Enterprises
REPUBLIC OF SOUTH AFRICA



DIRECTOR GENERAL OF PUBLIC ENTERPRISES

2016 -03- 09

PRIVATE BAG X15
HATFIELD, PRETORIA 0028

DEPARTMENT OF PUBLIC ENTERPRISES
PRIVATE BAG/PRIVAATSAK X15

2016 -03- 10

HATFIELD 0028

DEPARTMENT VAN OPENBARE ONDERNEMINGS

DEPARTMENT OF PUBLIC ENTERPRISES
80 HAMILTON STREET
ARCADIA, PRETORIA

2019 -08-22

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DEPARTMENT OF PUBLIC ENTERPRISES
2016: THE APPOINTMENT OF
TRANSNET SOC LTD

TO : MS. LYNNE BROWN, MP
MINISTER

FROM : MRS MATSIETSI MOKHOLO
DEPUTY DIRECTOR-GENERAL

FILE REF : 154/3/1

IDMS REF : 187363

SUBJECT : CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF
GROUP CHIEF EXECUTIVE OFFICER OF TRANSNET SOC LTD

DATE : 7 MARCH 2016

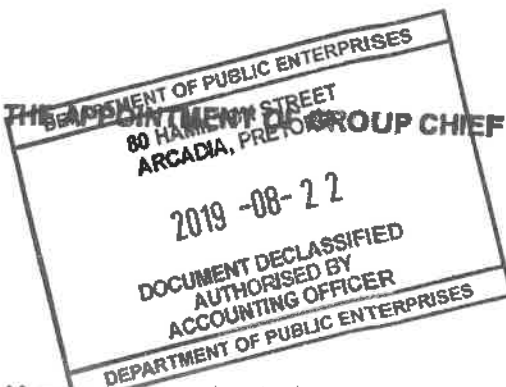
1. PURPOSE

- 1.1 To brief Minister about the letter from the Chairperson of Transnet recommending the appointment of Mr Siyabonga Gama (Mr Gama) as the new Group Chief Executive of Transnet SOC Ltd,
- 1.2 To request Minister to approve the recommendation from the Transnet Board for the appointment of Mr Siyabonga Gama as the new Group Chief Executive (GCE) of Transnet on a 5 year contract, with effect from 01 May 2016 to 30 April 2021, subject to annual performance, on a total guaranteed remuneration of R7.6 m per annum;
- 1.3 To request Minister to sign and approve the submission of the Cabinet Memorandum no 1 of 2016 on the appointment of the Group Chief Executive (GCE) of Transnet to Cabinet for noting. A copy of the Cabinet Memorandum is attached herewith as Annexure "A"; and
- 1.4 To request that Minister approve that the same Cabinet Memorandum include a request for Cabinet to note the appointment of Mr Garry Pita (Mr Pita) as the Chief Financial Officer of Transnet, with effect from 1 March 2016, on a five year term, subject to annual performance reviews.

Lefapha la Dikgwabo tsa Puso • Lefapha la Dikgwabo tsa Mmuso • UMnyango wezincompani zikaHulumeni • Mkhawulo we Mabinzu a Muvhuso • Departement van Openbare Ondernemings • Kgoro ya Dikgwabo tsa Setshaba • Ndawulo ya Mabinzu ye Mfumo • LITiko leTembhizini leHulumeni • ISabe lezaMashatini oMbuso

Confidential -

**CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF
OF TRANSNET SOC LTD GROUP CHIEF EXECUTIVE**



2. SUMMARY

2.1 Clause 16.1 and 16.2 of Transnet's Memorandum of Incorporation ("MOI") states that the Board shall identify, nominate and evaluate potential candidates for appointment as the Group Chief Executive in accordance with DPE Guideline for the appointment of CEOs and that the Shareholder shall appoint the Group Chief Executive from the shortlist of candidates provided by the Board.

2.2 Minister received a letter dated 24 February 2016 from the Chairperson of Transnet Board recommending that Mr Gama be appointed as the Group Chief Executive of Transnet. A copy of the letter is attached herewith as Annexure "B".

2.3 The Department recommends that Minister approve the appointment of Mr Gama as the new Group Chief Executive and *ex officio* of Transnet Board for a period of five (5) year fixed term, subject to annual performance review, on a guaranteed remuneration of R7.6m per annum.

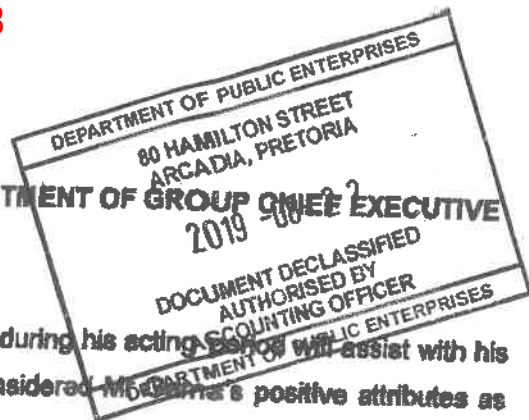
3. ANALYSIS AND FINDINGS

3.1 Following the Cabinet's decision to appoint Mr Brian Molise and Mr Anoj Singh as the new Chief Executive and Chief Financial Officer of Eskom, respectively, Minister requested the Transnet Board to expedite the recruitment process for a new GCE and CFO of Transnet, without delay. Upon Minister's approval, Mr Pita was appointed CFO of Transnet with effect from 1 March 2016 and agreed to inform Cabinet of the appointment when taking the appointment of GCE for noting. The memo (IDMS: 184244) is attached herewith as Annexure "C".

3.2 With regard to the appointment of the GCE, the Board has assured Minister that they have considered the DPE Guidelines for appointment of CEOs, the provisions of Transnet's MOI, the current economic climate and the resultant impact on the Company prior to the commencement with the process to fill the vacancy.

3.3 The recommendation of the Board considered Mr Gama's qualifications, experience and career track record, including his extensive rail expertise, and project management capability, his commitment to change and transformation and his tenure within the Company,

**CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE
OF TRANSNET SOC LTD**



His interpersonal skills and the experience gained during his acting period will assist with his readiness to assume the role. The Board also considered Mr Gama's positive attributes as being:

- Strong strategic competence and track record;
- Extensive knowledge of the business of the Company;
- A strong South African market knowledge within the broader business and macro-economic landscape ;
- Commercial astuteness and seasoned business judgement;
- High level of integrity;
- Strong negotiation, interpersonal and communication skills;
- His ability to maintain a mature leadership stance and commercial acumen;
- An individual who has the respect and relates well to diversity in the workplace; and
- An individual who is tenacious, resilient and tough-minded.

3.4 The Company assured Minister that it would conduct the fit and proper test as Mr Gama is an employee of the Company. The employment background checks were conducted as part of Mr Gama joining the Company, further, the verification of qualifications exercise for Company's Group Executive and extended Executive team was conducted in the current financial year, of which Mr Gama's qualifications were verified. Given the above, Mr Gama is regarded as having satisfied the fit and proper test.

3.5 SOC recruitment policies should at all times allow for an open, fair, equitable and competitive recruitment process. In arriving at the recommendation to appoint Mr Gama the Transnet Board needed to have addressed whether the human resources and recruitment policies allow for the process the Board has chosen to follow, as opposed to undertaking a competitive recruitment process that allows for any other potential candidate to apply for the post. Further it would have been disingenuous /insincere for the Board to embark on an open competitive process when knowing that Mr Gama has proven himself as a suitable candidate during his tenure as acting CE. Due to the candidate's suitability the Department is satisfied with the process followed by the Board in this regard.

3.6 The Department supports the view that Mr Gama fits the SOC's requirements very well. He has over 21 years' experience in management in the logistical, commercial, banking marketing and operational environment, fourteen (14) of which were in the capacity of Chief Executive of Transnet Freight Rail. He joined Transnet in 1994 as a Port Planning Manager

CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD

and Deputy Port Manager. A copy of the Curriculum Vitae is attached herewith as part of Annexure "A".



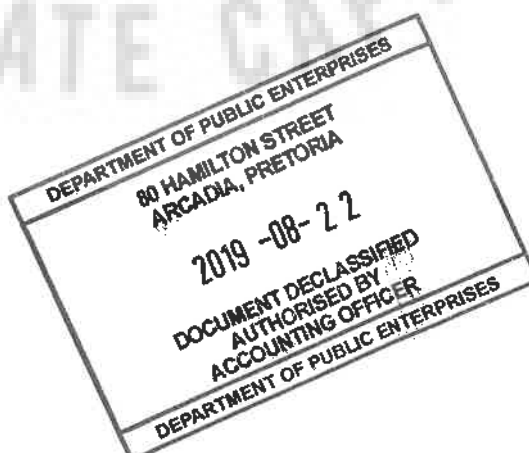
- 3.7 Following the secondment and subsequently the permanent appointment of Mr Brian Molefe to Eskom Holding SOC LTD, Mr Gama was appointed as the Acting Group Chief Executive of Transnet with effect from 20 April 2015 to date and the Board is satisfied with his performance as the acting GCE of Transnet. During his acting period, the Company showed leadership stability and is continuing Transnet continues to be a stable SOC within the DPE portfolio.
- 3.8 In respect of remuneration, the Board proposes that Mr Gama be paid a guaranteed total package of R7.6 million per annum, which is the current remuneration level of the GCE of Transnet.
- 3.9 In terms of Transnet's MOI the Board must have a minimum of ten (10) and a maximum of fourteen (14) Directors. With the appointment of the GCE the Transnet Board will comprise of nine (9) Non-Executive Directors and two (2) Executive Directors, namely the GCE and CFO. Three (3) vacancies for Non-Executive Directors with skills in chartered accounting, rail engineering and project finance remain to be filled and a separate process would be recommended to the Minister at a later stage once the Board Evaluation Report has been received from the company as part of the AGM process.
- 3.10 Demographically, the Board is represented by five (5) Africans (45.5%), three (3) Whites (27.3%), one (1) Indian (9.1%), and two (2) Coloureds (18.2%); with eight (72.7%) being male and three (27.3%) being female. The Transnet Board subject to the appointment being confirmed will be comprised as per the attachment attached hereto as Annexure "D".
- 4. FINANCIAL IMPLICATIONS**
- There are no financial implications emanating from this memorandum. The remuneration of the GCE shall be borne by Transnet.
- 5. CONSULTATION/PROJECT TEAM**
- LGR/Transnet.

CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD

6. RECOMMENDATION


It is recommended that the Minister:


- 6.1 Notes the contents of this memorandum;
- 6.2 Approves the appointment of Mr Syabonga Gama as the new Transnet Group Chief Executive and *ex officio* of the Board for a five (5) years, with effect from 01 May 2016 to 30 April 2021, subject to annual performance review;
- 6.3 Approves the guaranteed remuneration of R7.6 million per annum for Mr Gama;
- 6.4 Approves and signs the submission of the Cabinet Memorandum No. 1 of 2016 on the appointment of the Group Chief Executive (GCE) of Transnet. A copy of the Cabinet Memorandum is attached hereto as Annexure "A"; and
- 6.5 Notes that the Cabinet Memorandum will also request Cabinet to note the appointment of Mr Gary Pita as CFO of Transnet, on a five (5) year term, with effect from 1 March 2016 to 28 February 2021, subject to annual performance reviews.
- 6.6 Signs the letter addressed to President Jacob Zuma attached hereto as Annexure "E", requesting the President's permission for the late and direct submission of the above-mentioned Cabinet memorandum for the discussion at the Cabinet meeting scheduled for Wednesday, 16 March 2016.




CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD

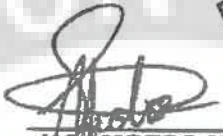
Memorandum prepared by:

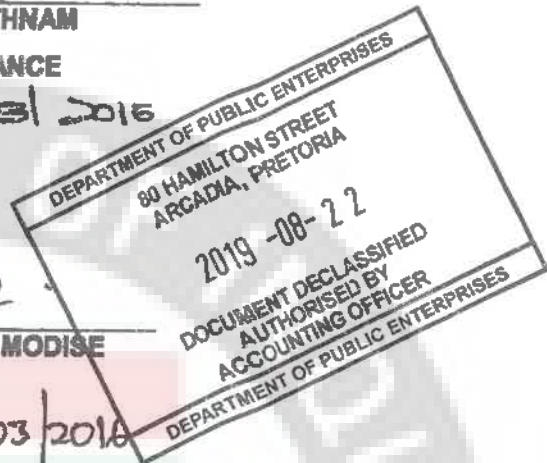

LAWRENCE NEVONDO
 ASD: GOVERNANCE
 DATE: 07/03/2016



ORGIELA RUTHNAM
 CD: GOVERNANCE
 DATE: 08/03/2016

REVIEWED AND SUPPORTED:


M.A. MATSIETSI MOKHOLO
 DDG: LGR
 DATE: 09/03/2016



KGOMOTSO MODISE
 DDG: TE
 DATE: 09/03/2016




MR. MOGOKARE RICHARD SELEKE
 DIRECTOR-GENERAL
 DATE: 09/03/2016

RECOMMENDED / NOT RECOMMENDED / COMMENTS

to be placed in the next cabinet.


MS LYNNE BROWN, MP
 MINISTER
 DATE: 12/03/2016

APPROVED / NOT APPROVED / COMMENTS

NOTED / COMMENTS

MR BULELANI GRATITUDE MAGWANISHE, MP
 DEPUTY MINISTER
 DATE:



public enterprises

Department:
Public Enterprises
REPUBLIC OF SOUTH AFRICA

DECISION MEMORANDUM

63

TO : MS. LYNNE BROWN, MP
MINISTER

FROM : MRS MATSIETSI MOKHOLO
DEPUTY DIRECTOR-GENERAL: LGR

FILE REF : 15/1/3/1

IDMS REF : 187363

**SUBJECT : CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF
GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD**

DATE : 7 MARCH 2016



1. PURPOSE

- 1.1 To brief Minister about the letter from the Chairperson of Transnet recommending the appointment of Mr Siyabonga Gama (Mr Gama) as the new Group Chief Executive of Transnet SOC Ltd,
- 1.2 To request Minister to approve the recommendation from the Transnet Board for the appointment of Mr Siyabonga Gama as the new Group Chief Executive (GCE) of Transnet on a 5 year contract, with effect from 01 May 2016 to 30 April 2021, subject to annual performance, on a total guaranteed remuneration of R7,6 m per annum;
- 1.3 To request Minister to sign and approve the submission of the Cabinet Memorandum no 1 of 2016 on the appointment of the Group Chief Executive (GCE) of Transnet to Cabinet for noting. A copy of the Cabinet Memorandum is attached herewith as **Annexure "A"**; and
- 1.4 To request that Minister approve that the same Cabinet Memorandum include a request for Cabinet to note the appointment of Mr Garry Pita (Mr Pita) as the Chief Financial Officer of Transnet, with effect from 1 March 2016, on a five year term, subject to annual performance reviews.

SEAL

CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE
OF TRANSNET SOC LTD

2. SUMMARY

- 2.1 Clause 16.1 and 16.2 of Transnet's Memorandum of Incorporation ("MOI") states that the Board shall identify, nominate and evaluate potential candidates for appointment as the Group Chief Executive in accordance with DPE Guideline for the appointment of CEOs and that the Shareholder shall appoint the Group Chief Executive from the shortlist of candidates provided by the Board.
- 2.2 Minister received a letter dated 24 February 2016 from the Chairperson of Transnet Board recommending that Mr Gama be appointed as the Group Chief Executive of Transnet. A copy of the letter is attached herewith as **Annexure "B"**.
- 2.3 The Department recommends that Minister approve the appointment of Mr Gama as the new Group Chief Executive and *ex officio* of Transnet Board for a period of five (5) year fixed term, subject to annual performance review, on a guaranteed remuneration of R7.6m per annum.

3. ANALYSIS AND FINDINGS

- 3.1 Following the Cabinet's decision to appoint Mr Brian Molefe and Mr Anoj Singh as the new Chief Executive and Chief Financial Officer of Eskom, respectively, Minister requested the Transnet Board to expedite the recruitment process for a new GCE and CFO of Transnet, without delay. Upon Minister's approval, Mr Pita was appointed CFO of Transnet with effect from 1 March 2016 and agreed to inform Cabinet of the appointment when taking the appointment of GCE for noting. The memo (IDMS: 184244) is attached herewith as **Annexure "C"**.
- 3.2 With regard to the appointment of the GCE, the Board has assured Minister that they have considered the DPE Guidelines for appointment of CEOs, the provisions of Transnet's MOI, the current economic climate and the resultant impact on the Company prior to the commencement with the process to fill the vacancy.
- 3.3 The recommendation of the Board considered Mr Gama's qualifications, experience and career track record, including his extensive rail expertise, and project management capability, his commitment to change and transformation and his tenure within the Company,

CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD

His interpersonal skills and the experience gained during his acting period will assist with his readiness to assume the role. The Board also considered Mr Gama's positive attributes as being:

- Strong strategic competence and track record;
- Extensive knowledge of the business of the Company;
- A strong South African market knowledge within the broader business and macro-economic landscape ;
- Commercial astuteness and seasoned business judgement;
- High level of integrity;
- Strong negotiation, interpersonal and communication skills;
- His ability to maintain a mature leadership stance and commercial acumen;
- An individual who has the respect and relates well to diversity in the workplace; and
- An individual who is tenacious, resilient and tough-minded.

3.4 The Company assured Minister that it would conduct the fit and proper test as Mr Gama is an employee of the Company. The employment background checks were conducted as part of Mr Gama joining the Company, further, the verification of qualifications exercise for Company's Group Executive and extended Executive team was conducted in the current financial year, of which Mr Gama's qualifications were verified. Given the above, Mr Gama is regarded as having satisfied the fit and proper test.

3.5 SOC recruitment policies should at all times allow for an open, fair, equitable and competitive recruitment process. In arriving at the recommendation to appoint Mr Gama the Transnet Board needed to have addressed whether the human resources and recruitment policies allow for the process the Board has chosen to follow, as opposed to undertaking a competitive recruitment process that allows for any other potential candidate to apply for the post. Further it would have been disingenuous /insincere for the Board to embark on an open competitive process when knowing that Mr Gama has proven himself as a suitable candidate during his tenure as acting CE. Due to the candidate's suitability the Department is satisfied with the process followed by the Board in this regard.

3.6 The Department supports the view that Mr Gama fits the SOC's requirements very well. He has over 21 years' experience in management in the logistical, commercial, banking marketing and operational environment, fourteen (14) of which were in the capacity of Chief Executive of Transnet Freight Rail. He joined Transnet in 1994 as a Port Planning Manager

CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD

and Deputy Port Manager. A copy of the Curriculum Vitae (CV) is attached herewith as part of **Annexure "A"**.

- 3.7 Following the secondment and subsequently the permanent appointment of Mr Brian Molefe to Eskom Holding SOC LTD, Mr Gama was appointed as the Acting Group Chief Executive of Transnet with effect from 20 April 2015 to date and the Board is satisfied with his performance as the acting GCE of Transnet. During his acting period, the Company showed leadership stability and is continuing Transnet continues to be a stable SOC within the DPE portfolio.
- 3.8 In respect of remuneration, the Board proposes that Mr Gama be paid a guaranteed total package of R7.6 million per annum, which is the current remuneration level of the GCE of Transnet.
- 3.9 In terms of Transnet's MOI the Board must have a minimum of ten (10) and a maximum of fourteen (14) Directors. With the appointment of the GCE the Transnet Board will comprise of nine (9) Non-Executive Directors and two (2) Executive Directors, namely the GCE and CFO. Three (3) vacancies for Non-Executive Directors with skills in chartered accounting, rail engineering and project finance remain to be filled and a separate process would be recommended to the Minister at a later stage once the Board Evaluation Report has been received from the company as part of the AGM process.
- 3.10 Demographically, the Board is represented by five (5) Africans (45.5%), three (3) Whites (27.3%), one (1) Indian (9.1%), and two (2) Coloureds (18.2%); with eight (72.7%) being male and three (27.3%) being female. The Transnet Board subject to the appointment being confirmed will be comprised as per the attachment attached hereto as **Annexure "D"**.

4. FINANCIAL IMPLICATIONS

There are no financial implications emanating from this memorandum. The remuneration of the GCE shall be borne by Transnet.

5. CONSULTATION/PROJECT TEAM

LGR/Transnet.

CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD

6. RECOMMENDATION

It is recommended that the Minister.

- 6.1 Notes the contents of this memorandum;
- 6.2 Approves the appointment of Mr Siyabonga Gama as the new Transnet Group Chief Executive and *ex officio* of the Board for a five (5) years, with effect from 01 May 2016 to 30 April 2021, subject to annual performance review;
- 6.3 Approves the guaranteed remuneration of R7.6 million per annum for Mr Gama;
- 6.4 Approves and signs the submission of the Cabinet Memorandum No. 1 of 2016 on the appointment of the Group Chief Executive (GCE) of Transnet. A copy of the Cabinet Memorandum is attached hereto as **Annexure "A"**; and
- 6.5 Notes that the Cabinet Memorandum will also request Cabinet to note the appointment of Mr Gary Pita as CFO of Transnet, on a five (5) year term, with effect from 1 March 2016 to 28 February 2021, subject to annual performance reviews.
- 6.6 Signs the letter addressed to President Jacob Zuma attached hereto as **Annexure "E"**, requesting the President's permission for the late and direct submission of the above-mentioned Cabinet memorandum for the discussion at the Cabinet meeting scheduled for Wednesday, 16 March 2016.

CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE OF T. JANSNET SOC LTD

Memorandum prepared by:


LAWRENCE NEVONDO

ASD: GOVERNANCE

DATE: 07/03/2016


ORGIELA RUTHNAM

CD: GOVERNANCE

DATE: 08/03/2016

REVIEWED AND SUPPORTED:

M.A. 
MATSIETSI MOKHOLO

DDG: LGR

DATE: 09/03/2016


KGOMOTSO MODISE

DDG: TE

DATE: 09/03/2016



MR. MOGOKARE RICHARD

SELEKE

DIRECTOR-GENERAL

DATE: 09/03/2016

RECOMMENDED / NOT RECOMMENDED / COMMENTS

to be placed in the
next cabinet.



MS LYNNE BROWN, MP

MINISTER

DATE: 12/03/2016

APPROVED / NOT APPROVED / COMMENTS

NOTED / COMMENTS



MR BULELANI GRATITUDE

MAGWANISHE, MP

DEPUTY MINISTER

DATE: 06/04/2016

CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE
OF TRANSNET SOC LTD

Memorandum prepared by:

LAWRENCE NEVONDO

ASD: GOVERNANCE

DATE: 07/03/2016

ORGIELA RUTHNAM

CD: GOVERNANCE

DATE: 08/03/2016

REVIEWED AND SUPPORTED:

M.A. MATSIETSI MOKHOLO

DDG: LGR

DATE: 09/03/2016

KOMOTSO MODISE

DDG: TE

DATE: 09/03/2016

MR. MOGOKARE RICHARD
SELEKE

DIRECTOR-GENERAL

DATE: 09/03/2016

RECOMMENDED / NOT RECOMMENDED / COMMENTS

to be placed in the
next Cabinet.

APPROVED / NOT APPROVED / COMMENTS

MS LYNNE BROWN, MP
MINISTER

DATE:

NOTED / COMMENTS

MR BULELANI GRATITUDE
MAGWANISHE, MP
DEPUTY MINISTER
DATE:



public enterprises

Department:
Public Enterprises
REPUBLIC OF SOUTH AFRICA

DECISION MEMORANDUM

TO : MS. LYNNE BROWN, MP
MINISTER

FROM : MS. ORATENG MOTSOAI

ACTING DEPUTY DIRECTOR-GENERAL: LGR

FILE REF : 15/1/3/1

IDMS REF : 187886

SUBJECT : COVER MEMO FOR THE RE-SUBMISSION OF CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD TO CABINET

DATE : 06 APRIL 2016



1. PURPOSE

- 1.1 To request Minister to note the approved Cabinet Memorandum no 1 of 2016 on the appointment of the Group Chief Executive (GCE) of Transnet to Cabinet for noting. A copy of the signed Cabinet Memorandum is attached hereto as **Annexure "A"**
- 1.2 To request Minister to approve and sign the letter to President Jacob Zuma attached hereto as **Annexure "B"**, requesting the President's permission for the direct submission of the above-mentioned Cabinet memorandum for discussion at the Cabinet Meeting scheduled for Wednesday, 13 April 2016.
- 1.3 To request Minister to note the contents of the decision memorandum (IDMS 187363), as it remains relevant for submission of the above-mentioned Cabinet Memorandum. A copy of the decision memorandum is attached hereto as **Annexure "C"**.

COVER MEMO FOR CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD

2. SUMMARY

- 2.1 Minister's attention is drawn to the decision memo attached hereto as Annexure C and requested to sign the letter to the President requesting direct submission of the Cabinet Memorandum 1 of 2016 to serve on the Cabinet meeting scheduled for Wednesday, 13 April 2016.

3. FINANCIAL IMPLICATIONS

There are no financial implications emanating from this memorandum. The remuneration of the GCE shall be borne by Transnet.

4. CONSULTATION/PROJECT TEAM

LGR/Transport Unit.

5. RECOMMENDATION

It is recommended that the Minister:

- 5.1 Notes the contents of this memorandum;
- 5.2 Signs the letter addressed to the President attached hereto as **Annexure "B"**, requesting the President's permission for the direct submission of the above-mentioned Cabinet Memorandum for discussion at the Cabinet meeting scheduled for Wednesday, 13 April 2016; and
- 5.3 Notes contents of the Decision Memorandum (IDMS 187363), as it remains relevant for submission of the above-mentioned Cabinet memorandum.

