



# **FLOW OF FUNDS**

## **EXHIBIT VV 11**

NCEDISO GOODENOUGH  
KODWA



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

2<sup>nd</sup> floor, Hillside House  
17 Empire Road,  
Parktown  
Johannesburg  
2193

Tel: (010) 214 to 0651

Email: [inquiries@sastatecapture.org.za](mailto:inquiries@sastatecapture.org.za)

Website: [www.sastatecapture.org.za](http://www.sastatecapture.org.za)

**INDEX: EXHIBIT VV 11**

#	Description	Bundle Page	Exhibit Pages
1.	Regulation 10(6) Directive dated 07 June 2021	601 to 605	01 to 05
2.	Summons to appear as a witness dated 11 June 2021	606 to 607	06 to 07
3.	Filing notice and affidavit from <b>Ncediso Goodenough Kodwa</b> dated 22 June 2021	608 to 618	08 to 18
	3.1 Filing notice	608 to 609	08 to 09
	3.2 Affidavit of Ncediso Goodenough Kodwa	610 to 618	10 to 18
4.	Extract from the Tactical Software Systems (TSS) bank statements	619	19



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

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**CHAIRPERSON'S DIRECTIVE IN TERMS OF REGULATION 10(6) OF THE  
REGULATIONS OF THE COMMISSION**

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**TO : MR NCEDISO GOODENOUGH "ZIZI" KODWA**

**ADDRESS : BOGARE BUILDING  
2 ATTERBURY ROAD  
MENLYN  
PRETORIA**

**TEL : 012 367 0983**

**EMAIL : [zkodwa@anc.org.za](mailto:zkodwa@anc.org.za); [zzkodwa@gmail.com](mailto:zzkodwa@gmail.com)**

1. By virtue of the powers vested in me in my capacity as Chairperson of the above-mentioned Commission by Regulation 10(6)\* of the Regulations of the Judicial Commission of Inquiry Into Allegations of State Capture, Corruption and Fraud In the Public Sector Including Organs of State, I hereby direct you, **Mr Ncediso Goodenough "Zizi" Kodwa**, to deliver

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\*Regulations 10(6) of the Regulations of the Commission reads: "For the purposes of conducting an investigation the Chairperson may direct any person to submit an affidavit or affirmed declaration or to appear before the Commission to give evidence or to produce any document in his or her possession or under his or her control which has a bearing on the matter being investigated, and may examine such person."

on or before **22<sup>nd</sup> June 2021** to the Secretary of the Commission at the address<sup>†</sup> given above  
an affidavit or affirmed declaration in which you provide a full account of:

- (a) your relationship (past or present) with Mr Jehan Mackay and all correspondence you have exchanged with him in the years 2015 to 2017,
- (b) all amounts paid to you by Mr Jehan Mackay or any company associated with him (including TSS Managed Systems (Pty) Ltd and Tactical Software Systems (Pty) Ltd) over the years 2015 and 2016,
- (c) all amounts paid at your instance by TSS Managed Systems (Pty) Ltd, Tactical Software Systems (Pty) Ltd or any EOH Group company to, or for the benefit of,
  - the ANC,
  - any of its constituent bodies,
  - any of its alliance partners, or
  - any service providers to any of the above.
- (d) the source of the funds used by you to pay Tajari Motors (Pty) Ltd (Jeep Sandton) an amount of R890,000.00 on or around 6 June 2015,
- (e) the payment made at your request by Jehan Mackay to Joshua Mannde of Chrysler Jeep Fourways on or about 26 November 2015
- (f) any luxury holiday accommodation procured in the years 2015 or 2016 by Jehan Mackay or any individual or entity associated with the EoH Group of Companies for you or for persons designated by you
- (g) any acts you performed in relation to the following procurement processes:
  - the SASSA bid 18/14/ICT for the provision of support and maintenance services of ERP Oracle for a period of three years

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<sup>†</sup> Your response should be marked for the attention of Adv Mabongi Masilo and, if you wish to email your response, you may email it to [mabongim@commissionsc.org.za](mailto:mabongim@commissionsc.org.za)

- the Eastern Cape Department of Education bid SCMU6-15/16-0001 for services in relation to an integrated document management and human resource records restoration project
  - the Department of Home Affairs bid RFB 1303/2014 for the provisions of platinum access service solution for government for a period of five years
- (h) any communications you had with any other parties in relation to the procurement processes described in (g) above.
2. If you would like assistance from the Commission in order to prepare the affidavit or affirmed declaration, you must, within five days (excluding weekends and public holidays) of receipt of this directive, contact, or, communicate with, the Secretary of the Commission and indicate that you would like such assistance in which case the Commission will provide someone to assist you with the preparation of the affidavit or affirmed declaration. In such a case you will not pay anything for such assistance. In this regard, please contact Adv Mabongi Masilo ([mabongim@commissionsc.org.za](mailto:mabongim@commissionsc.org.za) ).
3. If, in order to prepare the affidavit, or affirmed declaration, you do not need any assistance from the Commission, you must, with or without the assistance of a lawyer of your own choice, prepare the affidavit or affirmed declaration and have it delivered to the Secretary of the Commission on or before the date given above for the delivery of the affidavit. If you make use of a lawyer of your own choice to assist you to prepare such affidavit or affirmed declaration, the Commission will not be responsible for the payment of your lawyer's fees or costs.
4. This directive is issued for the purpose of pursuing the investigation of the Commission.