COVER MEMO FOR CABINET MEMORANDUM NO. 1 OF 2016: THE APPOINTMENT OF GROUP CHIEF EXECUTIVE OF TRANSNET SOC LTD

Memorandum prepared by:



LAWRENCE NEVONDO

ASD: GOVERNANCE

DATE: 06/04/2016



ORCILLA RUTHNAM

CD: GOVERNANCE

DATE: 06/04/2016


REVIEWED AND SUPPORTED:



ORATENG MOTSOA

ADDG: LGR


DATE: 06/04/2016



KGOMOTSO MODISE

DDG: TE

DATE: 06/04/2016



MR. MOGOKARE RICHARD

SELEKE

DIRECTOR-GENERAL

DATE: 06/04/2016

RECOMMENDED / NOT RECOMMENDED / COMMENTS

APPROVED / NOT APPROVED / COMMENTS


MS LYNNE BROWN, MP

MINISTER

DATE: 06/04/2016

NOTED / COMMENTS

MR BULELANI GRATITUDE

MAGWANISHE, MP

DEPUTY MINISTER

DATE:

B

CIF INFO ABSA COMPREHENSIVE CLIENT INFORMATION

CLIENT CODE : JZFOUND001 CSA REF NO. : 000000000
 ORGANISATION NAME : JACOB ZUMA FOUNDATION NPC
 ID TYPE : REGISTRATION NO
 REGISTRATION/ID NUMBER : 2008/021836/08
 LANGUAGE : ENGLISH
 CLIENT TYPE : NON-PROFIT ORGANISATIONS AND FRIENDLY SO
 SUB CLASSIFICATION :
 COUNTRY INCORPORATED :
 S.I.C. CODE : SOCIAL WORK ACTIVITIES

DETAILED CLASSIFICATION :
 DETAILED CLASSIFICATION :
 DETAILED CLASSIFICATION :

PERCENT :
 PERCENT :
 PERCENT :

PORTFOLIO POSTAL ADDRESS
 PO BOX 30527

PHYSICAL ADDRESS
 102 KOLKSTERT KRING

RICHARDS BAY

MEER EN SEE
 3901

TELEPHONE NO. : (035) 7533174
 CONTACT TEL NO. : ()
 CONTACT PERSON : DUDU MYENI
 DESIGNATION : DIRECTOR
 CONTACT CELL NO. : 0828756002
 FAX NO. : ()
 FAX NO. : ()
 E MAIL ADDRESS :

PREFERRED COMMUNICATION CHANNEL: MAIL

CREDITWORTHINESS CONSENT Y/N: Y

ABSA GROUP MARKETING CONSENT Y/N: Y

MAIL Y/N: Y TELEPHONE Y/N: Y

E-MAIL Y/N: N SMS Y/N: N

INCOME TAX NUMBER: 0000000000 HOME LANGUAGE:

VAT REGISTRATION NUMBER:

FINANCIAL YEAR END : FEBRUARY

INTERNET WEB SITE :

FUND/TRUST DEED NUMBER :

DATE IDENTIFIED: 12062013

EMPLOYEE/ATTORNEY NUMBER : 5018736

DATE VERIFIED : 12062013

EMPLOYEE/ATTORNEY NUMBER : 5018736

EXEMPTED Y/N : N

EXEMPTION INDICATOR :

DATE EXEMPTED :

EMPLOYEE NUMBER :

Handwritten notes:
 "Details verified with client"
~~Imp No 5018736~~
 Imp No 5018736
 Reference placed on CF
~~Imp No 5018736~~
 Imp No 5018736
 * See Card

CHANGES ENQUIRY FOR MORE DETAIL ENTER CHANGE NO

JACOB ZUMA FOUNDATION NPC

PO BOX 30527

RICHARDS BAY

3900

JZFOUND001

CHNO DATE CHG BR CHG TRAN TEL/EMP OVR/EMP NEW ACCOUNT/CLIENT CODE

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00019	10/04/2013	000676	CONS	0043666	0000000	12:57:21
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00021	16/04/2013	000899	VERI	0008999	0000000	10:06:21
00022	17/04/2013	000676	VERI	0043666	0000000	09:37:01
00023	24/04/2013	000649	VERI	0026243	0000000	13:43:06
00024	03/05/2013	000649	VERI	0026243	0000000	15:16:30
00025	07/05/2013	000899	VERI	0008999	0000000	10:04:40
00026	09/05/2013	000649	VERI	0026243	0000000	12:53:14
00027	17/05/2013	000676	VERI	0043666	0000000	14:52:23
00028	23/05/2013	000649	VERI	0026243	0000000	14:16:37
00029	11/06/2013	000676	VERI	0043666	0000000	16:05:39
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00032	12/06/2013	000676	VERI	0043666	0043666	14:44:58
00033	12/06/2013	000676	NAME	0043666	0043666	14:44:58

CHANGES ENQUIRY FOR MORE DETAIL ENTER CHANGE NO

JACOB ZUMA FOUNDATION NPC

PO BOX 30527

RICHARDS BAY

3900

JZFOUND001

CHNO DATE CHG BR CHG TRAN TEL/EMP OVR/EMP NEW ACCOUNT/CLIENT CODE

***** END OF CHANGE RECORD ***** 12JUN2013

CIF INFO ABSA COMPREHENSIVE CLIENT INFORMATION
 CLIENT CODE :MYENIDC002 CSA REF NO. :000000000
 SURNAME :MYENI
 FIRST NAMES :DUDUZILE CYNTHIA
 INITIALS :DC TITLE :MRS GENDER :FEMALE
 DATE OF BIRTH :29101963
 ID TYPE :IDENTITY DOCUMENT
 ID NUMBER :6310290292082 DATE ISSUED: 09112006
 IF PASSPORT: NATIONALITY :
 COUNTRY PASSPORT ISSUED :
 MARITAL STATUS :DIVORCED IF MARRIED: MARITAL CONTRACT :
 LANGUAGE :ENGLISH
 OCCUPATIONAL STATUS :SELF EMPLOYED PROFESSIONAL
 CLIENT TYPE :PRIV INDIV - SA RESIDENTS
 TEMPORARY RESIDENT PERMIT NUMBER: PERMIT EXPIRY DATE:
 PORTFOLIO POSTAL ADDRESS RESIDENTIAL ADDRESS
 PO BOX 30527 102 KOLSTERTKRING

ARDS BAY

MEER EN SEE
3901

TELEPHONE NO. (WORK): (035) 7533174
 TELEPHONE NO. (HOME): (035) 7533174
 FAX NO. (WORK) : ()
 FAX NO. (HOME) : ()
 CELL PHONE NO. :0828756002
 E-MAIL ADDRESS :dudumyeni@telkomsa.net
 PREFERRED COMMUNICATION CHANNEL: MAIL
 CREDITWORTHINESS CONSENT Y/N: N
 ABSA GROUP MARKETING CONSENT Y/N: Y
 MAIL Y/N: Y TELEPHONE Y/N: N
 E-MAIL Y/N: N SMS Y/N: N
 OCCUPATION :
 EMPLOYMENT SECTOR :EDUCATION
 OCCUPATION LEVEL :
 GROUP SCHEME CODE :
 EMPLOYEE NO :
 SPONSORS NAME AND ADDRESS

*Details verified
with client*

BMJ169

Imp No 5018736

MONTHLY INCOME: R42000-R62999 SOURCE OF FUNDS: SALARY
 NO. OF DEPENDANTS: THREE RESIDENTIAL STATUS: OWNER
 INCOME TAX NUMBER: 0000000000 HOME LANGUAGE: ZULU
 PRACTICE/TRUST NO. :
 EVER DECLARED INSOLVENT? : N
 DO YOU HAVE A POST MATRIC QUALIFICATION? Y/N :Y
 POST MATRIC QUALIFICATION :04 DIPLOMA 3 YEARS
 DO YOU RECEIVE A SOCIAL GRANT? Y/N :N
 DATE IDENTIFIED: 11062013
 DATE VERIFIED : 11062013

EXEMPTED Y/N : N
EXEMPTION INDICATOR :
DATE EXEMPTED :
EMPLOYEE NUMBER :

NEXT OF KIN INFORMATION

SURNAME : MEMELA
FIRST NAMES : THANDEKA
RELATIONSHIP : OTHER
TELEPHONE NO. (WORK) : ()
TELEPHONE NO. (HOME) : ()
CELL PHONE NO. : 0827878375
EMAIL:

CLIENT SIGNATURE :

AUTHORISED BY :

END OF DETAIL 11 JUN 2013

TIME 16:11:36





22 April 2013

Absa Bank

Richards Bay
Attn: Mr Mark James

Dear Mr. James

JACOB ZUMA FOUNDATION ABSA ACCOUNT 4074045177

The Jacob Zuma Board of Directors hereby confirms the resignation of one of the Directors, Ms Carmen Megan Willet, ID 6708270029087. Ms Willet resigned from the JZF with effect 02 December 2010. Please see her resignation letter attached for your perusal.

The other Directors, Ms Duduzile Cynthia Myeni and Mr Baldason Thembinkosi Thintani Mathe, continue to remain in these positions.

Adams & Adams are currently working on the removal of Ms Willett from the CIPRO documents. You shall be notified as soon as these documents are in order.

Thank you for your assistance in this regard.

Yours faithfully

Ms. D. C Myeni
ID 6310290292082
Director
Jacob Zuma Foundation

Mr BTT Mathe
ID 6212246034081
Director
Jacob Zuma Foundation

I hereby confirm that I have examined the original document, of which this is a copy and that: (1) the original document shows no signs of tampering or alteration and (2) the copy is a complete and true copy of the original document.	
Signed: Title: - SIA L BUSINESS RELATIONSHIP MANAGER Name: DESIREE SIKHAKHANE Date: 24/04/13 Memo No: ABDR080 Employee No: 5001148 of ABSA EMPANGENI, ES46	

Founder and Patron: Ms Jacob Zuma

 **ABS**

Member of
BARCLAYS

Confirmation by the Members of Informal Bodies/Clubs

CONFIDENTIAL

CSABT 58698008

you, the undersigned

Full names of all registered officials authorized to establish business relations:

Duduzile Cynthia Myers

Balderson Therapeutic Therapeutic medicine

Members

Using all the members of **Jacob Zuma Foundation**

[Name of entity]

daily authorised to establish business relations with Absa Bank Limited (reg no 1985/00479-JOB) and VAT reg no 4940011330, a public company duly registered as a bank under the laws of the Republic of South Africa with its registered address at 7th Floor Absa Towers West, 16 Thoye Street, Johannesburg, 2001, and conducting business from

2001 and conducting business from
 Lakaren Terrace 7 Twisted Pines Area Richards Bay 8900

hereby declare and guarantee in your personal capacities that:

X this document contains all the current members of the entity that can establish business relations with us:

- you have a formal constitution which we have provided to Abba;

If you do not have a formal constitution or founding document:

you have received the Aflac Club Accidental death benefit form.

X your function here as an entity under the above name as a non-profit organization (school, church, stadium, club, etc.)

you will immediately let us know in writing whenever the entity is broken up, converted, materially changed for whatever reason.

the business address for the abovementioned entity is (state N/A, if there is no business address)

102 Kolkhof Krug

Mar en off

393

You, the member, acknowledge the above as fact. You must read the above carefully and must ensure that each statement is true and correct, or it will limit your right to claim that these statements are not true and correct. We may sue you for claims and other rights against you if any of these statements is not true and correct.

Signed at Richards Bay

01 23 గేయ శ్లోక

(ఉద్ధృతం)

(only authorized)

Study authorized

(Only authors send)

Study authorized

(duly authorized)

WITNESSES

1. 2 (statt)

Staff

3. DR (Self)

£ (STAFF)

Also Read: [Planning for the Next Pandemic](#)

2014 年 10 月 27 日

Authorized Financial Services Provider, Registered Credit Provider Reg No NCCFP0

634 0025207

Certificate issued by the Registrar of Companies & Close Corporations on 25 March 2013 12:08
Certificate of Confirmation

Companies and Intellectual
 Property Commission
 a member of the SAG group

Registration number 2008/021836/08

Enterprise Name JACOB ZUMA FOUNDATION NPC

Enterprise Shortened Name None provided.

Enterprise Translated Name None provided.

Registration Date 08/09/2008

Business Start Date 08/09/2008

Enterprise Type Non Profit Company

Enterprise Status In Business

Financial year end February

Description of Principal Business POVERTY ALLEVIATION AND SOCIAL DEVELOPMENT

Postal Address P O BOX 30527
 RICHARDS BAY
 3900

Address of registered office 102 KOLSTERT KRING
 MEERENSEE
 RICHARDSBAY
 3901

Auditor

Name NJAPA INCORPORATED

Postal Address P O BOX 52539
 SAXONWOLD
 2132

Profession Chartered Accountants

Membership/Practice No

*Independently drawn
 by myself
 ABMJ169
 Imp No 5018736*

Directors/Officers

Surname and first names	ID number, date of birth or Enterprise number	Director type	Appointment date	Addresses
MATHE, BALDASON THEMBINKOSI THINTANI	8212246034081	Director	9/4/2009	Postal: P O BOX 294, GILLITTS, 3603 Residential: 11A JAN SMUTS AVENUE, WINSTON PARK, GILLITTS, 3610
WILLET, CARMEN MEGAN	6708270029087	Director	9/4/2009	Postal: P O BOX 4019, SOMERSET WEST, 7129 Residential: COTTAGE 1, FARM 959, PORTION 205, FIRLANDS GORDONS BAY, 7140
MYENI, DUDUZILE	6310290292082	Director	8/9/2008	Postal: P O BOX 30527,

CYNTHIA

RICHARD BAY, 3900

Residential: 162 KOLSTERT
KRING, MEE RENSEE,
RICHARDS BAY, 3901Physical Address
The d11 Campus - Block F
77 Mentias Street
Sunnyside 0001Postal Address: Companies
P O Box 429
Pretoria
0001Postal Address: Co-operatives
Private Bag x237
Pretoria
0001Docum: 260 | Web: www.cipc.co.za | Contact Centre: 008 100 2472 (CIPC) | Contact Centre (International): +27 12 394 9699



22 April 2013

Absa Bank

Richards Bay
Att: Mr Mark James

Dear Mr. James

JACOB ZUMA FOUNDATION ABSA ACCOUNT 4074045177

The Jacob Zuma Board of Directors hereby confirms the resignation of one of the Directors, Ms Carmen Megan Willet, ID 6708270029087. Ms Willet resigned from the JZF with effect 02 December 2010. Please see her resignation letter attached for your perusal.

The other Directors, Ms Duduzile Cynthia Myeni and Mr Baldason Thembinkosi Thintani Mathe, continue to remain in these positions.

Adams & Adams are currently working on the removal of Ms Willett from the CIPRO documents. You shall be notified as soon as these documents are in order.

Thank you for your assistance in this regard.

Yours faithfully

Ms. D. C. Myeni
ID 6310290292082
Director
Jacob Zuma Foundation

Mr BTT Mathe
ID 6212246034081
Director
Jacob Zuma Foundation

"I herewith certify that I have returned the original document of which this is a copy and that: (1) the original document shows no signs of erasure or alteration and (2) the copy is a complete and true copy of the original document."	
Signed	
Title - SMALL BUSINESS RELATIONSHIP MANAGER Name - DESIREE SIKHAKHANE Date - 24/4/13	
Memo ID.	ABDR080 Employee no 5001148
by ABSA	EMPANGENI / 8848

Founder and Patron Mr Jacob Zuma

SIGNING INSTRUCTIONS

CLIENT CODE : JZFOUN001

ACCOUNT NUMBER : 0000-0040-7484-5177

JACOB ZUMA FOUNDATION NPC
PO BOX 30527
RICHARDS BAY
3900

NUMBER OF SIGNATURES REQUIRED WHEN OPERATING ON ACCOUNT : 0002

TITLE	:MR	NS
INITIALS	:BT	DC
SURNAME	:MATH	MYENI
FIRST NAMES	:BALDASHI THEMBINKOSI THIN	DONVILLE CYNTHIA
ID TYPE	:IDENTITY DOCUMENT	IDENTITY DOCUMENT
ID NUMBER	:6212246034001	6310290292002
ISSUED	:01061993	09112006
SIGNATORY	:Y	Y

END OF DETAIL

20 SEPTEMBER 2014 TIME 11:20:30

I herewith confirm that the
abovementioned individuals are
authorised to transact on
behalf of legal entity
dated 20/09/2014

#

4630214

THE REPUBLIC OF SOUTH AFRICA
 DEPARTMENT OF HOME AFFAIRS
 IDENTIFICATION DIVISION
 1. This document is a copy of the original identity document issued by the Department of Home Affairs.
 2. It is valid for the purpose of identification only and does not constitute proof of citizenship or nationality.
 3. It is the responsibility of the holder to ensure that the information contained therein is correct and up-to-date.
 4. Any alteration or falsification of this document is a criminal offence under the provisions of the Identity Documents Act, 1997.
 5. This document is issued in accordance with the provisions of the Identity Documents Act, 1997.

I.D.No. 631029 0292 08 2

 S.A. BIRGER/S.A. CITIZEN

NAME
MYENI

WORK NAME
DUDUZILE GYNTHIA

DATE OF BIRTH
1963-10-29
 PLACE OF BIRTH
SOUTH AFRICA



DATE ISSUED
2006-11-09

REASON FOR ISSUE
 1. CHANGE OF NAME
 2. CHANGE OF ADDRESS
 3. CHANGE OF PHOTOGRAPH
 4. CHANGE OF CITIZENSHIP
 5. CHANGE OF SEX
 6. CHANGE OF DATE OF BIRTH
 7. CHANGE OF PLACE OF BIRTH
 8. CHANGE OF WORK NAME
 9. CHANGE OF SIGNATURE
 10. CHANGE OF FINGERPRINTS
 11. CHANGE OF SECURITY FEATURES
 12. CHANGE OF DOCUMENT TYPE
 13. CHANGE OF DOCUMENT NUMBER
 14. CHANGE OF DOCUMENT EXPIRY DATE
 15. CHANGE OF DOCUMENT STATUS
 16. CHANGE OF DOCUMENT VALIDITY
 17. CHANGE OF DOCUMENT COUNTRY OF ORIGIN
 18. CHANGE OF DOCUMENT COUNTRY OF ISSUANCE
 19. CHANGE OF DOCUMENT COUNTRY OF RESIDENCE
 20. CHANGE OF DOCUMENT COUNTRY OF CITIZENSHIP

REGISTERED RESIDENTIAL

RESIDENTIAL AND

1. This document is a copy of the original identity document issued by the Department of Home Affairs.
 2. It is valid for the purpose of identification only and does not constitute proof of citizenship or nationality.
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 4. Any alteration or falsification of this document is a criminal offence under the provisions of the Identity Documents Act, 1997.
 5. This document is issued in accordance with the provisions of the Identity Documents Act, 1997.

Best copy available?
 ① ~~ABOLOS~~ 501418
 ② ~~ABGNOAS~~ 185906



ABSA Bank Limited Reg No 1986/001794/06

Member of the  **BARCLAYS** Group

South African Identity Document Verification Checklist

NEW		MAINTENANCE <input checked="" type="checkbox"/>		COMMENTS/ DESCRIPTION OF DISCREPANCY
FEATURES	TICK (✓) BOX			
Font	<input checked="" type="checkbox"/>			
Barcode	<input checked="" type="checkbox"/>			
ID number	<input checked="" type="checkbox"/>			
Citizenship	<input checked="" type="checkbox"/>			
Personal detail	<input checked="" type="checkbox"/>			
Photograph	<input checked="" type="checkbox"/>			
Coat of Arms	<input checked="" type="checkbox"/>			
Lamination	<input checked="" type="checkbox"/>			
Stitching	<input checked="" type="checkbox"/>			
DEVICE USED	<input checked="" type="checkbox"/> Back light	<input checked="" type="checkbox"/> UV light		
Name of client	DC myni		Account details	4044 227103 Transaction description fca
Other	Passport	Expiry date	Temporary drivers licence	Temporary ID
Verified by Absa employee	Name	D. Sengane	AB no	11080 Date 24/04/13
Reasons for not using identity document, green bar coded ID for transactions (Case no if stolen)				


E

Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number:

40-7404-5177

 **JACOB ZUMA FOUNDATION NPC**
PO BOX 30527
RICHARDS BAY
3900

008140
 008676
 Richards Bay
 Lakeview Terrace
 P O Box 2952
 Durban
 4000



(035) 780-5100

Cheque account statement

14 Dec 2014 to 13 Jan 2015

Account Type:	Classic Business Acc	Issued on:	13 Jan 2015
Statement no:	0068		
Client VAT reg no:			

Account Summary:

Balance Brought Forward	180 612,69
Interest Earned	130,92
Sundry Credits	4 005 517,68
Cash, Cheque and ATM Withdrawals	37 550,00
Sundry Debits	2 053 635,35
Charges	4 560,69
Balance	2 090 515,25
Overdraft Limit	50 000,00

Your transactions

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
14/12/2014	Bel Brought Forward				180 612,69
14/12/2014	Bank Statement Headoffice	14,00	A		180 612,69
15/12/2014	ibank Payment To Settlement		9 787,24		170 825,45
	Absa Bank Isilezwe				
15/12/2014	ibank Payment To Settlement		7 090,80		163 734,65
	Absa Bank Zululand Observer				
15/12/2014	ibank Payment To Settlement		65 664,00		98 070,65
	Absa Bank Abendabuko Trading				
15/12/2014	ibank Payment To Settlement		64 713,00		33 357,65
	Absa Bank Ww Travel				
15/12/2014	ibank Payment To Settlement		1 986,70		31 370,95
	Absa Bank Terrylets Trust				
15/12/2014	ibank Payment To Settlement		5 600,00		25 770,95
	Absa Bank Weedo				
15/12/2014	ibank Payment To Settlement		600,00		25 170,95

Cheque Account Number: **40-7404-5177**

Your transactions (continued)

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
18/12/2014	Absa Bank Mxolisi Gina 1601D3B4Eb Inet Immediate Pmt Settlement		15 000.00		3 169 903.43
18/12/2014	Absa Bank Thabiso Chiliza 1601D3B4F7 Inet Immediate Pmt Settlement		10 000.00		3 159 903.43
18/12/2014	Absa Bank Mthiya MA 1601D3B4Fd Inet Immediate Pmt Settlement		9 000.00		3 150 903.43
18/12/2014	Absa Bank Ngcobo Sg 1601D3B4Fe Inet Immediate Pmt Settlement		5 000.00		3 145 903.43
18/12/2014	Absa Bank Bophela Bt 1601D3B506 Inet Immediate Pmt Settlement		18 000.00		3 127 903.43
18/12/2014	Absa Bank Sisonke Safa 1601D3Bdb8 Chq Encashment Richards B 578.20 T				3 127 903.43
19/12/2014	Cheque Amount :37,550.00 Npf Credit Ib Ret Kzn Zd81343117992475/African Chess			113 570.00	3 241 473.43
19/12/2014	Cheque 462 Headoffice (Effective 18/12/2014)	45.00 S	37 550.00		3 203 923.43
22/12/2014	Ibank Payment To Settlement Absa Bank Kwikorp cc		60 000.00		3 143 923.43
22/12/2014	Ibank Payment To Settlement Absa Bank Jzf salary		39 000.00		3 104 923.43
22/12/2014	Inet Immediate Pmt Settlement Absa Bank Neube Mm 1601D53C24		10 000.00		3 094 923.43
22/12/2014	Inet Immediate Pmt Settlement Absa Bank Xulu S Chess 1601D53C36		38 000.00		3 056 923.43
22/12/2014	Inet Immediate Pmt Settlement Absa Bank Mpanza Mbali 1601D53C40		8 500.00		3 048 423.43
22/12/2014	Inet Immediate Pmt Settlement Absa Bank Jiyane Ta 1601D53C4D		7 000.00		3 041 423.43
22/12/2014	Ibank Payment To Settlement Absa Bank Birkenstock Mc		125 400.00		2 916 023.43
22/12/2014	Ibank Payment To Settlement Absa Bank Mbatha Pn chess deco		3 000.00		2 913 023.43
22/12/2014	Ibank Payment To Settlement Absa Bank Myeni D		60 000.00		2 853 023.43
22/12/2014	Inet Immediate Pmt Settlement Absa Bank Mkhize Sanele G 1601D56A9		8 000.00		2 845 023.43
23/12/2014	Acb Credit Settlement Outsuranceuot16865631Cue69458			12 947.68	2 857 971.11
27/12/2014	Acb Debit:External Settlement 15.95 T		1 128.10		2 856 843.01

Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number:

40-7404-5177

JACOB ZUMA FOUNDATION NPC
PO BOX 30527
RICHARDS BAY
3900

Your transactions (continued)

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
28/01/2015	Ibank Payment To Settlement Absa Bank Ukzn Nyawose M		7 500.00		1 091 486.37
28/01/2015	Ibank Payment To Settlement Absa Bank Ukzn Motalose TN		12 000.00		1 079 486.37
28/01/2015	Ibank Payment To Settlement Absa Bank Unisa Danise Nth		6 350.00		1 073 136.37
28/01/2015	Ibank Payment To Settlement Absa Bank Unisa Jiyane Ta		5 440.00		1 067 696.37
28/01/2015	Ibank Payment To Settlement Absa Bank Unisa Zuma Ncl		6 935.00		1 060 761.37
28/01/2015	Ibank Payment To Settlement Absa Bank Ufs Mvelase Nt		8 000.00		1 052 761.37
28/01/2015	Ibank Payment To Settlement Absa Bank Wits Mthembu Z		12 000.00		1 040 761.37
29/01/2015	Cheque Deposit Bermore Gd Dep No : Motsepe Foundation	16.00 T		500 000.00	1 540 761.37
29/01/2015	Ibank Payment To Settlement Absa Bank Unisa Ncanana Zb		6 700.00		1 534 061.37
29/01/2015	Ibank Payment To Settlement Absa Bank Maritime Business		5 000.00		1 529 061.37
29/01/2015	Ibank Payment To Settlement Absa Bank Wits Sithole L		24 000.00		1 505 061.37
29/01/2015	Ibank Payment To Settlement Absa Bank Unisa Ntuli N		6 745.00		1 498 316.37
30/01/2015	Ibank Payment To Settlement Absa Bank Sars Paye Jan 2015		6 548.94		1 491 767.43
30/01/2015	Ibank Payment To Settlement Absa Bank Stillwell Jag		4 400.00		1 487 367.43
30/01/2015	Ibank Payment To Settlement Absa Bank Warner Beach Prep		3 225.00		1 484 142.43
30/01/2015	Ibank Payment To Settlement Absa Bank Weedo		2 500.00		1 481 642.43
30/01/2015	Ibank Payment To Settlement Absa Bank Waltona		1 072.00		1 480 570.43
30/01/2015	Ibank Payment To Settlement Absa Bank Mgobozi Qg		3 900.00		1 476 670.43
30/01/2015	Ibank Payment To Settlement Absa Bank SA Film Institute		12 000.00		1 464 670.43
30/01/2015	Ibank Payment To Settlement Absa Bank Myer D		60 000.00		1 404 670.43

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
31/03/2015	Ibank Payment To Settlement Absa Bank Ukzn Zuma T		12 000.00		1 604 498.69
31/03/2015	Ibank Payment To Settlement Absa Bank Ukzn Zwane Sp		5 000.00		1 599 498.69
31/03/2015	Ibank Payment To Settlement Absa Bank Ufs Mthembu Zb		10 000.00		1 589 498.69
31/03/2015	Ibank Payment To Settlement Absa Bank Ufs Mvelase Nt		6 000.00		1 583 498.69
31/03/2015	Ibank Payment To Settlement Absa Bank Unizul Mdlokose S		6 000.00		1 577 498.69
31/03/2015	Ibank Payment To Settlement Absa Bank Unizul Zuma T		8 000.00		1 560 498.69
31/03/2015	Ibank Payment To Settlement Absa Bank Wits Mthembu Z		10 000.00		1 559 498.69
31/03/2015	Ibank Payment To Settlement Absa Bank Wits Sithole L		5 000.00		1 554 498.69
31/03/2015	Ibank Payment To Settlement Absa Bank Myeni D		42 996.00		1 511 502.69
31/03/2015	Ibank Payment To Settlement Absa Bank Jzi salary		19 500.00		1 492 002.69
31/03/2015	Ibank Payment To Settlement Absa Bank Ncube Mm		5 000.00		1 487 002.69
31/03/2015	Ibank Payment To Settlement Absa Bank Kwikcorp cc		30 000.00		1 457 002.69
31/03/2015	Ibank Payment To Settlement Absa Bank Xulu S Chess		20 000.00		1 437 002.69
31/03/2015	Ibank Payment To Settlement Absa Bank Xulu S commission		6 814.00		1 430 188.69
31/03/2015	Ibank Payment To Settlement Absa Bank Mpanza Mbali		6 000.00		1 424 188.69
31/03/2015	Ibank Payment To Settlement Absa Bank Jiyane Ta		5 500.00		1 418 688.69
31/03/2015	Ibank Payment To Settlement Absa Bank Zungu VI		17 000.00		1 401 688.69
31/03/2015	Ibank Payment To Settlement Absa Bank Stillwell Jeg		5 500.00		1 396 188.69
31/03/2015	Ibank Payment To Settlement Absa Bank Telkom		2 522.50		1 393 666.19
31/03/2015	Ibank Payment To Settlement Absa Bank Telkom R/Bay		2 473.30		1 391 192.89

Cheque Account Number: 40-7404-5177

Your transactions (continued)

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
16/04/2015	Ibank Payment To Settlement Absa Bank Elangeri College		4 237.00		1 056 644.84
16/04/2015	Ibank Payment To Settlement Absa Bank Ndumiso Nursing		12 000.00		1 044 644.84
16/04/2015	Ibank Payment To Settlement Absa Bank Mkhwanazi Sakkie		1 200.00		1 043 444.84
16/04/2015	Ibank Payment To Settlement Absa Bank Ithemba Musical Grou		10 000.00		1 033 444.84
17/04/2015	Ibank Payment To Settlement Absa Bank Sars Paysa Mar 2015		30 412.88		1 003 031.96
17/04/2015	Ibank Payment To Settlement Absa Bank Hubner To Verna		4 000.00		999 031.96
17/04/2015	Ibank Payment To Settlement Absa Bank Fuslon Cooking schoo		64 107.24		934 924.72
20/04/2015	Chq Encashment Richards B Cheque Amount :40,000.00	613.00 T			934 924.72
21/04/2015	Cheque 468 Headoffice (Effective 20/04/2015)	45.00 S	40 000.00		894 924.72
25/04/2015	Acb Debit: External Settlement Sunlynirw D066245-01	20.15 T	1 128.10		893 796.62
30/04/2015	Ibank Payment To Settlement Absa Bank Woods Prep School		11 970.00		881 826.62
30/04/2015	Ibank Payment To Settlement Absa Bank Woods Prep School		10 290.00		871 536.62
30/04/2015	Ibank Payment To Settlement Absa Bank Woods Prep School		9 834.00		861 702.62
30/04/2015	Ibank Payment To Settlement Absa Bank Dut Dlamini S		6 000.00		855 702.62
30/04/2015	Ibank Payment To Settlement Absa Bank Ukzn Mbathe Sifiso		8 000.00		847 702.62
30/04/2015	Ibank Payment To Settlement Absa Bank Nkosiyethu Ntombelas		3 500.00		844 202.62
30/04/2015	Ibank Payment To Settlement Absa Bank Myeni D		42 996.00		801 206.62
30/04/2015	Ibank Payment To Settlement Absa Bank Jzf salary		19 500.00		781 706.62
30/04/2015	Ibank Payment To Settlement Absa Bank Ncube Mm		5 000.00		776 706.62
30/04/2015	Ibank Payment To Settlement Absa Bank Memela Ez		30 000.00		746 706.62

Cheque Account Number: 40-7404-5177

Your transactions (continued)


Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
	Cheque Amount :30,000.00				
19/06/2015	Acb Credit Settlement Cochrane Steel			125 000.00	3 494 132.45
19/06/2015	Cheque 471 Headoffice	45.00 S	30 000.00		3 464 132.45
20/06/2015	Ibank Payment From Settlement Absa Bank Robert			200 000.00	3 664 132.45
23/06/2015	Ibank Payment To Settlement Absa Bank Tobeka Madiba Zuma F		100 000.00		3 564 132.45
23/06/2015	Ibank Payment To Settlement Absa Bank Mathe Dtt		600.00		3 563 532.45
23/06/2015	Ibank Payment To Settlement Absa Bank Muti Ndawonde Nt		14 498.00		3 549 034.45
23/06/2015	Ibank Payment To Settlement Absa Bank Unizul Jiyane SE		6 000.00		3 543 034.45
23/06/2015	Ibank Payment To Settlement Absa Bank Jehovah Jireh Tradin		6 909.50		3 536 124.95
23/06/2015	Ibank Payment To Settlement Absa Bank Dean Vanessa		1 800.00		3 534 324.95
23/06/2015	Ibank Payment To Settlement Absa Bank Bheem's Hiring		3 260.00		3 531 064.95
25/06/2015	Acb Debit: External Settlement Sunlynirv D066245-01	20.15 T	1 128.10		3 529 936.85
26/06/2015	Ibank Payment To Settlement Absa Bank Umhlali Fresh Produc		5 145.00		3 524 791.85
26/06/2015	Ibank Payment To Settlement Absa Bank Kic Shakaskraal		10 158.00		3 514 633.85
29/06/2015	Ibank Payment To Settlement Absa Bank Thusanani Foundation		250 000.00		3 264 633.85
30/06/2015	Ibank Payment To Settlement Absa Bank Telkom		3 535.80		3 261 098.05
30/06/2015	Ibank Payment To Settlement Absa Bank Stillwell Jeg		6 889.00		3 254 209.05
30/06/2015	Ibank Payment To Settlement Absa Bank Angelmedia		7 450.00		3 246 759.05
30/06/2015	Ibank Payment To Settlement Absa Bank Myeni D		4 622.00		3 242 137.05
30/06/2015	Ibank Payment To Settlement Absa Bank Mkhwanazi Sakke		1 200.00		3 240 937.05
30/06/2015	Ibank Payment To Settlement Absa Bank Ndaba Hz		3 000.00		3 237 937.05

Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number:

40-7404-5177

 **JACOB ZUMA FOUNDATION NPC**
PO BOX 30527
RICHARDS BAY
3900

Your transactions (continued)


Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
29/08/2015	Absa Bank Tutu N Dr Ibank Payment To Settlement		42 996.00		5 661 463.82
29/08/2015	Absa Bank Myeni D Ibank Payment To Settlement		19 500.00		5 641 963.82
29/08/2015	Absa Bank Jzf salary Ibank Payment To Settlement		7 000.00		5 634 963.82
29/08/2015	Absa Bank Ncube Melody Ibank Payment To Settlement		19 200.00		5 615 763.82
29/08/2015	Absa Bank Xulu S Chess Ibank Payment To Settlement		30 000.00		5 585 763.82
29/08/2015	Absa Bank Memela Ez Ibank Payment To Settlement		5 500.00		5 580 263.82
29/08/2015	Absa Bank Jiyane Ta Ibank Payment To Settlement		17 000.00		5 563 263.82
29/08/2015	Absa Bank Zungu VI Ibank Payment To Settlement		6 000.00		5 557 263.82
29/08/2015	Absa Bank Oliphant Mausley Ibank Payment To Settlement		54 205.44		5 503 058.38
29/08/2015	Absa Bank Sars Paye Aug 2015 Ibank Payment To Settlement		100 000.00		5 403 058.38
29/08/2015	Absa Bank Ww Travel Ibank Payment To Settlement		841.00		5 402 217.38
29/08/2015	Absa Bank City of umhlathuze Ibank Payment To Settlement		140.00		5 402 077.38
29/08/2015	Absa Bank Diamatrix Ibank Payment To Settlement		2 194.50		5 399 882.88
29/08/2015	Absa Bank Coastal It Ibank Payment To Settlement		5 400.00		5 394 482.88
29/08/2015	Absa Bank Kwazulu Natal Sharks Ibank Payment To Settlement		3 361.39		5 391 121.49
29/08/2015	Absa Bank Telkom Ibank Payment To Settlement		2 319.80		5 388 801.69
29/08/2015	Absa Bank Telkom R/Bay Ibank Payment To Settlement		10 332.61		5 378 469.08
29/08/2015	Absa Bank Terrylets Trust Ibank Payment To Settlement		6 000.00		5 372 469.08
29/08/2015	Absa Bank Thusanani Foundation Ibank Payment To Settlement		8 700.00		5 363 769.08
29/08/2015	Absa Bank Weedo Ibank Payment To Settlement		250.00		5 363 519.08

Return address:


Private Bag X18, Johannesburg, 2000

Cheque Account Number:

40-7404-5177

 **JACOB ZUMA FOUNDATION NPC**
PO BOX 30527
RICHARDS BAY
3900

008140
 008676
 Richards Bay
 Lakeview Terrace
 P O Box 2952
 Durban
 4000

 (035) 780-5100

Cheque account statement

14 Sep 2015 to 13 Oct 2015

Account Type:	Classic Business Acc	Issued on:	13 Oct 2015
Statement no:	0077		
Client VAT reg no:			

Account Summary:

Balance Brought Forward	5 081 214,61
Interest Earned	411,03
Cash, Cheque and ATM Withdrawals	15 000,00 -
Sundry Debits	1 578 646,86 -
Charges	1 593,55 -
Balance	3 486 385,23
Overdraft Limit	50 000,00

Your transactions


Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
14/09/2015	Bal Brought Forward				5 081 214,61
14/09/2015	Bank Statement Headoffice	16,00 A			5 081 214,61
25/09/2015	Acb Debit: External Settlement	21,25 T	1 299,02		5 079 915,59
	Sunlynirv D066245-01				
28/09/2015	Ibank Payment To Settlement		22 363,62		5 057 551,97
	Absa Bank Wsu Ndyokomba T				
28/09/2015	Ibank Payment To Settlement		51 500,00		5 006 051,97
	Absa Bank Watercrest Engineerl				
28/09/2015	Ibank Payment To Settlement		10 036,83		4 996 015,14
	Absa Bank Unizul Mithethwa S				
28/09/2015	Ibank Payment To Settlement		200 000,00		4 796 015,14
	Absa Bank Ukzn Bulk payments				
29/09/2015	Ibank Payment To Settlement		42 996,00		4 753 019,14
	Absa Bank Myerl D				
29/09/2015	Ibank Payment To Settlement		19 500,00		4 733 519,14
	Absa Bank Jzf salary				

Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number:

40-7404-5177

 **JACOB ZUMA FOUNDATION NPC**
PO BOX 30527
RICHARDS BAY
3900

Your transactions (continued)

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
	Cheque Amount :13,100.00				
27/10/2015	Cheque 476 Headoffice	45.00 S	13 100.00		3 125 568.26
30/10/2015	Ibank Payment To Settlement		42 996.00		3 082 572.26
	Absa Bank Myeni D				
30/10/2015	Ibank Payment To Settlement		19 500.00		3 063 072.26
	Absa Bank Jzi salary				
30/10/2015	Ibank Payment To Settlement		7 000.00		3 056 072.26
	Absa Bank Ncube Melody				
30/10/2015	Ibank Payment To Settlement		20 000.00		3 036 072.26
	Absa Bank Xulu S Chess				
30/10/2015	Ibank Payment To Settlement		30 000.00		3 006 072.26
	Absa Bank Memela Ez				
30/10/2015	Ibank Payment To Settlement		6 500.00		2 999 572.26
	Absa Bank Jiyane Ta				
30/10/2015	Ibank Payment To Settlement		17 000.00		2 982 572.26
	Absa Bank Zungu Vi				
30/10/2015	Ibank Payment To Settlement		6 000.00		2 976 572.26
	Absa Bank Oliphant Mausley				
30/10/2015	Ibank Payment To Settlement		25 000.00		2 951 572.26
	Absa Bank Mathonsi Phume				
30/10/2015	Ibank Payment To Settlement		53 889.27		2 897 682.99
	Absa Bank Sars Paye Oct 2015				
30/10/2015	Ibank Payment To Settlement		7 200.00		2 890 482.99
	Absa Bank Stillwell Jag				
30/10/2015	Ibank Payment To Settlement		1 500.00		2 888 982.99
	Absa Bank City of umhlathuze				
30/10/2015	Ibank Payment To Settlement		140.00		2 888 842.99
	Absa Bank Diamatrix				
30/10/2015	Ibank Payment To Settlement		5 400.00		2 883 442.99
	Absa Bank Kwazulu Natal Sharks				
30/10/2015	Ibank Payment To Settlement		150.00		2 883 292.99
	Absa Bank Nashua Zukuland				
30/10/2015	Ibank Payment To Settlement		2 540.20		2 880 752.79
	Absa Bank Telkom				
30/10/2015	Ibank Payment To Settlement		2 519.95		2 878 232.84
	Absa Bank Telkom F/Bay				
30/10/2015	Ibank Payment To Settlement		10 217.69		2 868 015.15
	Absa Bank Terrylets Trust				
30/10/2015	Ibank Payment To Settlement		6 000.00		2 862 015.15
	Absa Bank Thusanani Foundation				



JACOB ZUMER FOUNDATION INC

REFERENCE NUMBER DONATION-S23
0036 00001146

2100. 2030,650,000.00

4. Het resultaat is dat de rekeningnummer en de transactie bedrag correct is
aangegeven. Als Bank Bepoort niet verantwoordelijk is, dan kan word vir fouten wat uit
four word spruit nie.

Signature/Handwriting _____

Also See: [Landscape Architecture](#), [Paving](#), [Site Planning](#)

[illegible]

Auftraggeber/Hersteller: ...

3038145

ABSA

03 NOV 2016 11:24:54 40-7404-5177 036366
CD100,000.00

JACOB ZUMA FOUNDATION NPC

REFERENCE NUMBER DONATION TO JZF
0001 000019924

R200: 2000,020,000.00

R100: 2000,020,000.00

ABSA
Bank Limited/Beperk
Bank van Suid-Afrika
JOHANNESBURG CHEQUE BOOK

2806-11-03

Please ensure that the account number and amount are correct as Absa Bank Limited cannot be held responsible for errors resulting from incorrect information.
Maak seker dat die rekeningnommer en bedrag korrek is asgesien Absa Bank Beperk kan nie verantwoordelik gehou word viroute wat uit foutiewe inligting spruit nie.

Signature/Handtekening

035 789 5499

Bank van Suid-Afrika Beperk Registreer No. 1946/000154/20

Registered Financial Services Provider/Finansiële Diensterreëlhouer

Registered Credit Service Provider/Kredietdiensterreëlhouer

Bank 2285 BK (Public) CAP 72/2010

19021228



GABSA
 Bank Limited/Service
 1000-1000-1000-1000
 1000-1000-1000-1000
 2016-02-06
 T03 / 6574
 62-58-05

Maak assabiel seker dat die reisinligtingsoor en die tantskiste bedrag korrek is. **Bank Bepark** nie verantwoordelik getous kan word vir foute wat uit fouten in die reisinligtingsoor.

Signature/Hand-drawing

800-222-2222

Page 1342 September (October) 2001

3038142

3038143



06 FEB 2015 16:25:28

40-7404-5177 018648 060016

*****30,000.00

JACOB ZUMA FOUNDATION NPC

REFERENCE NUMBER DONATION - R4V

0040 000014521

2 000,000,000.00

2100: R000 050,000.00 0



Please ensure that the account number and the transaction amount is correct. As Absa Bank Limited cannot be held responsible for errors resulting from incorrect information.

Maak a.u.b. bekend zeker dat die rekeningnummer en die transaksie bedrag korrek is
gange en a.u.b. Beperk nie verantwoordelik gehou kan word vir foute wat uit
foute en onnauwkeurige is.

Signature/Handle: enteg

John Deere Construction Equipment Group • 800/726/4444
www.jdcorp.com E-mail: Equipment@jdcorp.com

2002.5.26.10:00~10:05 2002.5.26.10:05~10:10

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Friday, 12 July 2019 12/07/19

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NEWS & ANALYSIS



Zuma and Dudu Myeni not in a romantic relationship - The Presidency

Bongani Majola |
12 December 2015

President's relationship with Jacob Zuma Foundation and SAA Board chairperson is purely professional

Presidency corrects malicious rumours about SAA, National Treasury and Ministerial deployments

12 December 2015

The Presidency wishes to correct malicious rumours that have been circulating and which have been published by some media houses in relation to Ministerial deployments and the South African Airways Board chairperson Ms Dudu Myeni.

Rumour: Minister Gigaba did not finish his term as Minister of Public Enterprises at the request of the SAA Board Chair

A rumour has been circulated, and has also been published by some media products, that Mr Malusi Gigaba, now Minister of Home Affairs, was "removed" from his position a Minister of Public Enterprises due to an apparent fallout with Ms Myeni, and at her request to the President.

This is not true. Mr Gigaba served his full term as Minister of Public Enterprises until the elections in May 2014. All terms of office automatically lapse after elections. A newly-elected President appoints a brand new Cabinet immediately after being sworn in. The new President is under no obligation to re-appoint persons who had served before and there is also no requirement that he should re-appoint people to portfolios they had held before, should he or she decide to include them in his or her new Cabinet. In line with this principle, Mr Gigaba was appointed as Minister of Home Affairs in the fifth administration.

Rumour: SAA was transferred to the National Treasury because the SAA Board Chair demanded that it be so

Another rumour that has been doing the rounds and has been published as well by some media houses has it that the SAA was shifted from the Department of Public Enterprises to the National Treasury because of a clash between Ms Myeni and the Minister of Public Enterprises, Ms Lynne Brown and that this was at the request or demand by Ms Myeni. This is grossly untrue. The SAA was moved to the National Treasury so that it can be intensively supported to get out of difficulties by the NT. That was the sole motivation.

As said by the President on 11 December, there is no state-owned entity that can dictate to government how it should be assisted. In addition, no chairperson of a board of a state owned company has the power to tell a government Department to which the entity reports, how to support or lead them. The President and government will be guided by the National Treasury on the response to the SAA challenges. Once the National Treasury advises that the SAA is on a better footing, it will be returned to the Department of Public Enterprises where it belongs.

Rumour: Mr Nene was redeployed because of the Airbus deal and Ms Myeni's displeasure

Media reports that Mr Nhlanhla Nene is being redeployed because the SAA Board chairperson was unhappy with the National Treasury directives to SAA with regards to the Airbus deal or any other matter is a malicious fabrication. Mr Nene as has been explained, is South Africa's candidate to head up the African Regional Centre of the New Development Bank/BRICS Bank.

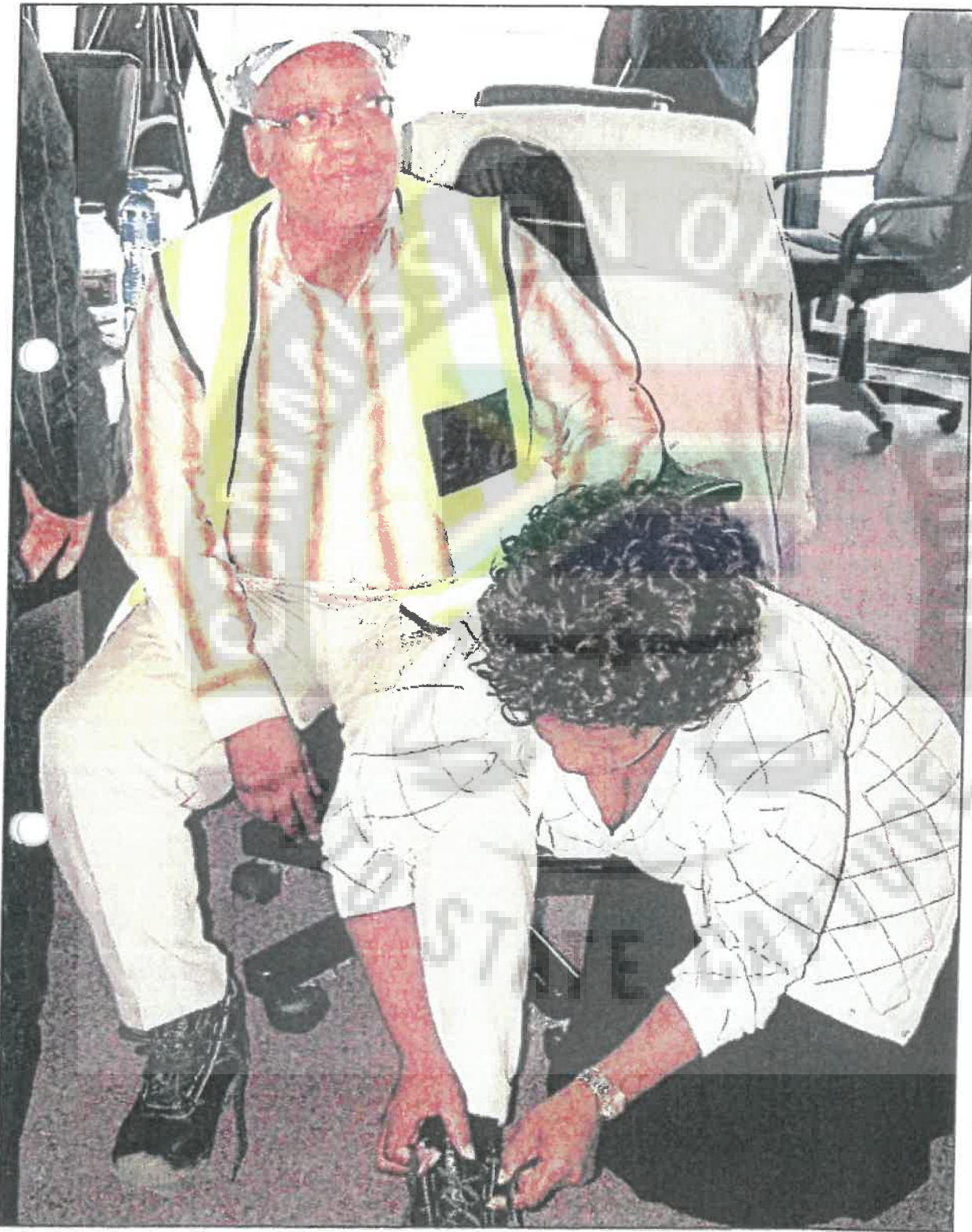
The SAA receives directives from the Minister of Finance and works under the guidance of that Ministry. No member of the SAA Board is above the Minister of Finance or can operate outside of the mandate and direction provided by the Minister of Finance and the National Treasury.

Rumour: The President and the SAA Board Chair have a romantic relationship and have a son together

Ms Myeni is the chairperson of the Jacob Zuma Foundation. Her relationship with the President is purely professional, and is based on the running of the Foundation.

Rumours about a romance and a child are baseless and are designed to cast aspersions on the President.

Statement issued by Bongani Majola, The Presidency, 12 December 2015



IHHOVISI
likaMengameli
lithi akukho
budlelwano
bezothando
phakathi
kukaMengame
li Jacob Zuma
noSihlalo
webhodi
yeSAA uNksz
Dudu Myeni
owathathwa
lapha eguqile
ebopha
izintambo
zamabhuzi
kaZuma mhla
evakashele
efemini
yensimbi
eRichards Bay

Isithombe:
INDEPENDENT
ARCHIVES



African National Congress

54 Sauer Street
Johannesburg 2001
P O Box 61884
Marshalltown 2107



Tel: (011) 376-1070
(011) 376-1000
Fax: (011) 376-1058

OFFICE OF THE TREASURER GENERAL

31 March 2014

Gavin Watson
BOSASA
Windsor Road
Luipaardsvlei Estate
Mogale City
Gauteng



Dear Mr Watson

RE: DONATION TO THE ANC

This serves to acknowledge the receipt of R3,000,000.00 (Three Million Rand) donation to the AFRICAN NATIONAL CONGRESS.

On behalf of the African National Congress, I would like to express our sincere appreciation and gratitude to your organisation for this donation and for the continued financial support and contribution your organisation renders to the ANC.

Your ongoing support for our organisation is appreciated.

Kind regards

Dr Z. Mkhize
TREASURER GENERAL



The People Shall Govern !



how can we help you?

88ST405 008307
 BOSASA OPERATIONS (PTY) LTD
 REG NO 1981/012426/07
 P/BAG 2002
 KRUGERSDORP
 1740

Certified a true extract of the banks records.

As at : 13-05-2019-14-37-47

Key West
 124 Private Bag X3 Postnet Suite 124
 Paardekraal 1752
 Cnr Vloen & Paardekraal Dr, Shop 110
 info@fnb.co.za
 fnb.co.za
 (011) 273-0070
 (011) 273-1152
 0800-11-01-32
 011 352 5601
 256955
 MAN01
 SUP01

Lost Cards
 Account Enquiries
 Branch Code
 Officer Code One
 Officer Code Two

Bank VAT Registration Number : 4210102051
 Customer VAT Registration Number : 4070165735

COMMERCIAL CHEQUE ACCOUNT : 62053735290

Copy Tax Invoice/Statement Number : 405

Statement Date : 30 July 2016
 Previous Statement Date : 30 June 2016

Bank Charges		Statement Balances		Interest Rates	
Service Fee Rate	42.75 / 42.75 / 42.75	Opening Balance	40,695,339.62 Dr	Credit Rate	Tiered
		Closing Balance	30,214,492.03 Dr	Debit Rate	10.50%

Please contact us within 30 days from your statement date, should you wish to query an entry on this statement (incl. card transactions done during this statement period, but not yet reflecting). Should we not hear from you, we will assume that you have received the statement and that it is correct.

inclusive of VAT @ 14.00%
 Total VAT on this statement R22,214.01 Dr

COMMERCIAL CHEQUE ACCOUNT : 62053735290

Date	Description	Reference	Amount	Fee	Internal use
	Bills And Foreign Exchange				
01 Jul	General Credit - Domestic Treasury	/Hogan Lovells Invest Dst0	25,000,000.00 Cr		1 1np879
05 Jul	General Credit - Domestic Treasury	80332315 Srf	7,136,348.35 Cr		2 1np879
06 Jul	Zbd Fx lbg7400938 Chg	S S65789f463879518 Our	486.02 Dr	8.60	3 zbd480
07 Jul	Zbd Fx lbg7601439 USD	1,730.00 14.7700	25,552.10 Dr	8.60	4 zbd480
07 Jul	Zbd Fx lbg7601403 USD	453.20 14.7700	6,693.76 Dr	8.60	5 zbd480
13 Jul	Zbd Fx lbg7b02332 Mic	Rosoft Ireland Operatio	644,000.78 Dr	8.60	6 zbd480
13 Jul	Zbd Fx lbg7b02415 Man	Sell American Inc.	102,357.50 Dr	8.60	7 zbd480
15 Jul	General Credit - Domestic Treasury	80332315 Srf	11,030,377.62 Cr		8 1np879
15 Jul	Zbd Fx lbg7e00031 Mic	Rosoft Ireland Comm S657	249.63 Dr	8.60	9 zbd480
18 Jul	General Credit - Domestic Treasury	80332315 Srf	6,871,522.12 Cr		10 1np879
18 Jul	General Credit - Domestic Treasury	80332315 Srf	2,128,372.75 Cr		11 1np879
20 Jul	General Credit - Domestic Treasury	80332315 Srf	7,575,101.51 Cr		12 1np879
20 Jul	Zbd Fx lbg7m01475 ZAR	280,000.00 1.0000	280,000.00 Dr	8.60	13 zbd480
26 Jul	General Credit - Domestic Treasury	80332315 Srf	4,197,194.21 Cr		14 1np879
28 Jul	General Credit - Domestic Treasury	80332315 Srf	3,638,014.44 Cr		15 1np879
29 Jul	Zbd Fx lbg7s03692 Glo	Balccu Ltd	11,687,231.30 Cr		16 1np879
29 Jul	Zbd Fx lbg7r00818 S65	78ac542732033	230,448.30 Dr	8.60	17 zbd480
	Cheques Issued Deposited Into An Account		246.62 Dr	8.60	18 zbd480
01 Jul	Cheque Key West 1004200523	33577	13,847.58 Dr	42.75	19 clc669
05 Jul	Cheque Key West 1044160079	33576	802.12 Dr	42.75	20 clc669
08 Jul	Cheque Key West 1044160079	33574	721.15 Dr	42.75	21 clc669
20 Jul	Cheque Key West 1044160079	33580	760.14 Dr	42.75	22 clc669
	Cheques Cashd				

Branch Number	Account Number	Date	DDA MA/AV/4M/WO/NA/MM/N1/C7/SW/N	FNFCO
669	62053735290	16/07/30	Commercial Cheque Account	

Certified a true extract of the banks records.

As at : 13-05-2019-14-37-47

COMMERCIAL CHEQUE ACCOUNT : 62053735290

Date	Description	Reference	Amount	Fee	Internal use
21 Jul	FNB OB 000059858	Aza001/Aza S Au	1,477.44 Dr		739 1bb560
21 Jul	FNB OB 000059859	Bar007/Barnardt	793.00 Dr		740 1bb560
21 Jul	FNB OB 000059873	Bee Foods / 3rd Pmt	1,000,000.00 Dr		741 1bb560
21 Jul	FNB OB 000059860	Bud003/Budget S	136,458.00 Dr		742 1bb560
21 Jul	FNB OB 000059861	Bud004/Budget S	78,933.60 Dr		743 1bb560
21 Jul	FNB OB 000059862	Bud005/Budget S	172,919.76 Dr		744 1bb560
21 Jul	FNB OB 000059863	Hta001/H T A	1,057.92 Dr		745 1bb560
21 Jul	FNB OB 000059864	Kin001/King Foo	111,440.68 Dr		746 1bb560
21 Jul	FNB OB 000059865	Klm001/Klm Dist	201,078.87 Dr		747 1bb560
21 Jul	FNB OB 000059866	Les002/Lesley S	50,062.45 Dr		748 1bb560
21 Jul	FNB OB 000059869	Maluti-a-phofung Tra	700.00 Dr		749 1bb560
21 Jul	FNB OB 000059870	Met002/Metracia	8,305.00 Dr		750 1bb560
21 Jul	FNB OB 000059868	Mrs001/Mr Screw	962.64 Dr		751 1bb560
21 Jul	FNB OB 000059871	Nsmak004/Makro	4,168.00 Dr		752 1bb560
21 Jul	FNB OB 000059872	Pip002/Pipe Sup	1,435.36 Dr		753 1bb560
21 Jul	FNB OB 000059867	Saf006/Safety M	342.00 Dr		754 1bb560
21 Jul	FNB OB 000059867	Smac007/Macstee	5,044.01 Dr		755 1bb560
22 Jul	FNB OB 000059896	WasBank	226,563.53 Dr		756 1bb560
22 Jul	FNB OB 000059895	Aarto - Pta	125.00 Dr		757 1bb560
22 Jul	FNB OB 000059902	Aarto - Pta	125.00 Dr		758 1bb560
22 Jul	FNB OB 000059903	And001/Andre S	34,942.99 Dr		759 1bb560
22 Jul	FNB OB 000059904	Auc001/Auction	11,875.00 Dr		760 1bb560
22 Jul	FNB OB 000059905	Bao01/Baobab	4,332.00 Dr		761 1bb560
22 Jul	FNB OB 000059906	Bid160/Bidvest	39,075.42 Dr		762 1bb560
22 Jul	FNB OB 000059907	Bid201/Bidvest	54,504.85 Dr		763 1bb560
22 Jul	FNB OB 000059929	Bid250/Bidvest	161,502.76 Dr		764 1bb560
22 Jul	FNB OB 000059908	Boyds Airconditionin	5,130.00 Dr		765 1bb560
22 Jul	FNB OB 000059909	Bus005/Business	11,438.54 Dr		766 1bb560
22 Jul	FNB OB 000059898	Cec170/Chipkins	65,900.89 Dr		767 1bb560
22 Jul	FNB OB 000059910	Cliplok Simpak Sa	6,313.14 Dr		768 1bb560
22 Jul	FNB OB 000059911	Clo150/Clover C	29,960.04 Dr		769 1bb560
22 Jul	FNB OB 000059912	Cos002/Cosmos D	18,506.00 Dr		770 1bb560
22 Jul	FNB OB 000059913	Dan006/Danhym P	48,767.89 Dr		771 1bb560
22 Jul	FNB OB 000059889	Del006/De La Re	35,641.00 Dr		772 1bb560
22 Jul	FNB OB 000059914	Donation	1,000,000.00 Dr		773 1bb560
22 Jul	FNB OB 000059894	Ken006/Kenmare	10,693.14 Dr		774 1bb560
22 Jul	FNB OB 000059897	LJ Mokgata / 1601972	7,400.00 Dr		775 1bb560
22 Jul	FNB OB 000059930	Mogale City Traffic	300.00 Dr		776 1bb560
22 Jul	FNB OB 000059916	Mp Hlungwani/3680390	20,000.00 Dr		777 1bb560
22 Jul	FNB OB 000059901	Nea001/Nea Metr	2,166.00 Dr		778 1bb560
22 Jul	FNB OB 000059915	Nem001/Nemtek (23,515.57 Dr		779 1bb560
22 Jul	FNB OB 000059917	Nsmak002/Makro	19,772.10 Dr		780 1bb560
22 Jul	FNB OB 000059899	Nut003/Nutman C	15,374.29 Dr		781 1bb560
22 Jul	FNB OB 000059918	Pitney Bowes Sa(Pty)	60,739.20 Dr		782 1bb560
22 Jul	FNB OB 000059900	Pri003/Prime Cl	36,101.19 Dr		783 1bb560
22 Jul	FNB OB 000059900	Pvision (Pty) Ltd	36,760.00 Dr		784 1bb560

Branch Number	Account Number	Date	DDA MA/AV/4M/VO/NA/MM/N1/C7/SW/N	FNFCO
669	62053735290	16/07/30	Commercial Cheque Account	



how can we help you?

Certified a true extract of the banks records.

As at : 13-05-2019-15-05-32

Key West
124 Private Bag X3 Postnet Suite 124
Paardekraal 1752
Cnr Viljoen & Paardekraal Dr, Shop 110
info@fnb.co.za
fnb.co.za
(011) 273-0070
(011) 273-1152
Lost Cards 0800-11-01-32
Account Enquiries 011 352 5601
Branch Code 256955
Officer Code One MAN01
Officer Code Two SUP01

88ST433 008723
AFRICAN GLOBAL OPERATIONS(PTY)LTD
1 WINDSOR RD
LUIPAARDSVLEI
1739
CARIEN.DAUBERT@AFRICANGLOBAL.WORLD

Bank VAT Registration Number : 4210102051
Customer VAT Registration Number : 4070165735

ENTERPRISE BUSINESS ACCOUNT : 62053735290

Copy Tax Invoice/Statement Number : 433

Statement Date : 30 November 2018
Previous Statement Date : 31 October 2018

Bank Charges		Statement Balances		Interest Rates	
Service Fee Rate	54.70 / 54.70 / 54.70	Opening Balance	37,468,387.77 Dr	Credit Rate	Tiered
		Closing Balance	1,945,601.50 Cr	Debit Rate	10.25%

Please contact us within 30 days from your statement date, should you wish to query an entry on this statement (incl. card transactions done during this statement period, but not yet reflecting). Should we not hear from you, we will assume that you have received the statement and that it is correct.

Inclusive of VAT @ 15.00% = R 4,866.71 Dr
Total VAT Charged : R 4,866.71 Dr.

ENTERPRISE BUSINESS ACCOUNT : 62053735290

ZAR

Date	Description	Reference	Amount	Fee	Internal use
02 Nov	Bills And Foreign Exchange				
02 Nov	R0181b9rk0 Mansell Am	Erican Inc	103,651.10 Dr		1 1x657
02 Nov	Zbd Fx Ibib201859 Spa	Rsh Technologies	113,685.00 Dr		2 zbd480
06 Nov	Zbd Fx Ibib601266 S65	7r3f6v8f386s1 Our Chgs	82.66 Dr		3 zbd480
08 Nov	Zbd Fx Ibib700958 S65	7r14276fa8ke1 Our Chgs	265.20 Dr		4 zbd480
09 Nov	Zbd Fx Ibib901119 S65	7r458h8gf6qd1 Our Chgs	168.70 Dr		5 zbd480
12 Nov	General Credit - Domestic Treasury	80332315 Srbf	5,681,248.23 Cr		6 1np879
19 Nov	General Credit - Domestic Treasury	80332315 Srbf	6,034,887.69 Cr		7 1np879
19 Nov	General Credit - Domestic Treasury	80332315 Srbf	5,188,696.82 Cr		8 1np879
19 Nov	R0181u33k0 Psi 00171/	18	241,521.50 Dr		9 1x657
19 Nov	Zbd Fx Ibibj00099 S65	7rg5zt8b9rk1 Our Chgs	353.18 Dr		10 zbd480
21 Nov	General Credit - Domestic Treasury	80332315 Srbf	1,334,804.54 Cr		11 1np879
21 Nov	General Credit - Domestic Treasury	80332315 Srbf	2,207,228.99 Cr		12 1np879
21 Nov	R01812awq0 Sparsh Tec	Hnologies	364,111.50 Dr		13 1x657
29 Nov	General Credit - Domestic Treasury	80332315 Srbf	3,932,063.50 Cr		14 1np879
30 Nov	General Credit - Domestic Treasury	80332315 Srbf	6,171,935.27 Cr		15 1np879
20 Nov	Teller Cash Withdrawals				
20 Nov	Teller Cash Cash Johannesburg	Pay Roll	200,000.00 Dr	54.70	16 zbd483
	Intercompany/ Intergroup Transfers				
01 Nov	FNB OB Trf	From Youth Centres	2,937,000.00 Cr		17 1bb560
01 Nov	FNB OB Trf	From Youth Centres	1,558,000.00 Cr		18 1bb560
01 Nov	FNB OB Trf	To Brs 4 Creds	129,560.00 Dr		19 1bb560
02 Nov	FNB OB Trf	From Ago Call	4,000,000.00 Cr		20 1bb560
02 Nov	FNB OB Trf	From Bscm	73,000.00 Cr		21 1bb560

CFRMO: 62053735290

Branch Number	Account Number	Date	DDA MA/AV/4M/WO/NA/MM/N1/C7/SW/N	FNFCO
669	62053735290	18/11/30	Enterprise Business Account	

Certified a true extract of the banks records.

As at : 13-05-2019-15-05-32

ENTERPRISE BUSINESS ACCOUNT : 62053735290

ZAR

Date	Description	Reference	Amount	Fee	Internal use
02 Nov	FNB OB 000074843	Cha009/Chase So	2,724.12 Dr		258 1bb560
02 Nov	FNB OB 000074844	Col001/Profit R	12,044.56 Dr		259 1bb560
02 Nov	FNB OB 000074836	David Maske & Associ	419,998.50 Dr		260 1bb560
02 Nov	FNB OB 000074845	Dcs003/Dcs St A	6,913.27 Dr		261 1bb560
02 Nov	FNB OB 000074837	Eric's Fruiters	105,279.12 Dr		262 1bb560
02 Nov	FNB OB 000074846	Hog001/Hogan Lo	23,008.97 Dr		263 1bb560
02 Nov	FNB OB 000074832	Mohokare Traffic	1,000.00 Dr		264 1bb560
02 Nov	FNB OB 000074831	Mohokare Traffic	750.00 Dr		265 1bb560
02 Nov	FNB OB 000074847	Net001/Network&	33.35 Dr		266 1bb560
02 Nov	FNB OB 000074848	Pko001/P.K Outf	761,807.23 Dr		267 1bb560
02 Nov	FNB OB 000074849	Rjv001/R J Voer	20,562.00 Dr		268 1bb560
02 Nov	FNB OB 000074850	Spe008/Sparkle	12,000.00 Dr		269 1bb560
02 Nov	FNB OB 000074834	Victor Khanye Traffi	750.00 Dr		270 1bb560
02 Nov	FNB OB 000074833	Victor Khanye Traffi	750.00 Dr		271 1bb560
02 Nov	FNB OB 000074835	Victor Khanye Traffi	250.00 Dr		272 1bb560
02 Nov	FNB OB 000074838	VJ S Auto Clinic	3,162.50 Dr		273 1bb560
02 Nov	Magtape Debit User B847 Seq 036368	Wirulink 52275849 Sagepay	35,196.74 Dr	18.50	274 1bb560
02 Nov	FNB OB 000074841	4cen004/Huge Te	1,708.41 Dr		275 1bb560
05 Nov	FNB OB 000074853	African National Con	500,000.00 Dr		276 1bb560
05 Nov	FNB OB 000074854	Audi Centre Rivonia	10,904.91 Dr		277 1bb560
05 Nov	FNB OB 000074855	Bee Foods	500,000.00 Dr		278 1bb560
05 Nov	FNB OB 000074856	Dov002/Doveligh	6,897.96 Dr		279 1bb560
05 Nov	FNB OB 000074857	Eli005/Ecolab (146,583.57 Dr		280 1bb560
07 Nov	FNB OB 000074877	Aarto Pta	125.00 Dr		281 1bb560
07 Nov	FNB OB 000074888	Afsa	4,140.00 Dr		282 1bb560
07 Nov	FNB OB 000074864	Amb001/Ambiton	1,955.00 Dr		283 1bb560
07 Nov	FNB OB 000074881	Chick Henderson	7,897.05 Dr		284 1bb560
07 Nov	FNB OB 000074879	Ditsobotla Traffic	250.00 Dr		285 1bb560
07 Nov	FNB OB 000074878	Ditsobotla Traffic	250.00 Dr		286 1bb560
07 Nov	FNB OB 000074865	Ele004/Elect Pr	424.20 Dr		287 1bb560
07 Nov	FNB OB 000074882	Ethekwini Municipali	16,551.03 Dr		288 1bb560
07 Nov	FNB OB 000074866	G4s001/G4s Cash	27,986.42 Dr		289 1bb560
07 Nov	FNB OB 000074867	Ifa001/Ifacts (101.89 Dr		290 1bb560
07 Nov	FNB OB 000074883	Kathea	3,652.50 Dr		291 1bb560
07 Nov	FNB OB 000074885	Lb Letimela/1508005	25,000.00 Dr		292 1bb560
07 Nov	FNB OB 000074868	Lfr001/Lfr Engi	74.75 Dr		293 1bb560
07 Nov	FNB OB 000074880	Maluti-a-phofung Tra	700.00 Dr		294 1bb560
07 Nov	FNB OB 000074869	Mmc001/Mm Costl	7,361.37 Dr		295 1bb560
07 Nov	FNB OB 000074870	Pro009/Prospect	7,895.25 Dr		296 1bb560
07 Nov	FNB OB 000074871	Pro052/Prof CC	20,000.00 Dr		297 1bb560
07 Nov	FNB OB 000074872	Ran006/Randfont	2,767.89 Dr		298 1bb560
07 Nov	FNB OB 000074887	Re Monamotloli/1601924	7,400.00 Dr		299 1bb560
07 Nov	FNB OB 000074873	Red009/Red Meat	345.00 Dr		300 1bb560
07 Nov	FNB OB 000074874	Reg004/Regus Ma	11,626.50 Dr		301 1bb560
07 Nov	FNB OB 000074875	Sup026/Supreme	454,144.51 Dr		302 1bb560
07 Nov	FNB OB 000074886	To Zulu / 1601924	7,400.00 Dr		303 1bb560

Branch Number	Account Number	Date	DDA MA/AV/4M/WO/NA/MM/N1/C7/SW/N	FNFCO
669	62053735290	18/11/30	Enterprise Business Account	



NOTIFICATION OF PAYMENT

To Whom It May Concern:

First National Bank hereby confirms that the following payment instruction has been received:

Date Actioned : 22 Jul 2016
 Time Actioned : 12:10:07
 Trace ID : VODSF8VTV33C

Payer Details

Payment From : Bosasa Operations (pty) Ltd
 Cur/Amount : 1,000,000.00

Payee Details

Recipient/Account No : ... 838410
 Name : ANCNW 101
 Bank : FNB/RMB
 Branch Code : 256955
 Reference : BOSASA

END OF NOTIFICATION

To authenticate this Payment Notification, please visit the First National Bank website at <https://www.fnb.co.za>, select Contact Us+Tools and then select "Verify Payment" and follow the on-screen instructions.

Our customer (the payer) has requested FirstRand Bank Limited to send this notification of payment to you. Should you have any queries regarding the contents of this notice, please contact the payer. FirstRand Bank Limited does not guarantee or warrant the accuracy and integrity of the information and data transmitted electronically and we accept no liability whatsoever for any loss, expense, claim or damage, whether direct, indirect or consequential, arising from the transmission of the information and data.

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

NOTICE OF APPLICATION

PLACE TAKE NOTICE THAT Ms Redihentse Tihabi ("Ms Tihabi") hereby applies to the Chairperson of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State ("the Commission") for an order that she be granted leave to:

1. give written and oral evidence in terms of Rule 3.3.6.1 of the Rules of the Commission ("the Rules") and
2. cross-examine Mr Jacob Gedleyihlekisa Zuma in terms of Rule 3.3.6.3 of the Rules.

TAKE NOTICE FURTHER that the supporting affidavit of Ms Tihabi will be used in support of this application.

TAKE NOTICE FURTHER that Ms Tihabi has appointed the address of her attorneys mentioned below at which she will accept notice and service of all documents in these proceedings.

Dated at Johannesburg this 27th day of SEPTEMBER 2019.

L Pillay

WEBBER WENTZEL

90 Rivonia Road, Sandton

Johannesburg, 2196

PO Box 61771, Marshalltown

Johannesburg, 2107, South Africa

Tel: +27 11 530 5232

Fax: +27 11 530 6232

Email: dario.milo@webberwentzel.com;

lavanya.pillay@webberwentzel.com.

Ref: D Milo / L Pillay
3035151

To:

**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

Email: frankd@commissionsc.org.za; inquiries@sastatecapture.org.za

BY EMAIL



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

SUPPORTING AFFIDAVIT

I, the undersigned,


REDIHENTSE TLHABI

state under oath that:

1. I am an adult female journalist, broadcaster and public speaker living in Johannesburg.
2. The facts contained in this affidavit are within my personal knowledge, unless it appears otherwise from the context, and are both true and correct.
3. Where I make any legal submissions, I do so on the advice of my legal representatives

PURPOSE OF THIS APPLICATION

4. This is an application in terms of Rule 3.3.6 read with Rule 3.9 of the Rules of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State ("the Commission") for leave to:
 - 4.1 give written and oral evidence to the Commission; and

4.2 cross-examine Mr Jacob Gedleyihlekisa Zuma ("Mr Zuma"), following his testimony before the Commission on 15 July 2019, during which Mr Zuma made several false and defamatory allegations against me.

5. As will be demonstrated below, it would be necessary and in the best interests of the work of the Commission for this application to be granted.

MR ZUMA'S ALLEGATIONS AGAINST ME

6. Mr Zuma appeared before the Commission from 15 to 19 July 2019. During his introductory remarks on the first day of his testimony, Mr Zuma described a "plan" which he alleged was implemented by foreign organisations working with the apartheid government to assassinate both him and his character. The transcript of the first day of Mr Zuma's testimony, published by the Commission, is attached, in relevant part, as annex "RT1" ("the transcript").

7. In relation to me and "the plan" to assassinate Mr Zuma and his character, Mr Zuma stated, *inter alia*, the following:

7.1 *"Leaving many things just to go to the point straight in 1990 when we were already inside the country I received a report – an intelligence report – which was saying there were three intelligence organisations that met had a meeting to discuss me and had a plan to begin in 1990 a process of character assassination of Zuma. Two of these organisations came from two different big countries and one of them came from inside South Africa under – which was one of the – structures under apartheid which was part of this conspiracy."* (page 15 of the transcript);

7.2 *"...the reason why we wanted to character assassinate Zuma's character was because he has a lot of information that he – he holds*

RI W

among the type of information as – as a Chief of Intelligence. There are spies that are infiltrated by us in his organisation whom we want to nurture that they grow within the structures of the ANC to a point that at some point they will have to lead the ANC." (page 16 of the transcript);

7.3 "Now Zuma has information about these. We do not know when will he use this information to stop that process that plan of theirs and therefore they took a decision that Zuma must be removed from decision making structures of the ANC and that is why they character assassination began. That is the beginning of the process that has put me where I am today and – and I thought it is important to go through this whatever else would be the end of your process but at least some truth should be known." (page 16 of the transcript);

7.4 "In other words foreign intelligence organisations and the local one of course under apartheid for a variety of reasons thought it was important to deal with this man." (page 20 of the transcript);

7.5 "So the issue of Zuma must resign, Zuma must leave the leadership started way back, as part of this plan." (page 22 of the transcript);

7.6 "...the plan to character assassinate Zuma, the plan to remove Zuma from leadership, the explanation was done by these three intelligence organisations that he should be out because if he's there he will use information he has to either expose or stop our people from going forward. It means, therefore, that plan which was made by intelligence organisations in a sense, had to be implemented among others by even people in my own organisation." (page 25 of the transcript);

R1 10

- 7.7 *"All these things put together tell me there is a huge plan which is being made and it has been made and it has been implemented. You'll recall that the issue of Zuma must resign, the issue of the attempts in Parliament of the vote of no confidence, which is fine because that is within the framework in fact even people remembered that we don't even have the way how to impinge the President it's not – let us do it because we must take this fellow out, we must find a way and here's a Commission, this fellow he is a friend of this family, we are going to find something." (page 30 of the transcript);*
- 7.8 *"Now as you call it the information and you walk towards making conclusions I thought that this is important that I say partly because some people are part of the plot to kill me, perhaps it is important that before I die I tell the story. I am telling you if I can tell you the details of the plan to kill me in Durban was detailed, detailed. It involved people brought from outside of the country. (Speaking isiZulu) were supposed to do to me, and perhaps that will make you realise that for me the matter is bigger than it meets the eye, and I have been respectful to comrades, and to people I know, maybe I have reached a point where that must now take another backseat. They concoct everything just to deal with Zuma." (page 50 of the transcript);*
- 7.9 *"As part of this narrative there is a book – or sorry the book is – there is a film which is being made about the case that took place, and I was found not guilty, rape case. There is a journalist in South Africa who is doing that one, Radier Kable [sic] [Redi Thlabi], it's being done outside, to say Zuma is a rapist, it fits in this narrative, she has been doing it in the media where she works, Radier [sic] [Redi], because this narrative*

RJ 10

must be done. The question I ask them these people who do – who participate in it where do they get the idea that Zuma must be put down? Who instructs them?" (page 51 of the transcript);

7.10 *"Perhaps it is important to look into this matter many times, and say what can we do? We have a country to save, but there are people who do not care, who want to give negativity in terms of what we do in this country."* (page 51 of the transcript);

7.11 *"I forgot mention the name of the movie that is being done by Redi in the United States."* (page 52 of the transcript)

7.12 *"Because I think it is important to have the name of the movie – crossing with my – the name of the movie is Raped by Power."* (page 52 of the transcript)

(I shall refer to Mr Zuma's allegations against me collectively as **"the allegations"**).

7.13 It is these portions of Mr Zuma's testimony before the Commission on which I intend to cross-examine Mr Zuma.

GROUND FOR APPLICATION

8. I am advised that the Commission may receive any evidence, so long as this evidence is relevant to the mandate of the Commission.¹

¹ See the Commission's decision on the Democratic Alliance's request to participate in the proceedings of the Commission (14 August 2018) at para [6].

R10

9. I am also advised that the Chairperson of the Commission ("the Chairperson") has the discretion, in terms of the Rules of the Commission, to grant leave for an implicated individual to:

9.1 give evidence before the Commission; and

9.2 to cross-examine the witness who has implicated them.²

10. The abovementioned discretion is exercised only if it is both necessary and in the best interests of the Commission's work. The Commission has stated that it "*affords [this opportunity] to every implicated person, so that they may tell their side of the story*".³

11. The allegations made by Mr Zuma about me are entirely false. I am not, nor have I ever been, part of a "plan" to assassinate Mr Zuma or Mr Zuma's character. Mr Zuma has provided no evidence that such a "plan" existed in the first place, nor has he provided any evidence that I was part of such a "plan".

12. Moreover, I am not aware of any film currently being made which is based on any of my works. In 2017, I wrote a book about the life of Fezekile Ntsukela Kuzwayo, entitled "*Khwezi: The remarkable story of Fezekile Ntsukela Kuzwayo*" ("**the Book**"). The Book contains details on Mr Zuma's criminal trial in which he was accused of raping Ms Kuzwayo. This appears to be the Book that Mr Zuma referred to during his testimony before the Commission. I

² Rule 3.3.6 of the Commission's rules.

³ Chairperson's Decision on the application for leave to cross-examine brought by Mr Ajay Kumar Gupta, Mr Rajesh Gupta and Mr Duduzane Zuma at para [16].

RI RD

wish to point out that, at several instances in the Book, it is clearly stated that Mr Zuma was acquitted of the rape charges against him.

13. I am not working on any film in the United States (or in South Africa), nor have I met with any filmmakers in South Africa or abroad in relation to any adaptation of the Book. More specifically, I am not working on a film adaptation of the Book. I have recently concluded a Film Rights Purchase Agreement with a South African broadcaster and will provide further details on this Agreement should I be granted leave to lead evidence before the Commission.
14. There has only been one form of adaption of the Book. This was a stage production titled "*KHWEZI... Say My (Her) Name*" which ran at the State Theatre from 25 July 2018 to 12 August 2018.
15. If I am granted leave to cross-examine Mr Zuma and provide my own evidence to the Commission, I will demonstrate in my submissions to the Commission that the allegations are false and were made without due consideration of the true facts. I respectfully submit that the evidence that I intend to present to the Commission, and my cross-examination of Mr Zuma, will be necessary and in the best interests of the work of the Commission as it will assist the Commission in assessing the truthfulness of the allegations made by Mr Zuma in relation to me, and, accordingly, the veracity of Mr Zuma's evidence presented to the Commission as a whole. It will allow me to tell my story in circumstances where Mr Zuma's reckless and defamatory evidence harmed my reputation. I would like to vindicate my reputation in the very forum where it has been tarnished by Mr Zuma.

R1

16. Thus the allegations damage my reputation and undermine my dignity. The sting of the allegations is that I was part of a "plan" implemented by the apartheid government and foreign organisations whose objective was to assassinate Mr Zuma and his character. The allegations are particularly damaging to my reputation as a respected journalist and broadcaster. I have been treated with severe aversion, suspicion, distrust and hostility by many people, as a result of the allegations. Furthermore, I have had to endure abusive and threatening messages and abuse on social media as a result of the allegations, a sample of which are attached as annex "RT2".
17. I accordingly wish to make my own submissions to this Commission and cross-examine Mr Zuma in order to vindicate my reputation and dignity and in order to prevent further harm to my reputation.

CONCLUSION

18. In the circumstances, I seek leave to:
- 18.1 present written and oral evidence before the Commission; and
 - 18.2 to cross-examine Mr Zuma.

R1 AD



DEPONENT

The deponent has acknowledged that the deponent knows and understands the contents of this affidavit, which was signed and sworn to before me at *Sandton* on this the *26* day of *September* 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.


COMMISSIONER OF OATHS

Full names:

Business address:

Designation:

Capacity:

RUAN DICKINSON
Commissioner of Oaths Ex Officio
Registered Attorney R.S.A.
KISCH IP

Inanda Greens Business Park
54 WIERDA RD WEST, WIERDA VALLEY, SANDTON
P.O. BOX 781218, SANDTON, 2146



COMMISSION OF INQUIRY INTO STATE CAPTURE

HELD AT

PARKTOWN, JOHANNESBURG

10



15 JULY 2019

DAY 133

20

R1 W

15 JULY 2019 – DAY 133

PROCEEDINGS COMMENCE ON 15 JULY 2019

CHAIRPERSON: Good Morning Mr Pretorius, good morning everybody, good morning Mr Zuma.

ADV PAUL JOSEPH PRETORIUS SC: Morning Chair.

CHAIRPERSON: Thank you. Before we start I have a few remarks to make. Today the former president of the Republic Mr Jacob Zuma appears before this commission without having been compelled to do so and in response to a request from the commission to give an undertaking that he would appear before it this week which he gave.

10 The commission appreciates that he is here.

I accept that through his lawyers he had indicated that he has certain reservations about the commission and that he reserves his rights in appearing before the commission. The commission has no difficulty with this and accepts that everyone is entitled to have an opinion about the commission.

I just want to make it clear that the former President is not the only leader in this country who is going to be appearing before the commission. There are others who will be appearing before the commission and I also wish to point out that the commission is not
20 mandated to prove any case against anybody but it is mandated to investigate and enquire into certain allegations and as I have indicated over a long period it invites everyone who has information or knowledge of matters that fall under its terms of reference to make that information available to it so that it can investigate those matters.

In doing its work this commission will seek to hear from as

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many people as possible within the time and financial constraints that it has. It will seek to have the benefit of different perspectives from different people in our country in regard to the issues that it has – that it has to investigate. So that as far as possible at the end of its work it will be able to make findings based on as full evidence as possible and based on having heard as different – different perspectives from different people about the matters that it is investigating.

It is important to emphasise that the evidence leaders are mandated to seek to establish what the facts are through questions that
10 they ask and not to prove any particular allegation against anybody. But they are required to assist me as the Chairperson of the commission by asking questions including those that will seek to establish what the truth is.

This commission attempts at all times to treat all those who appear before it with respect and courtesy without comprising its mandate but will be firm where firmness is required. The former President in appearing before the commission this week is expected to deal with various matters in respect of which certain witnesses who have been identified have submitted statements before the commission
20 and given evidence.

It is anticipated that this will not be the last appearance of the former Presidents before the commission but that it may be necessary at a later stage to ask him again to appear before it in order to deal with other issues. It is possible that although we have set aside five days this week for the evidence of the former President it is possible

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that we might not use all the five days. I thank the former President for having given the undertaking to appear before the commission and having actually appeared as he does this morning.

Those are the remarks I wanted just to make before we can start. Mr Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: The former President is represented by a legal team. May his counsel place himself on record and I understand that he wishes to address you on certain matters?

MR JACOB GEDLEYIHLEKISA ZUMA: Thank you.

- 10 **ADV MUZI SIKHAKHANE:** Thank you Chairperson. Chairperson I make this address because I think there has been a lot of exchanged correspondence exchanged and the propaganda machine out there has been quite alive and I thought it is important that we place certain things on record because the – I said this on the first day of this commission and the letters demonstrates that people do not believe our undertaking.

I said to the Chairperson that the former President established this commission and is willing to cooperate. So all the speculation about ...

- 20 **CHAIRPERSON:** Yes you did.

ADV MUZI SIKHAKHANE: Is untrue. Mr Mantsha did set out some of the problems that emerged here the notices that he did not – we did not receive. So I do not want to traverse that ground.

The ground I want to traverse starts from the 30 April because the speculation and some of the misunderstandings emerge from the

R1 10

15 JULY 2019 – DAY 133

correspondence starting from that day from the commission. And the most important paragraphs in that letter of the 30 April this year is that it says in paragraph 1 [a] and [b] the former President is being invited here to put his side of the story, to state his side of the story. And the second one says that the commission wishes to ask him a couple of questions.

And the second letter then from there and I want to state this because there has been a misunderstanding about why the attorney – his attorneys were enquiring.

10 You will recall Chairperson that in terms of your rules – the rules of this commission 3.3 in particular one the rights of the witnesses or implicated people is that they make an election when you tell them that you believe they are implicated. They make an election that I have listened to this, I have read the statements, I do not think I am implicated. And they do so at their peril of course because they must accept that you may an inference.

And the former President made that election in respect of all and this was done in careful consideration of whether or not he had been implicated in the two crimes that this commission is about, fraud
20 and corruption. We are not sure about the other one because its elements are not yet established. The one called state capture.

So in the second letter we request the questions. The Chairperson will recall that in 3.10 it sets out a number of ways in which we could come – he could come here and we asked for 3 – for that specific – we made that request. We were not being facetious. It



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was a request because as you will see today I hand over Mr Zuma to you, the former President without knowing what he is going to say.

None of us in this room know which names he is going to mention and we were asking that question because an unfairness has happened in this – in this commission where people have been blurting names of people connecting their dots about people and those people have not been able to be noticed – to be given notice in time. And of course there is some injustice that Mr Zuma may do today and that is why we were asking for specificities so that we could prepare him, we
10 could advise him to go to certain people and not mention names of people without you as the commission giving them notice. That was not appreciated by Mr Peddler or – on your behalf because there was a belief that we were doing a Stalingrad or a Zuma tactic as it is called.

You will see that the other letter – we have annexures until the 24 June. Chairperson the letter that really, really I think we must record it for your attention although it is done on your behalf but I am certain that these particular words because they were difficult for us is the letter of the 7 June.

We tell the – your Mr Peddler or the attorney tells him "please
20 in terms of which Rule are we coming?" and of course because he has adopted or there is a position that this is not genuine he tells, he says: "this is done in terms of no rules." And that is one part that is missing out there is that we are told by a state – a creature of statute that they are calling a witness in terms of no rules. He says it is a courtesy:

We write because we say this is dangerous, we want to

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prepare him. Well the next letter is the letter of the 12th it explains exactly what I have said to the Chairperson.

On the 20th there is another letter. Then on the 24th June Chairperson you will see the tone of Mr Mantsha's letter he does give up because his client has given up and he says: "well I will bring him."

Chairperson I am raising this – that was the last letter. I am raising that because there is – there is truly a particular – a disturbing attitude that one finds in the letters and it is an attitude that one does not expect in a legal process like this that is designed to treat each and
10 every witness as a witness who must put to rigger and we believe that had we been given an opportunity to – to prepare Mr Zuma to advise him about people's names that he may mention that he cannot do so without those people being given notice. This process today would be much better.

And so I am going to hand him over to you Chairperson. I am making these things because he is not my guest today he is yours. Is that I have brought him here to you with reservations about how he has been called. With reservation about the unfairness that may happen to people he may mention. He may mention you, he may mention Mr
20 Pretorius, he may mention all sorts of people we do not know and what do we do about the unfairness of the process.

Chairperson those are the words insofar as the acrimony about his stance about this commission I think we all know that the question about biased is not whether it is actual bias it is when there is conduct in the commission that makes the witness feel some reasonable

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apprehension that he is biased.

So I am going to hand him over to this commission because he is your guest and hope that he will be protected from himself and those that he is going to mention are going to be treated fairly because they do not know he is about to 'out' them.

Thank you Chair.

CHAIRPERSON: Well before you sit – before you sit down Mr Sikhakhane. As you say the letters from the acting sector of the commission were written on my behalf.

10 **ADV MUZI SIKHAKHANE:** Yes Chair.

CHAIRPERSON: Actually I fully approved each one of them and – so I just want to – to make that clear that the words in the letters can be taken to be my words. But we – we accept that the former President and his legal team have a certain view of the letters which we have articulated.

We remain committed to making sure that this process is as fair as possible.

ADV MUZI SIKHAKHANE: Thank you Chair. The last thing I want to say is that 1[a] of your first letter then is that because you asked him to
20 come to do two things is that he has asked me to allow him to do 1[a] of that request which is to address you to put his side of the story as he sees it to connect his own dots and that is what he is about to do.

CHAIRPERSON: No that is – that is fine. We asked him to come and give his side of the story and he will be allowed to do that.

ADV MUZI SIKHAKHANE: Thank you Chair.



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CHAIRPERSON: Thank you. Mr Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: Just very briefly we have not had notice of any substantive application and I do not believe there is a substantive application before you Chair but just to clarify on a number of issues.

The question of an election having been made we will deal with in due course to the extent that it is necessary. The question of whether there should have been a rule in vote or whether it is simply an order for a witness to be invited to the commission is a matter if it has
10 any substance or merit at all will be addressed in due course.

But our position is clear that there is an invitation, the invitation has been accepted. There can be no quarrel with that.

It seems to us however Chair that the nub of the complaint raised by Mr Sikhakhane in his address to you Chair is that former President Zuma is going to quote, unquote 'out' certain people. He has not had an opportunity to give notice to those people because of the procedures that have proceeded the former President's hearing and therefore unfairness may result.

I am not sure I understand the logic of that in any manner at
20 all Chair. If the former President's intention here today is to implicate certain parties under whatever clause of our terms of reference then that is his prerogative. But to say it is unfair because he is being prevented from giving notice is simply illogical. We do not know as a legal team. The secretariat does not know what he is going to say or who he is going to implicate. How that problem could be solved simply

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by giving questions of matters that we do know to the former President escapes us Chair. Quite simply it has always been open if the former President and his legal team were concerned about this particular issue and fairness in relation to this particular issue to have given such notice. And to say we are going to implicate.

To expect us somehow through questions of matters we have no knowledge of to foreshadow or foretell what is going to be said does not bear scrutiny Chair. So that complaint cannot be accepted by us certainly Chair.

10 **CHAIRPERSON:** Yes. Thank you. Mr Sikhakhane do you want to respond? Okay. Let Mr Sikhakhane respond to that before we proceed. Please switch on the microphone.

ADV MUZI SIKHAKHANE: Now that he has started on his condescension let me deal with it now. First I did not say Mr Zuma wanted to give notice to anybody. I said an injustice can happen because we would have liked to prepare him, right. So everything he is saying that I was – it is a com – it is false. I simply was raising the issue that we are running a process, a truth finding process and if we do not run it fairly all of us we run the risk. I did not say he – he
20 should have given people notice. The problem is this attitude exactly of this commission is that people bring their views outside and treat certain witnesses as sweethearts and others as accused. I am saying it is important that everybody who comes here gets the same rigger and the same questioning. People must not bring their own ideas out there and I think Mr Pretorius is doing exactly that. I was articulating to you

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Chairperson the dangers that we saw and that is why we kept asking. And I do not think I was inviting his condescension because he did not understand what I was saying. He truly did not and this is the problem we have been speaking past each other and I am raising this because he does not have to interpret what I am saying. If he did not understand me he must say so. It is this attitude that I think is making your process ...

CHAIRPERSON: Thank you Sikhakhane. May I request that there be no clapping of hands please? Thank you Mr Pretorius.

10 **ADV PAUL JOSEPH PRETORIUS SC:** Thank you Chair I will not respond. We will try and maintain a collegiality and a dignity in these proceedings.

CHAIRPERSON: Yes. You are ready to start?

ADV PAUL JOSEPH PRETORIUS SC: Yes Chair.

CHAIRPERSON: Yes. Mr Zuma we will need to do an oath or affirmation. May I ask you to switch on your microphone in front of you? Which one would you prefer an oath or affirmation?

MR JACOB GEDLEYIHLEKISA ZUMA: Yes I do not know...

CHAIRPERSON: Oh I think she must go and help you actually. Go and
20 help him. It is on. Oh I am told that microphone is on.

MR JACOB GEDLEYIHLEKISA ZUMA: Yes it is on now.

CHAIRPERSON: Oh okay alright. Which one will it be oath or affirmation?

MR JACOB GEDLEYIHLEKISA ZUMA: Oath.

CHAIRPERSON: Oath thank you. Maybe if you could stand. Would

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you please state your full names for the record?

MR JACOB GEDLEYIHLEKISA ZUMA: I am Jacob Gedleyihlekisa Zuma.

CHAIRPERSON: Do you have any objection to taking the prescribed oath?

MR JACOB GEDLEYIHLEKISA ZUMA: No.

CHAIRPERSON: Do you consider the oath binding on your conscience?

MR JACOB GEDLEYIHLEKISA ZUMA: Yes.

CHAIRPERSON: Do you swear that the evidence you are going to give
10 will be the truth, the whole truth and nothing else but the truth, if so
please raise your right hand and say, so help me God.

MR JACOB GEDLEYIHLEKISA ZUMA: So help me God.

CHAIRPERSON: Thank you very much you may be seated.

MR JACOB GEDLEYIHLEKISA ZUMA: Thank you.

CHAIRPERSON: I think Mr Pretorius we will start with the part that Mr
Sikhakhane indicated that Mr Zuma would like to start with.

ADV PAUL JOSEPH PRETORIUS SC: As you please Chair.

CHAIRPERSON: Ja. Thank you. Mr Zuma I understand from your
counsel that before any questions can be put to you you would like to
20 state your – you have – you would like to state your side of the story or
to address me on certain aspects or to indicate what you would like to
say on various issues. This is the opportunity that I am giving you to
do so before any questions can be put to you.

MR JACOB GEDLEYIHLEKISA ZUMA: Thank you very much.

CHAIRPERSON: Oh okay.

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ADV PAUL JOSEPH PRETORIUS SC: Mr Zuma you may use the microphone with the red light.

CHAIRPERSON: Do not use that one. Ja use the red one ja thank you. Thank you.

MR JACOB GEDLEYHLEKISA ZUMA: Thank you very much Chair. Chairperson and of course the entire commission firstly Chair I have got some flu so my voice is up and down.

CHAIRPERSON: Well I had flu from Thursday so – but I think I am fine now.

- 10 **MR JACOB GEDLEYHLEKISA ZUMA:** Yes. Chair you will realise that me as an individual I have been a subject of talk in this country for more than a decade. I have been vilified alleged to be – be king of corrupt people. I am the most corrupt. I have been given every other name and I had never responded to those issues.

Firstly because I believe it is important that we all respect one another. That we must say things we know about other people not just tell things that we cannot prove.

- This has been my nature as I grew up and I joined the ANC in my early age in addition to the teachings from my own homestead and
20 my parents I also got taught in the ANC to behave in a particular way.

And I have paid for my activities in the ANC including going to prison serving a term of ten years. At some point I had to leave my country to go out and in the process the ANC gave me different responsibilities at all material times that I have been active and participating. Then finding myself finally in the leadership of the ANC.

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The reason why I am starting here Chair is because when this commission was proposed to all a recommendation was made that I should establish a commission by the Public Protector, the previous one. There are certain issues that I was not happy the manner in which they were handled and of course the Commission was to deal with an important point but as I will indicate part of the reason why I am here that is the background I am going to deal with why I find myself sitting here today and where it comes from particularly because this Commission from my understanding was really created to have me

10 come here and perhaps to find things on me.

I will deal with how it was conceived and therefore I made the Commission as – as to what it is. Because the ANC gave me tasks perhaps I had to know things that other people might not have known and the question how would I handle those and I was taught how to handle them. That is why in the background that I am going to give I will stand on this point I am making – (clearing throat) I am sorry. (Talking in Zulu).

CHAIRPERSON: That was Zulu for saying:

"The flu is preventing him from speaking."

20 **MR JACOB GEDLEYIHLAKISA ZUMA:** There has been a drive to remove me from the scene. A wish that I should disappear and I will explain where it comes from and why perhaps it is important that I deal with in this Commission and it arises out of perhaps my work in the ANC and also because of who I am. This conspiracy against me has been stretched at all material times when there are things to be done or

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said.

It has come in different forms and that is why there are even people who say I have got a way of trying to dodge things in one form or the other and I am going to connect the dots over a decade that talk to this point and talk to why I am here. As you know in 1990 the ANO was unbanned and I was one of those who was sent ahead of everyone to make contact with the then Government to study the process of finding a solution in this country.

People referred to it as talks about talks. I then became part
10 of the negotiating team and we finally reached a point where those who were in prison were out. Those who were in exile came back. At that time my specific task among many was to be the Chief of Intelligence of the African National Congress. In other words I was part of the leadership at that very sensitive area with my late comrade John (indistinct).

Leaving many things just to go to the point straight in 1990 when we were already inside the country I received a report – an intelligence report – which was saying there were three intelligence organisations that met had a meeting to discuss me and had a plan to
20 begin in 1990 a process of character assassination of Zuma. Two of these organisations came from two different big countries and one of them came from inside South Africa under – which was one of the – structures under apartheid which was part of this conspiracy.

When I received this report, had a discussion with my colleague (indistinct). We did not know what the reason is. We are

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very keen to hear why Zuma's character must be assassinated. I then used the knowledge we had to ask this question and get an answer but to those who would be receiving the question and give an answer they should not know that this question comes from me because we had people in the intelligence had lots of net workings and networks as well as people dealing with different things.

So we sent the question. After a brief period the answer came back. The answer was the reason why we wanted to character assassinate Zuma's character was because he has a lot of information that he – he holds among the type of information as – as a Chief of Intelligence. There are spies that are infiltrated by us in his organisation whom we want to nurture that they grow within the structures of the ANC to a point that at some point they will have to lead the ANC.

Now Zuma has information about these. We do not know when will he use this information to stop that process that plan of theirs and therefore they took a decision that Zuma must be removed from decision making structures of the ANC and that is why they character assassination began. That is the beginning of the process that has put me where I am today and – and I thought it is important to go through this whatever else would be the end of your process but at least some truth should be known.

We handled this very, very delicately those who were dealing with intelligence but we are now where. There was going to be a conference in 1990 of the ANC. It was a consultative conference not

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elective conference but these three organisations thought that it was an elective conference. That is why they were engaging in this plan and this conspiracy.

Then the ANC in the course of the period was explaining that was a consulted. So they realised they made a mistake by thinking it was elective. So in the course of the same year I received another report. We said that they have postponed this campaign because they realised this was not an elective conference. So we kept quiet but the ANC of course had that conference and one of the resolutions of the
10 ANC was that during 1991 it will have its first elective conference – in December 1991 and therefore that was information out there.

In 1991 another intelligence information came that said that these three organisations have decided to change their plan slightly because having investigated further in the ANC they discovered that this Zuma had a very large support in the ANC and 100 percent support in the Province of Natal. It would not therefore be easy to remove Zuma in the conference that is coming.

The time is too short to character assassinate him to a point that you could remove him. What therefore they thought was important
20 for them was to - because they said you cannot remove him from the National Executive for example – the decision making structure. What therefore we should do which was a fall back plan that after the elective conference of 1991 Zuma must be removed from the position of Chief of Intelligence and again we looked at this and said there – there were worrying things.

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For example the issue of the – the people we were about to negotiate with. What was the thinking that they may not know our thinking and we might not know also their own thinking but what does this mean? So as we were preparing for the conference it was clear that this first conference was of great interest not only to South Africa even for other countries out there but this information was – was worrying.

In fact I think there was one (indistinct) which was as a result of that but it ended because they realised there were no further things they could do. I am saying this because there has been a process and particularly against Jacob Zuma a conspiracy. I am sitting there and I am told by other organisations that in my organisation as well as in the NEC there are people who are working for them whom they want to be in control of this country.

It was a worrying point. Leaving aside the information I had there would have been information I did not have and perhaps important to try to follow this very closely. Of course the conference came. In that conference I was elected Deputy Secretary General of the ANC and of course Tambo moved out and Tata Madiba came in as a President.

There were two decisions taken by the organisation that President Mandela and Thomas Nkobi who was the Treasurer-General after the conference they would go to the United States to raise funds. Another decision that Thabo Mbeki and Jacob Zuma shortly after conference they will go to attend the conference in UK which was

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discussed in constitutional matters and indeed after all of that when the NEC – when the NEC has been elected by conference then the NEC elects the working committee which runs the matters in between NEC – NEC meetings.

So we left to our tasks. One day as we finished a conference and going for supper I rushed to my room to listen to the BBC forecast on Africa. We were a little bit addicted to it because out there we did not listen to all the – the media from home. Among the reports that were given by the BBC was the report of the meeting of the working
10 committee of the ANC which had met for the first time and there were two decisions among many that were taken.

One was that Thabo Mbeki was removed as the Chief Negotiator of the ANC and Jacob Zuma has been removed as the Chief of Intelligence. When I – I was going down I met Comrade Thabo. I said man their decisions that they have taken you are no longer leading us on the negotiations and he was shocked but I said no that is not the only one.

I have also been removed as the Chief of Intelligence. He was even more shocked knowing how the ANC deal with things
20 particularly that you cannot take such a decision when the President of the organisation is not there. Why; but to me and I said to him you did not know. Me, I knew that I was going to be removed but I did not know how.

The question that I was asking myself I received information from intelligence sources that after the conference I would be not the

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Chief of Intelligence. This is supposed to have been planned by these three organisations. Why is it implemented by my national – my national working committee? What does this mean? It therefore was confirming that there may be spies here because it means there were people when these intelligence organisations took the decision that they directed that they must make this happen.

Of course thereafter we – we wept and we did not even at that time take this matter as a general report in the ANC. We kept it as an intelligence issue but it is important to say this because the
10 character assassination that I faced over the years more than 20 years this is one of the clear sources that I know. There was a plan to deal with Zuma and Zuma has been dealt with all the time.

In other words foreign intelligence organisations and the local one of course under apartheid for a variety of reasons thought it was important to deal with this man. It is important for me to state that anything that happened since that time. I have been linking the dots all the times and I thought it is important to this Commission part of the reason is I will come to that this – the matter of this Commission is not different from or the plan not the Commission as yet.

20 Those who – who initiated that there must be a Commission. You recall that when I was not at the national level I was in the province suddenly I had to be charged. Before charged – before being charged I was removed as a Deputy President of the country – 2005 – because I was implicated in the arms deal. Bear in mind that I was not in the national.




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I was not part of the processes. I was in the province and it did not make sense to me. Of all the people who dealt with the arms deal not a single one was ever or there were ever allegations against but the allegations against me. I had to be investigated. In a very strange way even that investigation I had to be investigated by the Scorpions.

At a given time the Head of the NPA and the Minister had a press conference wherein it was announced yes there is in our investigation there is a *prima facie* case against Zuma but it is
10 unwinnable in court. So that is why we are not charging him. Now there are investigations and investigations. I have never had that kind of level of investigation being reported in the media.

Why it was reported in the media for me? There are so many cases. Clearly that indicated the beginning of the implementation of this particular plan and the conspiracy. I had time at some point to ask Ngcuka why did you not tell me you are investigating me and what is that you are investigating. Ngcuka said no you were supposed to be told by the Ministers. Fine I think that was a fair point, but he says there is no case against you.

20 There are just a few letters written by Shabir where he mentions your name as people always drop names but the week thereafter I was called by two leading people in Government and in the ANC who said man there has been an investigation against you and it has come to a point where we must take a decision whether to continue investigating you or not but this matter needs to be discussed to find a



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solution and I said what solution and at the end I said after whatever they said I do not understand because the man who is investigating just a week ago told me I have got no case.

You are telling me here that you have a case. I do not understand. I think that destabilised that meeting but of course around the same time there was information that I am going to be talked to so that I resign from the leadership and go to Nkandla and I will be looked after. Just resign. There was a rumour that I would be given something like 20 million and I will be maintained or if I resign this
10 case we will then have a way to solve this case and I was saying to myself hm that plan is now being implemented.

These people don't know that I know something about the plan because myself and John (indistinct) we did not report it to the entire nation, it remained in the corridors of Intelligence.

So the issue of Zuma must resign, Zuma must leave the leadership started way back, as part of this plan. Of course I did not resign because nobody, at that point said it out and out and there was in the corridors. That was followed by then, the decision to remove me as Deputy President by the President of the country and of course I did
20 move away, I made it very clear that as a (indistinct) of the ANC I'm not going to argue, I'm not going to – the President has the right to take etcetera, so I got out. I was also – but shortly thereafter in terms of the ANC activities, I was brought back by the membership of the ANC in a NGC that was in Pretoria, so we continued. Then we were also approaching another conference which was in Polokwane, where there

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was, as usual, as normal contestations people having different preferences etcetera and I'm sure as a (indistinct) that is known by many people that's where I became the President but there were a lot of activities going on at the time and discussions about me in particular. Later on I got to know, that in fact, there was a determination to arrest me before the conference in order to avoid me being part of that conference. I think such facts have come to light particularly around the case that I'm placing in Court in what is called the Zuma tapes wherein police, politicians, leaders of the country were

10 talking about me, that I must be arrested. That information was feeding into this fundamental intelligence organisation's plan to deal with Zuma.

Of course, perhaps it's a long story to say what are the issues, why Zuma must be dealt with in this fashion, I'm sure it's obvious. We proceeded in our life and working in the Government and organisation when I was – when I was being dismissed in a statement in Parliament the President says Zuma must have his day in Court and I hadn't been charged by then. It was the first time I hear, I must have my day in Court but you will also remember this, I was investigated there was a

20 lot of hullabaloo those who were investigating finally felt they've reached a stage to charge, they've decided not to charge me but charge Shabir Shaik but the accusation was that we committed crime with him but not charged together charged separate. As I got to know later – because they wanted Shabir to be convicted in order to charge me and that's what happened. So in a sense prolonging the narrative

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about Zuma is corrupt. You'll also recall that when Judge Squires convicted Shabir, thereafter there was a lot of talk about that people saying the Judge said between Shabir and Zuma there has been a generally corrupt relationship, that relationship was a corrupt relationship.

The media, politicians, academics will all talk about this, this Zuma where this generally corrupt relationship with Shabir. This was all over the world until the Judge thought this was unfair to him now because he had never said so and asked people to read his judgment
10 because he never said there was a generally corrupt relationship between these two individuals but everybody had been saying this, where did they get it from, why would they put a serious phrase against some individuals an allegation which was unfounded? This was done to enhance the narrative against Zuma, that Zuma is corrupt even if the Judge did not say that they must put the words in the mouth of the Judge. Fortunately, that one is a matter that many people know it was clear to me that this plan continues and that's why I would say, there are people who would not be happy if I was not, either in jail or I was not removed. Of course we continued, as I was supposed to be
20 charged or again, when I'd been charged already, rather, the investigations were going on, NPA was confronted by the tapes which indicated there'd been planning, conspiring to charge me with politicians and everybody else the tapes are now a public thing. To an extent that when the head of NPA at the time, came to know about these tapes decided to withdraw the charges and therefore I had no

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case against me then.

Not because of anything because the plan to character assassinate Zuma, the plan to remove Zuma from leadership, the explanation was done by these three intelligence organisations that he should be out because if he's there he will use information he has to either expose or stop our people from going forward. It means, therefore, that plan which was made by intelligence organisations in a sense, had to be implemented among others by even people in my own organisation. You'll recall that when I was building my home at
10 Nkandla, problems arose there about corruption and again you'll recall that the media in this country mentioned the figure of the money I have squandered and everything. At that place there were two structures of Government that investigated, they found nothing on Zuma but I've been so much vilified in the world and everywhere that I'm the most corrupt person. Of course after the two institutions investigated, former Public Protector also came in to do her own investigation because people wanted to find something. She found nothing, that is in her report, then she decided to say the additional security matters in my homestead which were put in as a result of the police and the army
20 for security reasons as it is their duty to look after the President of the country. The Public Protector recommended that I should pay for those because I indirectly benefited. No-one - no other President has been made to do so but look at the heading of the report by the Public Protector, it said, "secured in comfort". Why in comfort, because I had built, with Government money an amphitheatre in Nkandla. Fortunately,

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thereafter members of Parliament from all parties went to Nkandla to do inspection. They looked for this amphitheatre and asked where it is, it's not there, it was never there but an officer from a Board like the Public Protector who is supposed to protect us used the phrase – the phrases to enhance the narrative that Zuma is corrupt.

If you want to see why, for an example why I have a problem and reservations about how this Commission was established, firstly, the issue of the family, the Guptas came in and the ANC felt we need to look at this and I think the Secretary General of the ANC was given a
10 task by the NEC to investigate because there were these allegations. Somebody also said the Public Protector should investigate also in addition to whatever was done. Public Protector said there was no money but the Treasury found money to give the Public Protector so that they investigate this before she leaves, in a hurry and of course she left the work, tried to complete it but it was difficult but it was there. The report – there should be a State Capture report this was again to use this phrase, that's why I've had a problem with it, was the State Captured, why the report must say we are investigating the State Capture? Now I don't know because I never went to any school, I take
20 things, perhaps, literally. I thought that the State, in the main is composed of three arms, Parliament, the Judiciary and the Executive but the Commission is not meant to investigate these three whatever else but these three but it's called the State Capture. The matters that have been dealt with, for me are general corruption matters, why it was – because I was a king pin that we must get at, this Commission,

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according to those who are implementing things must be the grave of Zuma, must be buried here and that's why, whoever knew the Gupta family or they were friends, then they don't matter but Zuma matters.

Because something must be found even if the money is not there, those in charge of Treasury to find the money to give to the Public Protector so that this must be done quickly. In other words, the plan continues to be implemented precisely because the opposition parties would want the ANC out of Government so they pick up the pieces, go to – we must re-instate the case etcetera, it's mad you don't
10 even know if these people are coordinating quietly. So I've had a problem that this has not said it's a Commission for corruption if you want to specify it with a particular family so why do you call it a State Capture, is that expression meaning that the Judges are captured? Is the Government captured, is the Parliament captured? I'm sure people have said I've got views particularly because one day when I was addressing the students in the Eastern Cape and these were students of law and I said to them, just check this for me, why would legal people accept this expression and work on it, what purpose does it serve?

20 In other words, you are saying to the international community South African Judges are captured all political parties in Parliament are captured, the Executive is captured by this family. It's an exaggeration, it is meant to enhance this narrative against Zuma. Perhaps it's important to just firm up one point that I made in passing that I was supposed to talk to, to resign, long after Polokwane. I've got

Two handwritten signatures are present at the bottom right of the page. The first signature is a stylized 'R' with a long horizontal stroke extending to the right. The second signature is a more complex, cursive-style mark.

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a comrade that I've know that I recruited into the struggle who's a businessman now, we had a common friend in Angola. Because of Polokwane this friend felt that, well my relations with this comrade was never good he wanted us to talk, can you talk, so I said fine and this is comrade Mzi Khumalo so we met with the – three of us two of us and this friend, we said there is no fight among us when I got a conference of the ANC there's a contestation it doesn't mean there's a fight: So we discussed that fine, of course Mzi said I'm a cadre we were elected there – in fact he said I did not even support him back I was supporting

10 (indistinct) but once that happens we are one but he said something interesting, that he was approached before Polokwane conference by two comrades he knew and one official they were going with, this was Bululani Ngcuka, Penuall Meduna, they were accompanied by a Scorpion official which he did not know. They presented the matter to him to say, we've come to you, to make a request, this comrade, comrade Zuma we've done investigation, it is at a stage where we need to go further and this comrade the case will be very serious, you know this comrade sacrificed, fought a lot. Now we don't think he should go to prison, we think that we should find a way to make him leave the

20 work that he's doing and retire, go to Nkandla and we'd want to look after him. So we wanted to come talk to you as a comrade, as a business, can you help give us some money to do so? This is said by these two comrades to Mzi Khumalo who now relates this to me and he says, I said to them, how much I am fine I can do it but how much? They said we'll come back to you but he says they never came back but

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again, the rumour and the rumour that was going in the corridors that Zuma must be made to resign and go to Nkandla becomes a reality, confirmed by the discussion between Mzi Khumalo and them.

So as I said earlier it was a rumour but this was confirmed very firmly. No-one has ever come to me to say could you go home and stay but it moves around, people try to find something that can make Zuma disappear and therefore many other things including the coming into being of this Commission influenced by this and people who are participating – people are participating are not aware of that and my
10 concern, the Public Protector leaving aside the name of the Commission, in my view, prescribes how this Commission is going to be. All Commissions are appointed by Presidents and there is no question about it, the Public Protector says in the process of making the proposal, the Chief Justice must be the one to identify the Judge who must then be the Chair of the Commission and I find that very odd because in my view the Public Protector is taking the powers, executive powers of the President, is asking the Chief Justice to do the job that must be done by the President but of course I was the President then, and this was basically centred around me, I thought I should not raise
20 these issues, it's going to be against Zuma's making tactics of delaying tactics, whatever, so I said fine and hoping of course, hoping that legal people will say, but what is this but of course this Commission was established. I don't have a problem with it, I have a problem with the Public Protector taking the powers of the President in order to fulfil some agenda, I don't know, unless I'm told otherwise Chair, that in fact



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there is a provision in the Constitution I will be very happy that there was nothing wrong that the Public Protector was saying. Why would the Public Protector go to the extent of influencing how this and who must do the identification of the leader of the Commission.

All these things put together tell me there is a huge plan which is being made and it has been made and it has been implemented: You'll recall that the issue of Zuma must resign, the issue of the attempts in Parliament of the vote of no confidence, which is fine because that is within the framework in fact even people remembered
10 that we don't even have the way how to impinge the President it's not – let us do it because we must take this fellow out, we must find a way and here's a Commission, this fellow he is a friend of this family, we are going to find something. He tells – he's been told by this family who to appoint who not to appoint etcetera, etcetera and there is nothing of that kind. I still – I am still waiting for somebody to come and tell me I said yes you were told here that elect or appoint this one and you did in this way and that way. Because I have been waiting so that I can really ask the kind of a person 'where did you get this from?' But it has been made to be included in the narrative 'get rid of Zuma'.

20 The whole country at one point there was a demonstration that we have never seen before when the white community came out in great numbers Zuma must go. What has he done? Nobody can tell. He is corrupt. What has he done? Nothing.

Of all the presidents who have been before me there is not a single one who has been brought and even brought to commissions

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etcetera. But to Zuma we must do it.

I am giving this background because whatever – whatever we do I have listened to some of the people who have been accusing me coming here. One of them said that – it was Ngoako Ramathlodi when we sing he must resign we ask, he ask what have I done? We know he has auctioned the country. What an exaggeration from a lawyer. He cannot tell you auction what – what did I auction Table Mountain? Or auction Johannesburg I do not know. The man is sitting – he was sitting where I am sitting now. Zuma has auctioned the country that is
10 why we said he must go. But it is a lie. There is nothing of that nature.

Finally because I am here I am about to finish my third – my second term. Those people perhaps who were part of the decision taken that Zuma must not be Chief Intelligence within my organisation feel the – fail to do the task. Those who are tasked to ensure that Zuma goes. They create a situation as we are about to go for the State of the Nation. Zuma must not give this one, he must resign. Including the NEC meets to take that decision, why? He must be out. Is part of the implementation of the plan by the intelligence organisations that Zuma must go. And of course finally he must come before the commission
20 and answer questions. And I am here to answer questions but Chair I thought it is important for me to give you this background in whatever conclusions the commission would come to or whatever or whatever questions you are going to be asking me you must bear in mind that I have got this background that is a worry to me.

The fact that I was a President some people forgot it. And of



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course clearly if there are such activities particularly from our own organisation I need perhaps to go back and say these three intelligence organisations who said there are people here. Are there people here; do I know whether there are people here or not? Even from my intelligence work.

Now I do not want to discuss intelligence but certainly the actions, the behaviour has indicated that it looks like there are. Who are they? Should we reach that point because for a number of reasons we have been very careful not to play to this ground – to that ground because it is sensitive? But I have been provoked and provoked to the last degree. By people at times I know what they are doing because I have been wanting to save the organisation and to save the country. They make stories. They do everything. My own family suffers out of this. Leaving me perhaps I am a soldier I can take everything. People forget that I have got a family which would not want to hear lies being told about me. But not just that. You have some of my children who have suffered as a result of me. One of my sons Saady was working in a company I think it is Marce Fire Fighting Company. He was working there given a responsibility to look for – I mean to concentrate on the continent and there was a time put that at the end of this time he will become one of the directors. A company which had Nugo and others wanted to have a deal with this company and indeed they talked to this company. When it came to the papers they saw a name Zuma. Sum Saady Zuma. They asked who is this. Poor fellow he thought that this is a child of a president this guy is an ANC they will be very happy. He

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says no this is the son of the president. They said sorry we cannot have a deal with this name. If this man remains on our papers there is no deal. It is either us or him. He was asked very politely by the employers to leave the company. He tried to look for a job in Johannesburg because he was Zuma's son he could not find it. He tried to start business he could not. He came to me to say I have a got a problem. I said, my son go to Durban and look for a job. That is where he went to start his own business.

The young man who comes after that one Duduzane. They
10 started knowing this family when they used to come to me, when I was still a Deputy President. When he finished his studies he has done IT he went to work in the Intelligence, National Intelligence of the country. When these attacks on me started he was ill-treated there. He finally came to me to say I wanted to work for government but I cannot because – because I am your son. I am not even – what you call – accepted there. He looked for an employment. Now that he knew his family that they running an IT company he looked for a job in that company and he was employed and worked there as an employer – as an employee rather. When I was taken to court he was quite agitated.
20 Left the job. He wanted to take videos of my appearance in court and set up with his friend. I said you cannot leave a job. He said no I am leaving this job. Of course the case disappeared at some point. He came back to me to say Daddy you were right I am not finding a job. I have been looking for a job in Gauteng. Nobody can take me because I am your son. I have been looking for partners, nobody can take me. I

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said to him – you know what I said to your brother, you must go to Durban. Go to Durban. He went to Durban. Started some business with some partners. But later he discovered something that he did not like in the company.

On his own he went to talk to the Gupta's that he would like to come back but not as an employee this time he wants to be part of the company. They discussed and finished. I did not even know. I was only informed afterwards. And he has been there working. Because he is my son he has suffered a great deal. Of course people will not feel
10 good if I am still there but I am just giving the Chair the impact of this.

As we moved towards the end as I said the NEC itself was influenced to take a decision that there has been calling Zuma must go now, he must go indeed. In other words that plan I am talking about finally succeeded. I had to resign from the ANC in order to leave the ANC intact because I love it. It is my organisation. It meant nothing if I resigned the ANC remains. But it is clear to me something which came from the answer of the three intelligence organisations that there are people infiltrated their spies. They were at work. I asked the – my organisation what have I done and I got no answer. Maybe Chair
20 having said what I have said let me deal with my relationship with the Gupta family so that you do not suffer try to ask questions. Because...

CHAIRPERSON: Well sorry Mr Zuma maybe this might be the convenient time to take the tea break. We were going to take – we normally take it at quarter past eleven but I did not want to interrupt – to interrupt you. So we are at nine minutes to twelve – we will take the

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tea break and resume at ten past twelve. We adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES:

CHAIRPERSON: I am just – I am just waiting for everybody to sit down at the back. Yes, thank you. You – Mr Zuma you were about to begin to tell me about your relationship with the Gupta family. You may proceed.

MR JACOB GEDLEYIHLEKISA ZUMA: Thank you very much Chair. I will come back to other points here. I just thought it is important for
10 me to deal with that matter.

CHAIRPERSON: Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: Particularly because many people have criticised me even in my own organisation. I have explained in proper sittings of the organisation. Some people just do not want to take it but I think it is important to explain this because it also has elements that are funny. Members of this family were brought to my residence in Oliver Tambo when I was a Deputy President where I saw them for the first time.

They were coming from (indistinct) from President Mbeki.
20 The person who introduced them was Essop Pahad. They were introduced as good business people but they were also comrades members of the ANC and – and that is how some of my family members got to know them. The young men were still very young at the time was there, saw them and introduced them.

That is why when he wanted a job he remembered that they

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had said they run this kind of a company – of IT company. They were also introduced for the second time by some comrades in Gauteng who were present then in their company. They take workers from their places in the morning to work and they cook lunch for them and they take them back at sunset.

That is how I got to know them and I with time because I had now known them I got to know even some of the things they do. For example one of them was a member of the international council that was advising the President on economic things and I found them to be
10 a very - a very friendly family. With time I got to know quite a number of them if not all of them and they were indeed - they knew a lot of comrades and I got to know that in fact when Mandela was President they started being very close and were friends of Mandela and – and when Mandela was gone they were friends with Thabo whilst I was there as I say they saw me coming from his – his home.

I never did anything with them unlawfully or whatever. They just remained friends as they were friends to everybody else. I have explained how my son got onto them when he looked for a different kind of business people to work with and I have wondered why I am accused
20 why people think that my relationship with them is not right when they had a relationship with other people.

Two other Presidents have had relations with them. In fact stronger with Comrade Thabo Mbeki. He himself has appeared talking about – talking with them at times addressing them in – in the social media. Why should people think that this was one thing to get Zuma

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and they did not know what was happening. Everything that happens is sort of associated with me.

I am sure you have listened here to and I have been you know given names and names that I allowed these people to land in the National Point in South Africa. No one has ever asked me did you do so or is there any information to that effect because it never happened. I did not know where they were going to land nor whether there was a landing to happen on a particular day but it has been Zuma again and that is what Ngoako Ramatlhodi said as he was giving evidence here.

10 He allowed his friends to – to land in a highly sensitive area. Comrade Ngoako has never asked me whether I talked to them and I allowed them to come there and I am sure you have it now in your – in your records. Perhaps not the matter to dwell so much but the point I am making I never did any other thing out of or breaking the law with this family never.

They were business people and successful business people. They knew a lot of business people who are also in the ANC and I think some might have worked with them. I am not a business person. I know nothing about business. I am a politician. I know something
20 about politics; because of the fact that they are comrades they are accepted and I realise that they seem to be not just a little business here quite substantial.

There had been a problem that worried us – all us that in this country the media is very biased. At all material times it is just critical. It criticises the country etcetera. There is no alternative voice and if

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people could complain and say I abused them that one I could plead guilty because I then one day having known that we have been trying to have business who are progressive to establish a media sort of or candid voice of what is happening.

I think even people who are ANC members had tried even to partner with other people. It had never worked. At that time I was the President of the ANC. I then said to them man and making a suggestion. Can you try a business – a media business – because you are comrades? We need an alternative voice. There are many attempts that have been made before by progressive people but they have never worked.

Is it possible that you could establish a newspaper? They have never thought of the idea and we discussed this. They finally said I think it is a good idea because it is business as well. I said fine. So they said no we will do something about it. They came back to say now they have decided they want to establish a newspaper. As soon as - they agreed because this was me as an individual talking about what we had seen as a problem that the media in this country is very negative.

In fact a number of things that are done which they supposed to be reported about at times they do not see the light of day only negativity. Once they agreed I then thought it would be important for me to make one person aware of this. One leader who was the Secretary-General of the ANC, Gwede Mantashe. I said Gwede I have talked to these comrades for them to do their business and they seem

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to be warm to the idea and then after that I also informed the Deputy Secretary-General about this to say this is an initiative of these – of these comrades but it is an important one.

We as politicians pay a lot of attention to media. Also running in countries because we would want for example fair reporting. At times the reporting in our country is not fair. So I think they were happy as well. So I said man so that you know I am not just talking. One day I would be happy if you could see them and hear how they thinking of it. They have been thinking about it.

10 So the two comrades and I listened to them at one time when they wanted to say how they want to go about this – this thing. So I agreed. When they were about to – to – when they were moving forward they then said can you help asking me. Give us a name. We do not know how to call this newspaper. So I said to them there used to be struggle publications we used to have called Speak, Fighting Talk, New Age etcetera. So I gave all those names.

They loved this name New Age and that is how the paper was named. So they established a newspaper and started work. We were very happy. They even discussed that they were going to report about
20 provinces in this paper. So there is no problem that is not reported to as always they are not in the national newspapers except if there is a big thing. Let us do something different as they were saying.

When this paper was operating and really being appreciated in the country to bring about a – an alternative voice. I then sat and said man the newspaper, fine we have succeeded. I did – I do not

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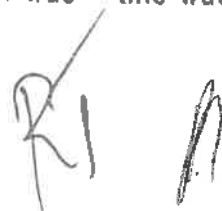
know and I was thinking whether I could push them further. So I said to them this is very successful. What about a TV channel? I suggested the paper to them.

I suggested the channel. Somebody can then say we are abusing this – this friendship. It was never the other way around. It was me who put them into trouble because I said your paper is so successful. I am sure your TV thing can be successful and they agreed. They said it is a good idea and they moved on it. I know that people who had problems had a lot to say about this.

10 I thought it was a very good thing that they did. There was no law broken there. There was no wrong things done. I discussed with business people many things when I was still in the – in the Government. Even suggest certain things can you not do in your business. This was a normal kind of interaction. So they established this and indeed the ANN7 brought fresh air in the country in terms of reporting, in terms of putting across progressive ideas.

It was never a bad thing or that there is corruption about it nothing. A clear suggestion about business and business people took it. They then fetched their people wherever it was. I am making this
20 point because that relationship ended up insofar as we are concerned who wants media that is progressive helping to have this media that was able to report differently.

That is an extent of the kind of friendship we had. I think they invite always many people for – for their functions – yearly functions and people go there. Somehow because I was – this was me



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people thought that we found something to implement that plan because Zuma is friends to this. Let us say his relationship with Guptas is corrupt and I do not know where it is corrupt.

A few comrades raised the matter with me. I asked what the wrong thing is. What is wrong? They could not tell me. In fact one time it was raised in the National Executive Committee. I made an explanation how I came to know this and nobody said it is wrong. There was nothing wrong but some people are irritated. I do not know why.

10 Besides this I even explained this in the National Executive Committee that we just talked with them. One comrade Essop Pahad is actually working with them in a publication called The Thinker. He was editor. I think at the end that business ended up with him. Nobody says anything about that. Nobody says anything about the relationship between them and Mandela, between them and Mbeki but because there is a narrative to be done with Zuma – Zuma there is something wrong and nobody is telling me what is wrong with me.

What is not wrong with other people including other comrades but some people thought this is what we are going get Zuma. That is
20 why they influenced the process to establish this Commission to fund Zuma. They have been friends and they were friends – and they worked with my son and there was absolutely no problem. In fact I was waiting to hear what it is that they did wrong.

There is nothing more that I can say these are the things we did. I am mentioning this because to me these were important the

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media thing. The newspaper and the channel. We talked to them. Once they – the idea was ripe they then went to brief the top six officials about the initiative we were undertaking. They also briefed the alliance.

They also briefed provinces and they also I think like all newspapers talked to people in Government for advertisements or whatever. What is wrong with that? No it is because they happen to know Zuma. They have become friends to Zuma. Then there is something wrong. I could not take people who raising issues on this
10 matter when they have no complaint just to say no, no you do not like them.

Never, never did I discuss anything that does not belong to them. I am told that there were appointing Ministers. Where do they come in? Why should they do so? Was I not capable of doing my work that I needed other people? There is a lot of consultation with the leadership when it comes to placing people or forming Cabinet whatever.

I have never done it alone. What is the problem? Of course unfortunately those who came never said this is what has happened.
20 They just say wrong things blah, blah, blah. It is important for us to – to clarify that point. Some people are so irritated but I did not know how to – to explain that one. These were comrades. These were business people.

I was introduced to them even at a very high level of the ANC and that is how I got to know them and that is why my son felt if – he

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went to them and joined them and became a partner to them. These are people he can work with and succeed and I thought there was no problem but he has been crucified for that. Well in – in terms of the Guptas unless there was anything which when the time comes I will come to let me come back to the issue of the plan – the unfolding of the plan. The people who come deal with the issues.

I have been attacked even when I am coming here. Part of the reason I have more visitors today than any other time because I am here. Some people I know for a fact might know that I know things
10 about them and therefore they are not going to like me but I have behaved for decades. I have not played around with intelligence information.

I have lived with people who do not know I know about them because that was not what I was trained for to use intelligence wrongly or carelessly but these comrades have provoked me and other people. Not only them. Some other people had said things for example one day Comrade Mbalula attend - attended an activity in the farm or home of Mr Rupert and then Rupert saw him he said Minister Mbalula - when that happened he was the Minister of Sports.

20 If Zuma takes out – removes Pravin Gordhan it will shut down the economy of this country. You must go and tell him and indeed Mbalula came to tell me. I said but what has he to do with us. I – I did not know that he is a member of the ANC to decide how the ANC must deal with its matters. What is his problem? I said that he – go back to him to say that is his problem but he said we will shut down.

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We will make the Rand flat on the ground. Well fine indeed they did interfere with the land – with the Rand. I think there is one person who confessed not long – this year that they did so and I knew even at that time it was a deliberate move part of the agenda. I never thought I would be nasty to people and I think I can be nasty. I have been over provoked.

People coming saying things about me because I am not going to revenge. Perhaps some people that the plan I at the beginning talked about they have reached the point. Where they say they wanted
10 them to reach I do not know. I have survived attempts to kill me. People looking to poison me or being instructed by their handlers to do so finally poisoned the very dangerous poison.

All emanates from those people who made the plan at the beginning. At some point they felt I am not disappearing and therefore they must deal with me. Many attempts were made. Firstly the court issue for an example was a way to get me out. I do not think there is a case in this country that finished 15 years going in and out even if the Judges say there is no case here.

Those who remember Judge Msimang – the late – said there
20 was no case and he took it out of court and those who remember Judge Nicholson said there is no case there. This is just politics and indeed the tapes confirm what Nicholson was saying but no newspaper will write that because the narrative is deal with Zuma. I am still having the case.

I have made an application that the case must go. They do

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everything to ensure that this case is there because it feeds to the narrative Zuma must go. Everything I do nothing. That is why even the nine years that I was in Government some people will say it was a wasted time. Even if they were party to implementing decisions they were party taking those decisions but when they talk about it they are out of it – Zuma must account.

It is absolutely important that we accept the fact that there is something we need to deal with as a country. The very fact that intelligence organisations which today are key instruments to run
10 countries the war today is fought at intelligence level. No longer at the hard guns etcetera. A worrying point is that one of our intelligence, which was still under the hands of the apartheid regime conspired with two other intelligence organisations to do things in our country, and it means those who were negotiating with us (speaking isiZulu) because we also know that at the time a decision was taken that some of the agents who had been operating, getting pay from the apartheid regime that the apartheid regime thought that they were not known by the ANC, there was an agreement between the intelligence organisation here and the United States that those should be taken with their files to them,
20 but they will remain with us and they remained with us and they are among us.

And therefore they have their bosses, they're handled to do things here, and that's why some of them were rushing to come here because they found a platform to deal with Zuma.

When, and I must say this, when we were in the – in exile at

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some point having done a number of things, the organisation gave me the task of – to be Chief of Intelligence, and there's a particular spy that I would say something about, he was Kozvaf[?] but he had given himself the name Fear, who infiltrated the ANC and caused a lot of damage and when because I had had problems with him when I was doing other work, when I was here I made it a point that we are coming to grips with this.

Some people have written a book with some information, distorted information on this particular character, as they were trying to
10 give the scenes of Zuma in some books. He operated in Swaziland and caused people to die. We suddenly arrested him and indeed he confessed he was a spy, well trained, before he was a student in the Western Cape but he did not finish because there was a strike, they were chased out, he went to Durban to his sister, and during that time he was recruited by the Regime, was taken to training for six months how to be a spy, and trained through the ANC literature, so that when he comes to exile he must look like a bright student who catches so quickly and yet he has been taught and the material he has been taught here by the Apartheid Regime.

20 He came with his wife, there is a long story about him, and the wife herself was sent so they had a marriage that was authorised by the police, at the right time, part of the cover. And he was finally arrested and confessed.

CHAIRPERSON: I'm sorry, I didn't hear the words, the wife herself was – is it sacked?

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MR JACOB GEDLEYIHLEKISA ZUMA: Sorry?

CHAIRPERSON: I didn't hear what you said about the wife, did you say his wife was sacked.

MR JACOB GEDLEYIHLEKISA ZUMA: I said, ja was sent by the police by the Special Branch.

CHAIRPERSON: Oh was sent by the police.

MR JACOB GEDLEYIHLEKISA ZUMA: Ja, from home to join him.

CHAIRPERSON: Yes, okay thank you. Yes?

MR JACOB GEDLEYIHLEKISA ZUMA: When he was detained he asked
10 to see me, and I saw him with the Comrades (indistinct) where he was saying I have written my confession, here it is, but I just wanted to come and talk to you. I saw hatred, if I found you sleeping when there was no one I would cut your throat. He said it took me time to confess because I have been more loyal to the Regime of Government regarding the ANC, but I thought it is important for me to tell the truth now.

That agent knew a number of others who are in the movement, because he was one of highly regarded spies of the regime. As soon as he did confession he as poisoned and died, but he had given the list of others because he knew them, and many comrades lost their lives
20 because of the work of that person. He even made comrades inside the country to lose their lives if he was instructed to give CADAS instructions to kill people inside.

One of the comrades was in KZN, that he did so, sent innocent comrades to that comrade to say he is a spy when he was not a spy. Much as I have a view about spies and everything but we had a code to



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operate that we handle this with care, but I think other spies who have been sitting around (speaking isiZulu).

You know just recently there was a function in Durban where the Maskandies[?] wanted to feel the stadium. Some of those people one thing you know they planned to murder me inside the stadium, and I know them, they planned to murder me.

CHAIRPERSON: Is this a reference to some of those people who may have appeared in the list that was left behind by the spy who was poisoned?

10 **MR JACOB GEDLEYIHLEKISA ZUMA:** Some of them.

CHAIRPERSON: Okay, alright.

MR JACOB GEDLEYIHLEKISA ZUMA: What saved my life is because I did not go there. This is an attempt on my life, there have been people sent from outside the country to come and kill me, but I have been patient, not saying a thing, but I have been provoked to the last degree.

Yes I have got the list and another list as well, but that's not the business of me to deal with those matters here, but it is important, it is important for me so that you can see the behaviour of people.

20 What made Comrade Ngoako to behave the way he did here, saying that I have auctioned the country, in the ANC I just do what I like, he is carrying out an instruction. He was recruited when he was a student in Lesotho to be a spy.

CHAIRPERSON: Please let's not clap, thank you.

MR JACOB GEDLEYIHLEKISA ZUMA: And he finds it very comfortable

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to come here and say this Zuma he was a good man, and I have known him for years, what he is, but I have never shown it, because I thought he will change. Some other people have made themselves very nice, join something called One Hundred and One and said a lot of things about me, some of them that I commanded, and some of them who commanded the other comrades but they are not known and perhaps people will realise why there seem to be some problems, somehow, somewhere.

I think it is important for people to behave correctly, so that
10 they don't cause problems. Some of the people I have loved, I have worked with them, trusted them, even when I got to know, because I thought maybe they have left the wrong ways. The critical point is that the plan made way back has been working and our enemies in fact have recruited more even than during the struggle.

That is why you will see things when people are doing things in the manner in which doesn't look like ANC, it is some of them who influences this Commission to bury Zuma, and I am sure in the discussions as we go I will be looking at things and saying what else!

I want peace, I want harmony and that is why even those who
20 have done things to me I am not feeling pitiable, but some – some of them had even collected information, gave it to the writers who write books about me. Maybe at some point in the discussions here I might come back to this issue in the Commission, whilst the Commission still continues, but I thought I should deal with one who has said to me I have auctioned the country to the Guptas. Others have said things out

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there but the time is there to deal with matters, all I am saying it is important for you Chair to realise that some of the things you are dealing with are very big and very deep and it is important to know there is a plan that is being implemented against Zuma, and it gets in, in many ways.

I must come here and answer questions about people of who perhaps – I don't know what questions are there, but the ones I have heard so far I thought that somebody is going to say Zuma is hiding something with the Guptas, or something, something, so that leaves me
10 with what is it that I have done wrong, but it is important to bring Zuma here, so that the narrative grows, here is Zuma being questioned about his relationship with the Guptas etcetera, what is wrong with the relationship? Nothing wrong, and then but many other people have friends to these comrades, they are not the issue, the issue is Zuma.

Now as you call it the information and you walk towards making conclusions I thought that this is important that I say partly because some people are part of the plot to kill me, perhaps it is important that before I die I tell the story. I am telling you if I can tell you the details of the plan to kill me in Durban was detailed, detailed.
20 It involved people brought from outside of the country. (Speaking isiZulu) were supposed to do to me, and perhaps that will make you realise that for me the matter is bigger than it meets the eye, and I have been respectful to comrades, and to people I know, maybe I have reached a point where that must now take another backseat. They concoct everything just to deal with Zuma.

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As part of this narrative there is a book – or sorry the book is – there is a film which is being made about the case that took place, and I was found not guilty, rape case. There is a journalist in South Africa who is doing that one, Radier Kable[?], it's being done outside, to say Zuma is a rapist, it fits in this narrative, she has been doing it in the media where she works, Radier, because this narrative must be done. The question I ask them these people who do – who participate in it where do they get the idea that Zuma must be put down? Who instructs them?

10 Perhaps it is important to look into this matter many times, and say what can we do? We have a country to save, but there are people who do not care, who want to give negativity in terms of what we do in this country.

I have resigned as asked by my National Executive Committee, and I am staying there, far away, but even when I am staying there there is a plot to kill me. When I am no longer in any activity, except attending the National Executive Committee meetings of the ANC, as a member of the ANC.

20 Well as the Commission goes I might come back with other matters but I thought it is just important at this point to take the matter up to here.

Thank you very much Chair.

CHAIRPERSON: Thank you very much Mr Zuma. I think it is good that you decided to tell the Commission what you have told it, because as your counsel indicated the Commission had indicated that part of what



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it would like to hear is your side of the story and that then there would be also questions, so it was important that you be given that opportunity.

We are at five past one, we will take the lunch break now, and we will resume at quarter past two.

We adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

MR JACOB GEDLEYIHLEKISA ZUMA: Sorry Chair.

10 **CHAIRPERSON:** Yes, yes Mr Zuma yes.

MR JACOB GEDLEYIHLEKISA ZUMA: I just two points I just wanted to make.

CHAIRPERSON: To make. Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: Yes. I forgot mention the name of the movie that is being done by Redi in the United States.

CHAIRPERSON: Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: Because I think it is important to have the name of the movie – crossing with my – the name of the movie is Raped by Power.

20 **CHAIRPERSON:** Raped by Power.

MR JACOB GEDLEYIHLEKISA ZUMA: Raped by Power.

CHAIRPERSON: Okay. Thank you. Yes I thought there is a second point.

MR JACOB GEDLEYIHLEKISA ZUMA: The second point.

CHAIRPERSON: Yes.

RI M

15 JULY 2019 – DAY 133

MR JACOB GEDLEYIHLEKISA ZUMA: When I talked about Ralph who had organised an attack when he was to be confronted because the reason why you had that attack he had been arrested by the Swazi police and leaked information about the work they are doing in Swaziland. And then his commander the commander of the group and other members of the group were very agitated about this. Why did he give information to the Swazi's? So they...

CHAIRPERSON: That would be to the Swazi government?

MR JACOB GEDLEYIHLEKISA ZUMA: Swazi government Ja.

10 **CHAIRPERSON:** Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: When he was arrested.

CHAIRPERSON: Okay.

MR JACOB GEDLEYIHLEKISA ZUMA: He then – the commander said, let us go to Maputo so that we can discuss this matter. Knowing that he was going to Maputo he then phoned his handler in South Africa to say he must be rescued. He is being taken to Maputo they might perhaps never see him again. So he needed them to undertake an operation against his colleagues. So he gave them description of where they were sleeping. They would have woken up at about four-ish
20 to walk while it is dark to cross to Mozambique and he told them where he was sleeping and where everybody was sleeping. So the attack happened to his window with a canister...

CHAIRPERSON: Through his window?

MR JACOB GEDLEYIHLEKISA ZUMA: Ja. Through his window.

CHAIRPERSON: Yes.

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MR JACOB GEDLEYIHLEKISA ZUMA: But he went out through that window and nothing happened to him and even the bed was never – the bed showed that nobody had ever opened the blankets who come he was sleeping on top of it which means he was waiting for these people. Then in the morning he was detained by the Swazi's once again. Then few day after the detention conniving both Swazi's and the security police from here wanted to release him because he was very important. But they wanted to test the waters as to is he being suspected of this or what?

10 And they – they did something and ask somebody when he comes out after arrest – somebody to hug him as they greet. That hug was important because it will be saying he is innocent. In other words nobody is angry for him that he might be responsible for this.

The information was – so that hug was arranged by the police and somebody who hugged him had been given instructions to do so. And that was General Sphiwe Nyanda.

CHAIRPERSON: Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: Ja.

CHAIRPERSON: Those are the two points. Okay thank you. You will
20 be asked questions by Mr Pretorius. I will also ask questions from time to time. If there is anything you – any question you do not understand say so and it will be repeated or clarified. Thank you. Mr Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: Yes. Thank you Chair. Mr Zuma – Chair before asking questions and before making a few remarks.

CHAIRPERSON: Yes.

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ADV PAUL JOSEPH PRETORIUS SC: I believe it is important for the legal team itself to place certain matters on record.

CHAIRPERSON: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Given what has been said this morning and what might be said in future.

CHAIRPERSON: Yes

ADV PAUL JOSEPH PRETORIUS SC: It may be that some of the matters that I want to raise now or place on record now have already been placed on record by yourself but I do believe it is important that
10 the legal team too place its position on record.

The first point is that this commission is at this stage at least investigating matters covered by the terms of reference. It is an investigation. That means it is not a trial where we seek to prove a predetermined or pleaded or charged case and for that reason too there is no cross-examination. Cross-examination can only take place by prior permission granted by your Chair and it is not likely that we will ask for such.

Our terms of reference mandate us to investigate various matters under the broad heading State Capture, Fraud and Corruption
20 and it is pursuant to that mandate that you Chair have invited Mr Zuma to attend.

Firstly to assist the commission by presenting to the commission his version. The facts as he sees them and his understanding of those facts as well as relevant matters connected with those issues.



RT2



Charu Majumdar @Thabo557064106 · Jul 18

RediThabi you are evil as you work do work for devils. you such a foolish men. Evil blessed you.



Ingobamakhosi @Kharnta_mkhosi · Jul 18

Replying to @RediThabi

When is the CIA sponsored movie coming out?



Peace and Stability plus Money @Menzi455706373 · Jul 18

Replying to @NtsikeScottsA

RediThabi disgrace. WMC street gal



Charu Majumdar @Thabo557064106 · Jul 17

Too many people in the media cannot seem to tell the difference between reporting the news and creating propaganda. @RediThabi @Lefthandfor @Leftrampedi @IzaleNews @SundayTimesZA @SundayWorldZA



Bhungane Mthimkhulu @BhunganeMthimkhulu · Jul 16

Replying to @GlynisZansi @RediThabi

There's a difference between being a spy and being used by spies. In case you were used by spies and on my side Media is a tool for supremacists and you being unaware its possible you assisted CIA AND MIG. It's no doubt and inevitable that He's speaking the honest truth.



RI D



McKenna @Mphochevents · Jul 15

@Eusebius @RediThabi @PresJGZuma @ANC Redi claims to be called a spy from a clear mention of her name. It's obvious the movie will also be an hour of lies at the theatre. Yes who's funding this movie. Boycotting this movie is a good step towards spy elimination. #FixTheCountry



Dr Muavia Gallie @DrMuaviaGallie · Jul 16

Replying to @ElinorSJulia @RediThabi

The best spies are those who are well known, like Redi, "but they (we) never knew". Spies bring the surprise elements, often get to places and spaces others knew they should not be present and/or have access (they don't 'break in' like thieves, rather be already 'inside'). Redi?



Steysh Steysh Cele @SteyshCele · Jul 16

Replying to @RediThabi

You're persuaded by hate of Mr Zuma wena Nxii, Hater Ndini. Spy Ndini. =



Steysh Steysh Cele @SteyshCele · Jul 16

Replying to @bhavast77 @RediThabi

Buza leNunu engapnansi kwesiketi sikaNyokoi. Uyezwa Goyo??.



lambahoney1998 @lambahoney1998 · Jun 16

Replying to @RaphalaClinton

She doesn't spend even a cent. Her handlers are instead providing her with resources for her role to SPY & further TARNISH Zuma's Name. Simbekile @RediThabi



1



3

R1

Painted Hous3 @JollyGud_Music · Jul 16

We have to finish with such people *RediThabi #Pravir #Thul #Zuma

MenzaNkosi Nkwanyana @MenzaNkosi

Dear African child, abo @RediThabi do not make news to inform you, whatever they report on is not for your benefit but for them. Be careful of these white people looking black. Redi Thabi does not represent us as black people, she is a spy and a agent of the powers that be.

Show this thread

Economic Rebel @Minval_R_Gundo · Jul 16

Replying to @RediThabi

Don't act like your beyond reproach of the law of the land. You know the court didn't find him any guilt but still you want to make him like he have leprosy and we don't have to associate ourselves with him. Your agenda has been exposed by @strampet and we don't take you serious

4 14

Mzai @ehangomzai · Jul 16

Replying to @ehangomzai @XxXxXx @RediThabi

But on serious note who can kill redi thabi the clown sham I don't think we must listen to hr negative narratives against Zuma she is making us not to be afraid of debate she just lucky because she is seen as best but not really just is lucky of radio is abusing

1 4

I Respect PP Office @gma4u32 · Jul 16

Replying to @RediThabi

You better be careful your kids will come to pay for your sins they know them you post them a lot here

2 4

Mkhululi Mhlanga @MkhululiMhlanga7 · Jul 16

If my understanding is correct **Redi Thabi** is one of the most dangerous people working with the Americans to either discredit or assassinate Zuma. Dear Lord please come and help us.

1 4

R1



karabo modiba @mdlokarabo · 2h

Replying to @RediHab @DEEDU16 and 3 others

She can't hide it she's in the pockets of Stellenbosch... wouldn't be surprised if you end up like Thuli... Redi we are in this mess because of you. In this life or the next Jah will deal with you for adding oppression upon his kids!



Riccardo_Elle @Riccardo_Elle · 6h

Replying to @Zuma @Zuma @Zuma and 4 others

What is unusual about answering questions we all did that in exams it's his duty specially when he has knowledge of he's been questioned about... go complete that Zuma movie and stop shaping narratives



4



12



16



Decolonize, decolonize, decolonize @aimanock · 24h

Replying to @Shabongaloka @Shabongaloka and 2 others

There is this so called Boston group in US that is involved in all sorts of regime change narratives. When Iman and Redi went to US I did suspect they were hooking up with those people.



2



2

RT RD



LindaMkhonto @zymae6391 · Jul 20

Our own social activist @RedIThab1 dancing with evil and, probably paid for it.

They say DRUGS makes one feel good. I don't want to feel good I want to feel evil, it pays.

May the soul of Khwezi Rest in Peace. 🕯️



1 0 0

Show the thread



Lindokuhle Victor Sibilya @LindokuhleVict1 · Jul 15

Replying to @RedIThab1 @maggsnaidu

Zuma hater, spy

1 0 4



lambahoney1998 @lambahoney1998 · Jul 15

Replying to @RedIThab1

Ur AN URGENT & we are in the process of exposing u further , SPY

0 0 0

R1 AD



lambahoney1998 @lambahoney1998 · Jul 15

Replying to @RediThabi

Oksalayo ur an AGENT . Bastard!!



Nicol @kwame1972 · Jul 15

@ntsik macwa @T m-Madise @Thabo Madorobela @RediThabi house negros! when the white master is sick they ask him :master are we sick 🤔 they are one with the master



Nicol @kwame1972 · Jul 15

Replying to @zangazungu1 @RediThabi

As much as the was Fezi the courts found Zuma not guilty. But the book was written in a way to sway public Zuma was guilty beneath the surface. Redi is a house negro no doubt about that.



sphamandle @sphamandle73/R · Jul 15

Replying to @RediThabi

Redi, if I were yu I ll be very careful, yu're treading on thin ice.



R1 D.



Sivuthu Mandixole @SivuthuMandixole · Jul 15

Replying to @MorningLiveSABC @Sachakanwendo @usorinelinas
#MorningLive

The entire #Stratcommedia like @AdnaanBasson, @feraltheffjee, @RediTlhabi ect. came out crawling from under their rocks to counter everything @PresiZuma says at the Zondo commission with their #FakeNews, #IskariyaMedia =propaganda #JacobZuma =craynmustard #eNCA

🗨️ 🔄 ❤️ 1



lambahoney1998 @lambahoney1998 · Jul 15

Replying to @RediTlhabi

Raped by Power is what is between u & Brian's Legs BLOODY SP.

🗨️ 🔄 ❤️



lambahoney1998 @lambahoney1998 · Jul 15

Replying to @RediTlhabi

Unyle Bloody SP+ SELLOUT & AGENT if CIA who continues to enrich herself & family thru tarnishing Zuma's Name. Transforming ur failed book to Movie will also come to a FAILED Project. Bloody Rapist of a Blackman's Soul @RediTlhabi

🗨️ 🔄 ❤️



reggie leballo @ChlopaReggie · Jul 15

While Msholazi is busy dealing with spies and connivers like Redi Tlhabi ND Maconsela Pravin Gordhan must be dealt with as well

🗨️ 🔄 1 ❤️ 1



Peace and Stability plus Money @Merzi45579373 · Jul 15

Replying to @mtriva_twitter

@RediTlhabi WMC street girl

🗨️ 🔄 1 ❤️ 1

RT @D.



<http://www.mbeki.org>

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NEWS FLASH : Statement of the Thabo Mbeki Foundation regarding allegations of a link between President Mbeki and the Gupta Family. <http://www.mbeki.org/2016/...>

<https://soundcloud.com/thabombekifoundation/>

<https://www.instagram.com/thabombekifoundation/>

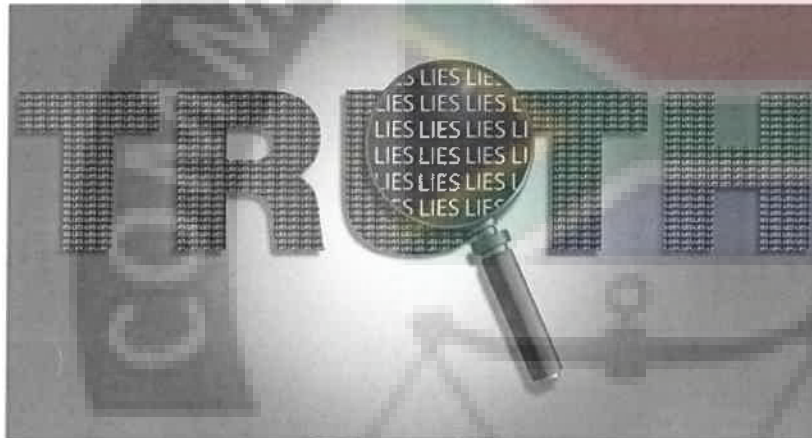
<https://www.youtube.com/channel/UCSqT7misDCZuDSJeADEpwmg>

<https://twitter.com/TMFoundation>

<https://www.facebook.com/Thabo-Mbeki-Foundation-1634967073492123/>



[Media Statements \(http://www.mbeki.org/category/media-statements/\)](http://www.mbeki.org/category/media-statements/) > Statement of the Thabo Mbeki Foundation regarding allegations of a link between President Mbeki and the Gupta Family.



Statement of the Thabo Mbeki Foundation regarding allegations of a link between President Mbeki and the Gupta Family.

April 11, 2016

In the last three weeks, we have noted news reports attributable to various persons claiming some link between former President Thabo Mbeki and the Gupta family.

We have agonised about this matter, avoiding to respond and thus descend to the lower depths to which the allegation desperately attaches.

Our honest and sustained attempt to avoid the gutter were nonetheless severely tested and strained by an ENCA news report which featured one Mr. Mpho Masemola, a representative of the ExPolitical Prisoners Association, yesterday.

Mr. Masemola takes the public into confidence about discussions between the Ex-Political Prisoners Association and President Jacob Zuma last week. He deploys innuendo in order to socialise accountability for an individual's ethical judgement.

For the record, President Thabo Mbeki did not at any point introduce the Gupta family to President Zuma.

Even if it were true that President Mbeki had introduced the Gupta family to President Zuma, unless it is alleged and proven that he did so with an improper motive, he would not be held responsible for whatever may or may not have transpired thereafter between President Zuma and the Gupta family. For Mr. Masemola to suggest otherwise is in fact to accuse President Zuma of lacking the capacity to make his own ethical judgements.

We have also noted reports which claim that a member of the Gupta family served as an economic advisor to President Mbeki.

This too is false!

No member of the Gupta family ever served in any economic advisory body during the time when President Mbeki served as Head of State. It is nevertheless true that Ajay Gupta, served on the International Marketing Council board (now Brand SA).

Mr. Ajay Gupta joined the board of the then IMC by agreement of the board on the recommendation of then Minister in The Presidency, Essop Pahad, who rightly or wrongly thought that he had the skills, knowledge and capacity to facilitate the work of the Council – not because of his alleged proximity to the President. The IMC board reported to the Minister in The Presidency. Former Minister Pahad can further elaborate on the matter.

When he commented on the Supreme Court of Appeal judgment in the matter between the "National Director of Public Prosecutions v Zuma" on January 13, 2009, President Mbeki made, among others, the following observations: "It seems to me that the unacceptable practice of propagation of deliberate falsehoods to attain various objectives is becoming entrenched in our country. I am pleased that the SCA has provided firm leadership in this regard by insisting that nobody's integrity should be impugned on the basis of untested allegations."

Three months ago, on January 10, President Mbeki began publishing a series of articles intended precisely to address various falsehoods that have been perpetuated over many years. And now once again enters Mr. Masemola!

Ends.

PS: This is what Mr. Masemola told ENCA: "The Gupta family has not come with Jacob Zuma. The Gupta family was introduced to Jacob Zuma by Thabo Mbeki and Essop Pahad. Actually, we were shocked to hear that ... those words coming from the President. People are making noises now as if the President has been, you know, clinging to the Gupta family etc. It's not like that. Why Thabo Mbeki is keeping quiet? Why Essop Pahad is keeping quiet because we know that for the fact that the Gupta family is staying within, he's staying in the same region with the Gupta family, Essop Pahad. In India. Yes. We know that."

Issued by the Thabo Mbeki Foundation

Johannesburg

(<http://www.hupso.com/share/>)



([http://www.hupso.com/share/add.php?](http://www.hupso.com/share/add.php?service=twitter&title=Statement%20of%20the%20Thabo%20Mbeki%20Foundation%20regarding%20allegations%20of%20a%20link%20between%20P)

[service=twitter&title=Statement%20of%20the%20Thabo%20Mbeki%20Foundation%20regarding%20allegations%20of%20a%20link%20between%20P](http://www.hupso.com/share/add.php?service=twitter&title=Statement%20of%20the%20Thabo%20Mbeki%20Foundation%20regarding%20allegations%20of%20a%20link%20between%20P)
[of-the-thabo-mbeki-foundation-regarding-allegations-of-a-link-between-president-mbeki-and-the-gupta-family%2F](http://www.hupso.com/share/add.php?service=facebook&title=Statement%20of%20the%20Thabo%20Mbeki%20Foundation%20regarding%20allegations%20of%20a%20link%20between%20P) f ([http://www.hupso.com/share](http://www.hupso.com/share/add.php?service=facebook&title=Statement%20of%20the%20Thabo%20Mbeki%20Foundation%20regarding%20allegations%20of%20a%20link%20between%20P)
[service=facebook&title=Statement%20of%20the%20Thabo%20Mbeki%20Foundation%20regarding%20allegations%20of%20a%20link%20between%20](http://www.hupso.com/share/add.php?service=facebook&title=Statement%20of%20the%20Thabo%20Mbeki%20Foundation%20regarding%20allegations%20of%20a%20link%20between%20P)
[of-the-thabo-mbeki-foundation-regarding-allegations-of-a-link-between-president-mbeki-and-the-gupta-family%2F](http://www.hupso.com/share/add.php?service=linkedin&title=Statement%20of%20the%20Thabo%20Mbeki%20Foundation%20regarding%20allegations%20of%20a%20link%20between%20P) l ([http://www.hupso.com/share](http://www.hupso.com/share/add.php?service=linkedin&title=Statement%20of%20the%20Thabo%20Mbeki%20Foundation%20regarding%20allegations%20of%20a%20link%20between%20P)
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[of-the-thabo-mbeki-foundation-regarding-allegations-of-a-link-between-president-mbeki-and-the-gupta-family%2F](http://www.hupso.com/share/add.php?service=linkedin&title=Statement%20of%20the%20Thabo%20Mbeki%20Foundation%20regarding%20allegations%20of%20a%20link%20between%20P))

Women in Peace and Security – WSG & TMF Africa Day Part 1

(<http://www.mbeki.org/2016/09/08/women-in-peace-and-security-wsg-tmf-africa-day-part-1/>)

2016-09-08

VIDEO

(<http://www.mbeki.org/videos/>)

SEPTEMBER, 2019 < >

MON	TUE	WED	THU	FRI	SAT	SUN
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30						

No Events

OUR ENTITIES

Thabo Mbeki
FOUNDED 2007

THABO MBEKI AFRICAN LEADERSHIP INSTITUTE

www.thabombekifoundation.org

<http://www.unisa.ac.za/Default.asp?Cmd=ViewContent&ContentID=23684>

TMPL
THE MANDATE FOR POLITICAL LEADERSHIP

<http://www.tmpl.org.za/>



SADET
South African Democracy Education Trust

<http://www.sadet.co.za/>

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EXHIBIT

V2

STATEMENT

&

ANNEXURES

Siphiwe Nyanda



**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) 214-0651
Email:

inquiries@sastatecapture.org.za

Website: www.sastatecapture.org.za

INDEX: V2

No.	Description	Page No.s
1.	Statement of Sipiwe Nyanda	SN01

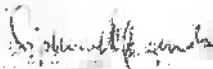
To The Commission of Inquiry into State Capture (02/11/2018)

I General (ret) Sipiwe Nyanda, ID#5005225680085, swear under oath that I was a member of the African National Congress National Executive Committee from December 2007 until December 2012, and that in a meeting of the above mentioned committee in early 2011 or there about, following a cabinet reshuffle of October 31, 2010, in which reshuffle Fikile Mbalula was appointed as Minister of Sport, the said Fikile Mbalula told the meeting the following:

1. That he had been told by the Gupta brothers or one of them before his actual appointment, that he would be elevated from a deputy minister to Minister of Sport.
2. That he was indeed subsequently appointed by President Zuma to the same post to which the Gupta brother(s) said he would be elevated to.
3. That he therefore had made the conclusion that the Gupta brothers had prior knowledge of the cabinet reshuffle.

I also want to state that at these meetings of the NEC, the president of the ANC (then President Jacob Zuma) customarily made concluding remarks touching on the salient points made in the contributions by members of the NEC during the discussions. Remarkably, President Zuma did not address this important input by Fikile Mbalula, which touched on the astounding claim made by the latter.

This omission or avoidance to respond to this serious claim left me in no doubt as to the veracity of the claim that Mbalula had made.



General (ret) Sipiwe Nyanda



V3(a)

5

STATEMENT & ANNEXURES

Siphiwe Nyanda



To The Commission of Inquiry into State Capture (02/11/2018)

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Siphwe Nyanda

General (ret) Siphwe Nyanda

Siphiwe Nyanda

From: Moe Shaik <moeshaik@global.co.za>
Sent: Friday, March 18, 2016 5:35 PM
To: NYANDA Siphiwe
Subject: Memorandum from Senior Commanders and Commissars of

Memorandum from Senior Commanders and Commissars of the former military wing of the ANC, Umkhonto we Sizwe.

1. We, the undersigned, are all committed cadres of the African National Congress, having served our glorious movement for many decades. Throughout our lives, and whenever the need arose, we did not hesitate to raise our hands to be counted among those who could be deployed by the ANC in the service of our country.

Whatever the challenges we faced, whatever the risks we had to endure, we gave our all. In responding to the call of duty, we never strove for personal benefit, status or power. We executed our tasks as commanded to us by the leadership of the ANC, comfortable in the knowledge that the decisions of the leadership were based solely on the selfless pursuit of the well-being of our people. As such, we did not hesitate to shed our quota of blood.

2. We responded to the call of duty, because we correctly believed, as we still do, in the centrality of the ANC in the people's struggle against apartheid, and in the democratic transformation of our society to achieve a better life for the people of our country.

3. As disciplined cadres of the movement, we sought always to interpret the actions of the leadership of the ANC, through the policies, strategies and tactics of our organisation.

4. Recent events in our beloved country have both saddened and outraged us. The removal of Comrade Nene from the post of Minister of Finance and his proposed re-deployment to a junior post in the New Development Bank leaves much to be desired and communicates the singular message that all is not well with our movement and in the State. What objective was served by the removal of Comrade Nene at such a fragile time of the country's economy? How do we justify his redeployment to a junior post as a decisive promotion directed at serving the national interest?

5. We welcomed the intervention that led to the appointment of Comrade Pravin Gordhan as Minister of Finance. This was a critical and necessary corrective step in order to prevent massive irreparable damage to the economy.

6. We are concerned by the manner in which the Hawks is conducting their investigation of so called SARS "rogue unit". This investigation is been conducted in a far too public and antagonistic manner that would suggest the abuse of state institutions for ulterior motives. A more responsible approach is needed, in keeping with the rule of law and sensitive to the challenges that the country is currently facing.

7. The recent revelations by Comrade Mcebisi Jonas that he was offered the post of Minister of Finance by the Gupta family is shocking and most embarrassing to the integrity of the ANC and the State. We salute this most

SM-070

courageous of acts by Comrade Mcebisi Jonas, and believe he has acted in the interest of the truth and in the defence of the the prestige ANC. We reject with contempt efforts to malign his integrity and good standing, and specifically call on Cde Kebby Maphatsoe to desist from further maligning the good name of Comrade Jonas Mcebisi.

8. In the light of these revelations, we demand to know what role, if any, do the Gupta family play in influencing the appointment of Ministers and to what end? Which other Ministers have been approached by them in this manner? What private arrangements, if any, have been made with the Gupta family? What is their role in the appointment of Boards members of State Owned Enterprises? Is the the leadership of the ANC aware of these arrangements ? On whose authority does the Gupta Family act ?

9. In the absence of any coherent explanation to all of the above we are forced to speculate that important decisions of the State are subject to outside influence and unilateralism without any regard to the well-being of the country or our people;

10. As a direct consequence of these actions our country has been plunged into an uncertain and perilous future.

11. Further, over the years we have witnessed, amongst other things, the rise of factions and slates, the diminishing quality of ANC cadreship, the rise of antagonisms within the Alliance, the breakaway of Unions from Cosatu, the break-up of the ANC youth League, the marginalization of committed ANC comrades, the rise of vulgar and unsophisticated politics within the ANC, the silencing of critical but necessary voices within the ANC, the wanton destabilization of critical state institutions, the wasteful expenditure of state resources, the devaluing of the critical institution of Parliament, the erosion of trust within the various arms of the State, the unprecedented rise of patronage and cronyism, the Juniorization of the State and the ANC and most alarming of them all, the use of the State machinery for the private interest of the few.

12. The country as a whole has been subjected to one crisis after another. As a result, the nation building project so necessary for the prosperity of our country, is been compromised before our eyes and the national psyche is characterized by helplessness and the fear of what the future may hold.

13. Whilst the challenges that face the ANC are many and complex, we are most concerned about the increasing tendency of state capture. We can no longer remain silent in the face of this most undemocratic and dangerous of developments.

14. There are many, many accounts of undue influence on the decisions of the State. We need to establish the veracity and the validity of all of these claims.

15. If indeed these claims are true, then we call on the leadership of the ANC to act against this tendency and reclaim its integrity. We must free the ANC and the State from such influence and expose all those who are in cahoots with this tendency.

16. Accordingly, we call on the leadership of the ANC to establish an independent commission of enquiry composed of eminent persons within the ANC and civil society to investigate all claims of undue influence, especially by the Gupta family on the ANC and on the State.

17. In the light of the many challenges facing the ANC and the State we further call on the leadership of the ANC to urgently convene a special National Conference to assess these challenges and chart a way forward to

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restore the prestige of our glorious movement and the State. The membership of the ANC and the country as a whole, have entrusted them with this responsibility.

The undersigned were all senior commanders and commissars of uMkhonto we Sizwe. We are all satisfied that we speak for the majority of former MK cadres and many of those still deployed in state institutions who we do not desire to draw into this memorandum and its demands. We are certain that many of those who fought for our democracy under the banner of the ANC who are pained by the degeneration of the standing of the ANC will find resonance with the sentiments we have expressed.

Long Live the ANC

Signed by General Siphiwe Nyanda

on behalf of the following

Brig Gen Damian de Lange
 Mongezi India
 Mavuso Msimang
 Jabu Moleketi
 Sindiso Mfenyana
 Bob Mhlanga
 Dipuo Mvelase
 Amb George Nene
 Mb Welile Nhlapo
 Reg Ntha
 Gen Nhlanhla Ngwenya
 James Ngculu
 Gibson Njenje
 Brig Gen Ngqose
 Dr. Ayanda Ntsaluba
 Zukile Nomvete
 Commissioner George Rasegalla
 Johnny Sexwale
 Brig gen Sejake
 Ka Shabangu
 Amb Moe Shaik
 Sipho Twala
 Mike Thusi
 Dr. Snuki Zikalala

SN - 04EM-972

Siphiwe Nyanda

From: Moe Shaik <moeshaik@global.co.za>
Sent: Sunday, April 3, 2016 9:42 PM
To: NYANDA Siphiwe
Subject: Follow up.

Dear comrades,

I trust that you would have received the report of the meeting that was held with the officials of the ANC. If not, I apologize and would send a copy to you on your indication of your not having received it.

Our memorandum has been very well received amongst many many comrades of MK, the ANC and in broader society. However, I write to you of another serious issue that require our attention and consideration.

As you would know, in the sorry Nkandla saga that has plagued that nation for many years, the Constitutional Court, the highest court of the land has spoken. It's ruling was unanimous and its words were unambiguous. It ruled that the President has failed to uphold, defend and respect the Constitution as the supreme law of the land. It further ruled that the National Assembly also failed in its Constitutional obligation to hold the Executive accountable for its actions. The court made the important finding that irrespective of whether the President or the National Assembly acted on bad legal advice or in good faith in not implementing the remedial action proposed by the Public Protector, they acted unlawfully.

Following this ruling, Comrade Ahmed Kathrada, recipient of the Isitwalandwe / Seaparankwe Award, wrote an open heart-felt letter to President J Zuma, appealing to him to consider resigning from office. Many other senior comrades of the ANC are of a similar view, so too are wide sectors of civil society.

I too have agonized with this view, and am of the conclusion that it is the right thing for President ZUMA to do, given the challenges that face us, as the ANC and the country. A violation of the Constitution of the country, is not a simple matter than can be resolved by an apology or defection of blame. In any democracy worth its salt, in the context of such a judgement, the President is obliged to tender his resignation.

Violations of the Constitution, by no other than the President, the very embodiment of the Constitution itself, demands at the very least, his full acceptance of responsibility and culpability. Refusal to do the honorable thing, establishes a terrible precedent that erodes the very foundation of our hard fought democracy. It is the slippery slope to the gates of hell.

Following the press conference of the ANC on this matter, I have engaged with Comrade Gwede on my views that in the interest of the ANC and the country, the President should resign. I disagree with the perspective that argues, that the ANC will be torn apart if the President is forced to resign. This is nothing short of blackmail that surrenders to the false consciousness that our glorious movement is but a coalition of dominant factions that seek the pursuit of their narrow interests at all costs.

I have been invited to engage directly with the President on this matter. It is my intention to do so. In this regard, I write to you to share your views with me, and if you are in agreement with my approach to consider joining me in such a meeting with the President.

Comrades, as you would know, our last memorandum was leaked to the media by one of us. We were correctly criticized for this reckless action. I appeal to you, to please keep this communication confidential and ensure that no leak occurs.

SN-06^{FM-073}

I await your views.



INTO STATE CAPTURE
INTO STATE CAPTURE

18/04/2016

SN-07

President,

Thank you for agreeing to see us

Congratulations on your birthday

We really appreciate the time and wish we could have interacted long before matters reached this state. Some of us have made such attempts to reach you.

You will surely know most of us. We are all long serving disciplined members of the ANC and uMkhonto we Sizwe

We grew up in this organisation and were natured and schooled in it politically and in other ways as well.

We are here in all humility and respect. Many of us knew and respected you as one of the foremost leaders of the ANC and were inspired by you. Perhaps there are some here who would even have been recruited by you or the structures you ran from the underground. So we come with no malice or bad intentions.

We come here rather with pained heavy hearts, believing that our organisation is on a slippery slope. This is not only from our own observation but from what we also heard you say at the NGC last year. There are other people who believe it is beyond remedy. Some of us think it is still possible to cure its ills and nature it back to health in spite of that being a monumental challenge. We are prepared to be part of such an effort. That will, however require a complete detour from the practices of the past decade, and a will from the leadership to unite with its best cadres and drive such an agenda.

If we do not change, if we persist in slates when electing our leadership; if we continue to side-line those who are not in our slates but can offer leadership to the organisation; if we continue with vesting authority in the branches that are owned by others who use them as voting cattle, then our organisation is certainly going to perish. And you, President will be judged by history as the incumbent in whose hands it died. We reiterate that we are willing to offer our services to the organisation to find remedies to these ills.

President, last month after the statement by the Deputy Minister of Finance Mcebisi Jonas we addressed a memorandum to the leadership on that issue. We believe that the issue of the Guptas and the attendant corruption involving the state machinery, which was central to that memo has evoked such resentment from many in our ranks and the wider society that the ANC is in danger of paying a huge price in future elections. We have since interacted with the SG and some officials and NEC members explaining the memo and signalling our intention to participate in the process that the NEC has decided on in order to give our own evidence about what we know on the matter. We do not wish to rehash some of the issues we raised in that memo save to say that it among other things called for a special conference.

We are not even sure that a special conference can resolve some of the many challenges we face, but were shocked by the assertion by the SG that forcing the president to relinquish office would tear the ANC apart. We however wonder whose interest it would serve to tear the movement apart.

SN 08

We do not want to believe that you, President would act in such a way as to deliberately wreck the movement in order to stay in power. That would be so un-ANC! But that is the impression we get when such statements are made.

Things moved quickly since then. The constitutional court has now found that the President violated the constitution for which he has since rightly apologised. That may be okay with us but that cannot be enough for the country's future.

The ANC through the SG came out in support of the president and the SG repeated the same assertion he had made to us in the discussion of the memo.

All findings by the Constitutional court set precedents. So too do the actions of those fingered in relation to those findings. Are we saying that all future adverse findings against Incumbents will be satisfied only by an apology? Are we not in so doing setting precedents for similar future conduct which incumbents will expect to be satisfied by a mere apology? Are these the standards by which we want our hard won democracy to be measured? Is it not a better response to take full responsibility and set an example that such adverse findings in the future have more serious consequences?

We are therefore of the opinion that more drastic decisions should have followed on the constitutional court ruling on the Nkandla matter. We agree with Isithwalandwe comrade Kathrada that our country would be better served were the President to relinquish office as an example for those who follow. This would put the country on a high moral pedestal and be an example on all future leaders that there is a price to pay for such breaches. The president would set a good example for the ANC and the country. The opposite is the case were this not to happen: It would open the door to impunity. And we do not believe that the president would want that to result from his actions. We do not view this as punishment for the president, but as a rich example of respect he would live for governance and the rule of law.

Leave

There are several things that the President would have to do even were he to voluntarily relinquish leadership. It would still be incumbent on him to try to right the wrongs that occurred during his tenure: many of those who felt they were doing his bidding in undermining the core values of the movement would have to be brought into line. ...


It would be the President's responsibility and duty to reign in those who threaten to destroy the ANC should the President resign or leave office. The legacy of Jacob Zuma would not be served by another break-away by reactionary forces. It would be incumbent upon the President to call for unity in the ANC no matter the circumstances of his departure. The ANC will however be best served by a voluntary resignation.

Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number:**40-4838-2606****COLLECT**

Mr Jg Zuma

 **MR JG ZUMA**
PO BOX 5648
DURBAN
4000

008353
 008924
 Umhlanga Ridge
 East Coast Radio House
 P O Box 2952
 Durban
 4000



(031) 570-7000

Cheque account statement

1 Feb 2009 to 28 Feb 2009

Account Type:	Private Bank Cheque	Issued on:	28 Feb 2009
Statement no:	0127		
Client VAT reg no:			

Account Summary:

Balance Brought Forward	121 009,82
Sundry Credits	64 981,06
Cash, Cheque and ATM Withdrawals	119 500,00 -
Sundry Debits	16 342,39 -
Charges	265,00 -
Balance	49 883,49
Overdraft Limit	50 000,00

Your transactions

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
1/02/2009	Bal Brought Forward				121 009,82
1/02/2009	Management Fee Headoffice	*	250,00		120 759,82
1/02/2009	Oct: Ledger Fee Headoffice	*	15,00		120 744,82
1/02/2009	Ext Stop Order To Settlement	14,00 T	2 100,00		118 644,82
	Nedbank Anc Levies				
2/02/2009	Acb Debit:External Settlement	35,00 S	1 818,56		116 826,26
	Corpay Par Subs 00700112889				
2/02/2009	Acb Debit:External Settlement	35,00 S	5 324,00		111 502,26
	Momentum 01003072763 Oq8282				
2/02/2009	Acb Debit:External Settlement	6,00 S	25,00		111 477,26
	Woolworths00006007850145053813				
5/02/2009	Chq Encashment Windermere	366,50 T			111 477,26
	Cheque Amount :35.000,00				
5/02/2009	Cheque 1546 Headoffice	35,00 S	35 000,00		76 477,26
9/02/2009	Cheque 1547 Headoffice	35,00 S	10 000,00		66 477,26
14/02/2009	Cheque 1549 Headoffice	35,00 S	37 000,00		29 477,26

Cheque Account Number: **40-4838-2606**

Your transactions (continued)

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
16/02/2009	Ext Stop Order To Settlement Nedbank 1305723813	14.00 T	7 000.00		22 477.26
19/02/2009	Chq Encashment Windermere Cheque Amount :10,000.00	116.50 T			22 477.26
19/02/2009	Cheque 1550 Headoffice	35.00 S	10 000.00		12 477.26
24/02/2009	Cheque 1552 Headoffice	35.00 S	10 000.00		2 477.26
25/02/2009	Cheque 1548 Headoffice	35.00 S	2 500.00		22.74 -
26/02/2009	Chq Encashment Bloemfonte Cheque Amount :7,000.00	86.50 T			22.74 -
26/02/2009	Cheque 1553 Headoffice	35.00 S	7 000.00		7 022.74 -
27/02/2009	Acb Debit:External Settlement Avusamedia6218089 Suntnmat	6.00 S	49.83		7 072.57 -
27/02/2009	Acb Credit Settlement			64 981.06	57 906.49
27/02/2009	Acb Debit:External Settlement Woolworths00006007850145053813	6.00 S	25.00		57 883.49
28/02/2009	Cheque 1554 Headoffice	35.00 S	8 000.00		49 883.49

MANAGEMENT FEE: R250.00

CREDIT INTEREST RATE AS AT 01/02/2009 STANDARD - REFER TO BRANCH

DEBIT INTEREST RATE AS AT 01/02/2009 0.00 - 30000.00 19.5000%

30000.01 - 99999999999999.99 20.5000%

06/02/2009 0.00 - 30000.00 18.5000%

30000.01 - 99999999999999.99 19.5000%

EXCESS INTEREST RATE AS AT 01/02/2009 EXEMPT

* = VAT R32.54- INCLUDED

CHARGE: A = ADMINISTRATION C = CASH DEPOSIT S = SERVICE T = TRANSACTION

Important

Statements are accepted as correct unless queried within 30 days. Cheques reflected on the statement which are not attached / imaged will be included with your next statement.

Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number: 40-4838-2606**COLLECT**

Mr Jg Zuma

MR JG ZUMA
PO BOX 5648
DURBAN
4000

008353
 008924
 Umhlanga Ridge
 East Coast Radio House
 P O Box 2952
 Durban
 4000



(031) 570-7000

Cheque account statement

1 Mar 2009 to 31 Mar 2009

Account Type:	Private Bank Cheque	Issued on:	31 Mar 2009
Statement no:	0128		
Client VAT reg no:			

Account Summary:

Balance Brought Forward	49 883.49
Sundry Credits	65 441.22
Interest Paid	3.57
Sundry Debits	17 761.39
Charges	265.00
Balance	97 294.75
Overdraft Limit	60 000.00

Your transactions

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
1/03/2009	Bal Brought Forward				49 883.49
1/03/2009	Management Fee Headoffice	*	250.00		49 633.49
1/03/2009	Oct: Ledger Fee Headoffice	*	15.00		49 618.49
1/03/2009	Debit Interest Headoffice		3.57		49 614.92
1/03/2009	Ext Stop Order To Settlement	14.00 T	2 100.00		47 514.92
	Nedbank Anc Levies				
2/03/2009	Acb Debit: External Settlement	35.00 S	1 818.56		45 696.36
	Corpey Par Subs 00700112889				
2/03/2009	Acb Debit: External Settlement	35.00 S	5 324.00		40 372.36
	Momentum 01003072763 Qy8905				
16/03/2009	Ext Stop Order To Settlement	14.00 T	7 000.00		33 372.36
	Nedbank 1305723813				
18/03/2009	Acb Debit: Internal Accounts	3.00 T	1 444.00		31 928.36
	Payment To Acc4787690006367000				
	(Effective 17/03/2009)				
28/03/2009	Acb Credit Settlement			65 441.22	97 369.58

Cheque Account Number: **40-4838-2606****Your transactions (continued)**

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
31/03/2009	Acb Debit: External Settlement Avusemedia6218089 Suntrmat	6.00 S	49.83		97 319.75
31/03/2009	Acb Debit: External Settlement Woolworths00006007850145053813	6.00 S	25.00		97 294.75

MANAGEMENT FEE: R250.00

CREDIT INTEREST RATE AS AT 01/03/2009 STANDARD - REFER TO BRANCH
 DEBIT INTEREST RATE AS AT 01/03/2009 0.00 - 30000.00 18.5000%
 30000.01 - 99999999999999.99 19.5000%
 25/03/2009 0.00 - 30000.00 17.5000%
 30000.01 - 99999999999999.99 18.5000%
 EXCESS INTEREST RATE AS AT 01/03/2009 EXEMPT

RESERVE BANK REGULATIONS PROHIBIT ABSA FROM CREDITING INWARD CROSSBORDER PAYMENTS TO YOUR ACCOUNT WITHOUT YOUR INSTRUCTION. IF YOU RECEIVE REGULAR PAYMENTS WE SUGGEST THAT YOU INSTITUTE A STANDING INSTRUCTION TO PREVENT DELAYS IN FUTURE INTERNATIONAL PAYMENTS TO YOUR ACCOUNT. PLEASE SPEAK TO YOUR PERSONAL BANKER.

* = VAT R32.54- INCLUDED

CHARGE: A = ADMINISTRATION C = CASH DEPOSIT S = SERVICE T = TRANSACTION

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Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number: 40-4838-2606**COLLECT**

Mr Jg Zuma

MR JG ZUMA
PO BOX 5648
DURBAN
4000

008353
 008924
 Umhlanga Ridge
 East Coast Radio House
 P O Box 2952
 Durban
 4000



{031} 570-7000

Cheque account statement

1 Apr 2009 to 30 Apr 2009

Account Type:	Private Bank Cheque	Issued on:	30 Apr 2009
Statement no:	0129		
Client VAT reg no:			

Account Summary:

Balance Brought Forward	97 294,75
Sundry Credits	65 441,22
Cash, Cheque and ATM Withdrawals	71 270,00 -
Sundry Debits	17 723,06 -
Charges	265,00 -
Balance	73 477,91
Overdraft Limit	50 000,00

Your transactions

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
1/04/2009	Bal Brought Forward				97 294,75
1/04/2009	Management Fee Headoffice	*	250,00		97 044,75
1/04/2009	Oct: Ledger Fee Headoffice	*	15,00		97 029,75
1/04/2009	Ext Stop Order To Settlement Nedbank Anc Levies	14,00 T	2 100,00		94 929,75
1/04/2009	Acb Debit:External Settlement Corpay Par Subs 00700112889	35,00 S	1 818,56		93 111,19
1/04/2009	Acb Debit:External Settlement Momentum 01003072763 To2988	35,00 S	5 324,00		87 787,19
8/04/2009	Cheque 1555 Headoffice	35,00 S	22 000,00		65 787,19
16/04/2009	Ext Stop Order To Settlement Nedbank 1305723813	14,00 T	7 000,00		58 787,19
18/04/2009	Acb Debit:Internal Accounts Payment To Acc4787690006367000 (Effective 17/04/2009)	3,00 T	1 422,00		57 365,19
28/04/2009	Acb Credit Settlement			65 441,22	122 806,41

Cheque Account Number: **40-4838-2606****Your transactions (continued)**

Date	Transaction Description		Charge		Debit Amount	Credit Amount	Balance
30/04/2009	Acb Debit: External	Settlement	6.00	S	58.50		122 747.91
	Avusamedia6218089	Suntmnat					
30/04/2009	Cheque 1556	Headoffice	35.00	S	34 780.00		87 967.91
30/04/2009	Cheque 1557	Headoffice	35.00	S	14 490.00		73 477.91

MANAGEMENT FEE: R250.00

CREDIT INTEREST RATE AS AT 01/04/2009 STANDARD - REFER TO BRANCH

DEBIT INTEREST RATE AS AT 01/04/2009 0.00 - 30000.00 17.5000%

30000.01 - 99999999999999.99 18.5000%

EXCESS INTEREST RATE AS AT 01/04/2009 EXEMPT

BEWARE OF PHISHING! DO NOT RESPOND TO ANY REQUEST FOR PERSONAL INFORMATION, I.E. PIN/PASSWORD THAT MAY BE INCLUDED IN YOUR BANK STATEMENTS

* = VAT R32.54- INCLUDED

CHARGE: A = ADMINISTRATION C = CASH DEPOSIT S = SERVICE T = TRANSACTION

Important


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Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number:**40-4838-2606****COLLECT**

Mr Jg Zuma

 **MR JG ZUMA**
PO BOX 5648
DURBAN
4000

008353

008924

Umhlanga Ridge

East Coast Radio House

P O Box 2952

Durban

4000



{031} 570-7000

Cheque account statement

1 May 2009 to 31 May 2009

Account Type:

Private Bank Cheque

Issued on:

31 May 2009

Statement no:

0130

Client VAT reg no:**Account Summary:**

Balance Brought Forward	73 477,91
Sundry Credits	65 441,22
Cash, Cheque and ATM Withdrawals	6 000,00 -
Sundry Debits	17 663,56 -
Charges	265,00 -
Balance	114 990,57
Overdraft Limit	50 000,00

Your transactions

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
1/05/2009	Bal Brought Forward				73 477,91
1/05/2009	Management Fee Headoffice	*	250,00		73 227,91
1/05/2009	Ord: Ledger Fee Headoffice	*	15,00		73 212,91
1/05/2009	Ext Stop Order To Settlement	14,00 T	2 100,00		71 112,91
	Nedbank Anc Levies				
2/05/2009	Acb Debit: External Settlement	35,00 S	5 324,00		65 788,91
	Momentum 01003072763 W10298				
4/05/2009	Acb Debit: External Settlement	35,00 S	1 818,56		63 970,35
	Corpay Par Subs 00700112889				
4/05/2009	Acb Debit: External Settlement	6,00 S	25,00		63 945,35
	Woolworths00006007850145053813				
13/05/2009	Cheque 1558 Headoffice	35,00 S	6 000,00		57 945,35
16/05/2009	Ext Stop Order To Settlement	14,00 T	7 000,00		50 945,35
	Nedbank 1305723813				
19/05/2009	Acb Debit: Internal Accounts	3,00 T	1 396,00		49 549,35
	Payment To Acc4787690006367000				

Cheque Account Number: **40-4838-2606**

Your transactions (continued)

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
29/05/2009	(Effective 18/05/2009) Acb Credit Settlement			65 441,22	114 990,57

MANAGEMENT FEE: R250.00

CREDIT INTEREST RATE AS AT 01/05/2009 STANDARD - REFER TO BRANCH

DEBIT INTEREST RATE AS AT 01/05/2009 0.00 - 30000.00 17.5000%

30000.01 - 99999999999999.99 18.5000%

04/05/2009 0.00 - 30000.00 16.5000%

30000.01 - 99999999999999.99 17.5000%

29/05/2009 0.00 - 30000.00 15.5000%

30000.01 - 99999999999999.99 16.5000%

EXCESS INTEREST RATE AS AT 01/05/2009 EXEMPT

* = VAT R32.54- INCLUDED

CHARGE: A = ADMINISTRATION C = CASH DEPOSIT S = SERVICE T = TRANSACTION

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Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number:**40-4838-2606****COLLECT**

Mr Jg Zuma

 **MR JG ZUMA**
PO BOX 5648
DURBAN
4000

008353
 008924
 Umhlanga Ridge
 East Coast Radio House
 P O Box 2952
 Durban
 4000



(031) 570-7000

Cheque account statement

1 Jun 2009 to 30 Jun 2009

Account Type:	Private Bank Cheque	Issued on:	30 Jun 2009
Statement no:	0131		
Client VAT reg no:			

Account Summary:

Balance Brought Forward	114 990,57
Sundry Credits	252 663,84
Cash, Cheque and ATM Withdrawals	77 000,00 -
Sundry Debits	15 982,00 -
Charges	265,00 -
Balance	274 407,41
Overdraft Limit	60 000,00

Your transactions

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
1/06/2009	Bal Brought Forward				114 990,57
1/06/2009	Management Fee Headoffice	*	250,00		114 740,57
1/06/2009	Cd: Ledger Fee Headoffice	*	15,00		114 725,57
1/06/2009	Acb Credit Settlement			73 852,08	188 577,65
	Spresidenc M4 Pay1884884200632				
1/06/2009	Ext Stop Order To Settlement	15,00 T	2 100,00		186 477,65
	Nedbank Anc Levies				
1/06/2009	Chq Encashment Menlyn	207,50 T			186 477,65
	Cheque Amount :19,000.00				
1/06/2009	Acb Debit:External Settlement	7,90 S	58,50		186 419,15
	Avusamedia6218089 Suntrmat				
1/06/2009	Acb Debit:External Settlement	35,00 S	5 324,00		181 095,15
	Momentum 01003072763 Yy7732				
1/06/2009	Cheque 1559 Headoffice	35,00 S	19 000,00		162 095,15
2/06/2009	Chq Encashment Waterfront	167,50 T			162 095,15
	Cheque Amount :15,000.00				

Cheque Account Number: **40-4838-2606****Your transactions (continued)**

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
2/06/2009	Cheque 1560 Headoffice	35.00 S	15 000.00		147 095.15
10/06/2009	Chq Encashment Rondebosch Cheque Amount :20,000.00	217.50 T			147 095.15
10/06/2009	Cheque 1561 Headoffice	35.00 S	20 000.00		127 095.15
15/06/2009	Acb Credit Settlement Presidency M4 Pay1884884200632			113 370.54	240 465.69
15/06/2009	Chq Encashment Northgate Cheque Amount :3,000.00	47.50 T			240 465.69
15/06/2009	Cheque 1562 Headoffice	35.00 S	3 000.00		237 465.69
15/06/2009	Cheque 1563 Headoffice	35.00 S	20 000.00		217 465.69
16/06/2009	Ext Stop Order To Settlement Nedbank 1305723813	15.00 T	7 000.00		210 465.69
18/06/2009	Acb Debit:Internal Accounts Payment To Acc4787690006367000 (Effective 17/06/2009)	3.00 T	1 441.00		209 024.69
29/06/2009	Acb Credit Settlement			65 441.22	274 465.91
30/06/2009	Acb Debit:External Settlement Avusamedia6218089 Suntnmat	7.90 S	58.50		274 407.41

MANAGEMENT FEE: R250.00

CREDIT INTEREST RATE AS AT 01/06/2009 STANDARD - REFER TO BRANCH

DEBIT INTEREST RATE AS AT 01/06/2009 0.00 - 30000.00 15.5000%

30000.01 - 99999999999999.99 16.5000%

EXCESS INTEREST RATE AS AT 01/06/2009 EXEMPT

* = VAT R32.54- INCLUDED

CHARGE: A = ADMINISTRATION C = CASH DEPOSIT S = SERVICE T = TRANSACTION

Important

Statements are accepted as correct unless queried within 30 days. Cheques reflected on the statement which are not attached / Imaged will be included with your next statement.

Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number: 40-4838-2606**COLLECT**

Mr Jg Zuma

MR JG ZUMA
PO BOX 5648
DURBAN
4000

008353
 008924
 Umhlanga Ridge
 East Coast Radio House
 P O Box 2952
 Durban
 4000



(031) 570-7000

Cheque account statement

1 Jul 2009 to 31 Jul 2009

Account Type:	Private Bank Cheque	Issued on:	31 Jul 2009
Statement no:	0132		
Client VAT reg no:			

Account Summary:

Balance Brought Forward	274 407,41
Sundry Credits	113 370,54
Cash, Cheque and ATM Withdrawals	91 730,00 -
Sundry Debits	15 929,50 -
Charges	266,00 -
Balance	279 852,45
Overdraft Limit	50 000,00

Your transactions

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
1/07/2009	Bal Brought Forward				274 407,41
1/07/2009	Management Fee Headoffice	*	250,00		274 157,41
1/07/2009	Ord Ledger Fee Headoffice	*	16,00		274 141,41
1/07/2009	Ext Stop Order To Settlement	15,00 T	2 100,00		272 041,41
	Nedbank Anc Levies				
1/07/2009	Acb Debit:External Settlement	35,00 S	5 324,00		266 717,41
	Momentum 01003072763 39164E				
6/07/2009	Cheque 1564 Headoffice	35,00 S	10 000,00		256 717,41
6/07/2009	Cheque 1566 Headoffice	35,00 S	20 000,00		236 717,41
7/07/2009	Chq Encashment Hatfield	67,50 T			236 717,41
	Cheque Amount :5,000.00				
7/07/2009	Cheque 1567 Headoffice	35,00 S	5 000,00		231 717,41
13/07/2009	Chq Encashment Market ST	117,50 T			231 717,41
	Cheque Amount :10,000.00				
13/07/2009	Cheque 1568 Headoffice	35,00 S	10 000,00		221 717,41
15/07/2009	Acb Credit Settlement			113 370,54	335 087,95

Cheque Account Number: **40-4838-2606**

Your transactions (continued)

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
	Presidency M4 Pay1884884200632				
15/07/2009	Cheque 1569 Headoffice	35.00 S	7 000.00		328 087.95
16/07/2009	Ext Stop Order To Settlement Nedbank 1305723813	15.00 T	7 000.00		321 087.95
18/07/2009	Acb Debit:Internal Accounts Payment To Acc4787690006367000 (Effective 17/07/2009)	3.00 T	1 447.00		319 640.95
23/07/2009	Chq Encashment Hatfield Cheque Amount :5,000.00	67.50 T			319 640.95
23/07/2009	Cheque 1570 Headoffice	35.00 S	34 730.00		284 910.95
23/07/2009	Cheque 1571 Headoffice	35.00 S	5 000.00		279 910.95
31/07/2009	Acb Debit:External Settlement Avusamedia6218089 Suntrmat	7.90 S	58.50		279 852.45

MANAGEMENT FEE: R250.00

CREDIT INTEREST RATE AS AT 01/07/2009 STANDARD - REFER TO BRANCH

DEBIT INTEREST RATE AS AT 01/07/2009 0.00 - 30000.00 15.5000%

30000.01 - 99999999999999.99 16.5000%

EXCESS INTEREST RATE AS AT 01/07/2009 EXEMPT

PROTECT YOUR DOMESTIC WORKERS AND THEIR WAGES ON PAYDAY WITH AN ABSA PREPAID DEBIT CARD. THIS PIN-PROTECTED CARD IS AS GOOD AS CASH IN THEIR POCKETS, BUT FAR SAFER. AND IT AFFORDS YOU THE CONVENIENCE AND SECURITY OF ELECTRONIC WAGE PAYMENTS EVEN IF THEY DON'T HAVE A BANK ACCOUNT. TO APPLY VISIT ANY ABSA BRANCH TODAY.

LIFE'S FULL OF SUPPRISES. BUT BEFORE YOU START WORRYING ABOUT WHAT THE FUTURE HOLDS, WHY NOT SPEAK TO US? WE'RE READY TO LISTEN, SUPPORT AND HELP YOU FIND SOLUTIONS. VISIT ANY BRANCH, E-MAIL LETSTALK@ABSA.CO.ZA OR SMS 'TALK' TO 31513.

* = VAT R32.66- INCLUDED

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Return address:

Private Bag X18, Johannesburg, 2000

Cheque Account Number: 40-4838-2606**COLLECT**

Mr Jg Zuma

MR JG ZUMA
PO BOX 5648
DURBAN
4000

008353

008924

Umhlanga Ridge

East Coast Radio House

P.O. Box 2952

Durban

4000



(031) 570-7000

Cheque account statement

1 Aug 2009 to 31 Aug 2009

Account Type:	Private Bank Cheque	Issued on:	31 Aug 2009
Statement no:	0133		
Client VAT reg no:			

Account Summary:

Balance Brought Forward	279 852,45
Sundry Credits	109 192,15
Cash, Cheque and ATM Withdrawals	96 344,70 -
Sundry Debits	24 603,50 -
Charges	266,00 -
Balance	287 830,40
Overdraft Limit	50 000,00

Your transactions

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
1/08/2009	Bal Brought Forward				279 852,45
1/08/2009	Management Fee	Headoffice	250,00		279 602,45
1/08/2009	Od: Ledger Fee	Headoffice	16,00		279 586,45
1/08/2009	Ext Stop Order To	Settlement	15,00		277 486,45
	Nedbank Anc Levies				
1/08/2009	Acb Debit:External	Settlement	35,00		272 162,45
	Momentum 01003072763 38805L				
14/08/2009	Acb Credit	Settlement		109 192,15	381 354,60
	Presidency M4 Pay1884884200632				
16/08/2009	Ext Stop Order To	Settlement	15,00		374 354,60
	Nedbank 1305723813				
18/08/2009	Acb Debit:Internal	Accounts	3,00		372 933,60
	Payment To Acc4787690006367000				
	(Effective 17/08/2009)				
18/08/2009	Acb Debit:External	Settlement	35,00		370 033,60
	5206493589African National Con				

Cheque Account Number: **40-4838-2606**

Your transactions (continued)

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
18/08/2009	Acb Debit: External Settlement 5206493590 African National Con	35.00 S	2 900.00		367 133.60
18/08/2009	Acb Debit: External Settlement 5206493591 African National Con	35.00 S	2 900.00		364 233.60
18/08/2009	Cheque 1576 Headoffice	35.00 S	5 273.70		358 959.90
21/08/2009	Cheque 1575 Headoffice	35.00 S	20 000.00		338 959.90
25/08/2009	Cheque 1574 Headoffice	26.90 S	1 071.00		337 888.90
27/08/2009	Cheque 1577 Headoffice	35.00 S	70 000.00		267 888.90
31/08/2009	Acb Debit: External Settlement Avusamedia6218089 Sunlmmat	7.90 S	58.50		267 830.40

MANAGEMENT FEE: R250.00

CREDIT INTEREST RATE AS AT 01/08/2009 STANDARD - REFER TO BRANCH

DEBIT INTEREST RATE AS AT 01/08/2009 0.00 - 30000.00 15.5000%

30000.01 - 99999999999999.99 16.5000%

14/08/2009 0.00 - 30000.00 15.0000%

30000.01 - 99999999999999.99 16.0000%

EXCESS INTEREST RATE AS AT 01/08/2009 EXEMPT

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SUPPORT CASUAL DAY, 4 SEPTEMBER. GET YOUR CASUAL DAY STICKER AT ANY ABSA BRANCH TODAY. VISIT WWW.PAST-SA.ORG

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Cheque Account Number: 40-4838-2606**COLLECT**

Mr Jg Zuma

 **MR JG ZUMA**
PO BOX 5648
DURBAN
4000

006353
 008924
 Umhlanga Ridge
 East Coast Radio House
 P O Box 2952
 Durban
 4000



(031) 570-7000

Cheque account statement

1 Sep 2009 to 30 Sep 2009

Account Type:	Private Bank Cheque	Issued on:	30 Sep 2009
Statement no:	0134		
Client VAT reg no:			

Account Summary:

Balance Brought Forward	267 830,40
Sundry Credits	111 010,70
Cash, Cheque and ATM Withdrawals	19 967,60 -
Sundry Debits	18 779,50 -
Charges	266,00 -
Balance	339 808,00
Overdraft Limit	80 000,00

Your transactions

Date	Transaction Description	Charge	Debit Amount	Credit Amount	Balance
1/09/2009	Bal Brought Forward				267 830,40
1/09/2009	Management Fee Headoffice	*	250,00		267 580,40
1/09/2009	Od: Ledger Fee Headoffice	*	16,00		267 564,40
1/09/2009	Ext Stop Order To Settlement Nedbank Anc Levies	15,00 T	2 100,00		265 464,40
1/09/2009	Acb Debit: External Settlement Momentum 01003072763 62652S	35,00 S	5 324,00		260 140,40
15/09/2009	Acb Credit Settlement Presidency M4 Pay1884884200632			109 192,14	369 332,54
15/09/2009	Acb Debit: External Settlement 5207287238African National Con	35,00 S	2 900,00		366 432,54
16/09/2009	Ext Stop Order To Settlement Nedbank 1305723813	15,00 T	7 000,00		359 432,54
17/09/2009	Acb Credit Settlement Corpay Par Ref 00700112989			1 818,56	361 251,10
18/09/2009	Acb Debit: Internal Accounts	3,00 T	1 397,00		359 854,10

Cheque Account Number: **40-4838-2606****Your transactions (continued)**

Date	Transaction Description			Charge	Debit Amount	Credit Amount	Balance
	Payment To Acc4787690006367000 (Effective 17/09/2009)						
21/09/2009	Cheque	1579	Headoffice	35.00	S 9 900.00		349 954.10
26/09/2009	Cheque	1578	Headoffice	35.00	S 10 087.60		339 866.50
30/09/2009	Acb Debit: External		Settlement	7.90	S 58.50		339 808.00
	Avusamedia6218089 Suntmnet						

MANAGEMENT FEE: R250.00

CREDIT INTEREST RATE AS AT 01/09/2009 STANDARD - REFER TO BRANCH

DEBIT INTEREST RATE AS AT 01/09/2009 0.00 - 30000.00 15.0000%

30000.01 - 99999999999999.99 16.0000%

EXCESS INTEREST RATE AS AT 01/09/2009 EXEMPT

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**IN THE STATE CAPTURE COMMISSION
HELD AT PARKTOWN, JOHANNESBURG**

In the matter between:

NGOAKO ABEL RAMATLHODI

And

JACOB GELDLEYIHLEKISA ZUMA

AFFIDAVIT

I, the undersigned Ngoako Abel Ramatlhodi do hereby make oath and state as follows;

1.

I am an adult male currently residing at 305 Erridanus Street, Waterkloofridge, Pretoria.

2.

The facts herein contained lie within my own personal knowledge save where the context indicates the contrary and are to the best of my knowledge and belief both true and correct.

UGT NR

3.

The purpose of this affidavit is to refute the untruthful and unfounded allegations made by Mr Jacob Gedleyehlekisa Zuma (Mr Zuma) relating to me.

4.

On or about 15 July 2019 Mr Zuma during his appearance at the above honorable commission stated under oath that I was an apartheid era spy.

5.

I wish to categorically deny the unfounded and baseless allegations against me. I never was an apartheid era spy for the brutal apartheid regime or for any other person or institution for that matter, against any people. To this end I had challenge Mr Zuma to a public lie detector test before the above Honorable Commission.

6.

I had approached the commission to commence with the aforementioned lie detector test. I was advised that such tests are not conducted under the auspices of the Commission.

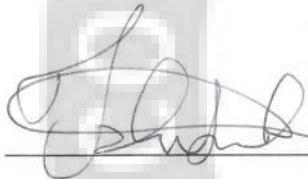
7.

I reiterate that I never was a spy against my people and have a proud history of dedicated service to the people of South Africa, Africa and the World.

MIRUGET

Zamatlhooh**DEPONENT**

I certify that the Deponent acknowledged that he knows and understands the contents of this affidavit, that he has no objection to the making of the prescribed oath and that he considers this oath to be binding on his conscience. I also certify that this affidavit was signed in my presence at Pretoria on this 21st day of OCTOBER 2019 and that the Regulations contained in Government Notice R1258 of 21 July 1972, as amended by Government Notice R1648 of 19 August 1977, have been complied with.

**COMMISSIONER OF OATHS**

VHUTSHILO EDMUND TSHIDZUMBA
COMMISSIONER OF OATHS
PRACTISING ATTORNEY
136 MAIN STREET
NIEUW MUCKLENEUK
PRETORIA, 0001