5. Your attention is drawn to Regulations 8(2), 11(3)(a) and (b) and 12(2)(c)(d) and (e) of the Regulations of the Commission, as amended. Regulation 8(2) reads:

“8 (1) ...  
 (2) A self-incriminating answer or a statement given by a witness before the Commission shall not be admissible as evidence against that person in any criminal proceedings brought against that person instituted in any court, except in criminal proceedings where the person concerned is charged with an offence in terms of section 6 of the Commissions Act, 1947 (Act No. 8 of 1947).”

Regulation 11(3)(a) and (b) reads:

“11 (1) ...  
 (2) ...  
 (3) No person shall without the written permission of the Chairperson—  
 (a) disseminate any document submitted to the Commission by any person in connection with the inquiry or publish the contents or any portion of the contents of such document; or  
 (b) peruse any document, including any statement, which is destined to be submitted to the Chairperson or intercept such document while it is being taken or forwarded to the Chairperson.”

Regulation 12(2)(c)(d) and (e) reads:

“12 (1) ...  
 (2) Any person who  
 (a) ...  
 (b) ...  
 (c) ... wilfully hinders, resists or obstructs the Chairperson or any officer in the exercise of any power contemplated in regulation 10(1) or (2);  
 (d) refuses or fails, without sufficient cause, to submit, within a period fixed by the Chairperson or at all, an affidavit or affirmed declaration pursuant to a directive issued by the Chairperson under regulation 10(6); or  
 (e) contravenes a provision of regulation 11, is guilty of an offence and liable on conviction -  
 (i) in the case of an offence referred to in paragraph (a), (c),

- (d) or (e), to a fine, or to imprisonment for a period not exceeding 12 months; or
- (ii) in the case of an offence referred to in paragraph (b), to a fine, or to imprisonment for a period not exceeding six months.”

SIGNED IN JOHANNESBURG ON THIS 7<sup>th</sup> DAY OF June 2021



**JUSTICE RMM ZONDO**  
**DEPUTY CHIEF JUSTICE OF THE REPUBLIC OF SOUTH AFRICA**

**and**

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



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

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**SUMMONS TO:  
APPEAR AS A WITNESS**

This summons is issued in terms of section 3(2) of the Commissions Act 8 of 1947, read with:

- Proclamation 3 published in Government Gazette No. 41403 on 25 January 2018
- Government Notice No. 105 published in Government Gazette No. 41436 on 9 February 2018 (as amended)
- Rules of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State published in Government Gazette No. 41774 on 16 July 2018

Tracking reference:	SPS17(b)/1480/ST
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**To the sheriff or his/her deputy of Pretoria South East**

**TO INFORM:** MR NCEDISO GOODENOUGH "ZIZI" KODWA

**OF**

BOGARE BUILDING

2 ATTERBURY ROAD

MENLYN

PRETORIA

0823304910 / 0839665676 / 0833784099

Email: [zkodwa@anc.org.za](mailto:zkodwa@anc.org.za) ; zzkodwa@gmail.com

**That he is hereby directed to:**

- a) Appear before the Commission personally at City of Johannesburg Metro Centre, 158 Civic Boulevard, Braamfontein, Johannesburg on Friday, 25 June 2021 at 10:00 for the purpose of presenting his evidence in relation to matters listed in the Chairperson's Directive in terms of Regulation 10.6 issued by the Commission on 7<sup>th</sup> June 2021.

**Your failure to comply with the requirements set out in paragraph a) above without sufficient cause constitutes an offence under section 6(1) of the Commissions Act 8 of 1947, as amended.**

**DATED at Parktown on this 11<sup>th</sup> day of June 2021.**



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**Prof. Itumeleng Mosala**

**SECRETARY:**

**Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud  
in the Public Sector including Organs of State**

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

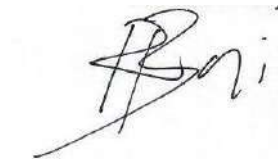
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**FILING NOTICE**

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**DOCUMENT:** AFFIDAVIT OF NCEDISO GOODENOUGH ZIZI KODWA.

**DATED AT JOHANNESBURG ON THIS THE 22<sup>ND</sup> DAY OF JUNE 2021.**



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**MABUZA ATTORNEYS**

Attorneys for NGZ Kodwa  
1<sup>st</sup> Floor, 83 Central Street  
Houghton, **Johannesburg**, 2198  
Tel: (011) 483 2387/0476  
Fax: (011) 728 0145/086 678 2748  
Email: [eric@mabuzas.co.za](mailto:eric@mabuzas.co.za)  
[rudolph@mabuzas.co.za](mailto:rudolph@mabuzas.co.za)  
Ref: Mr ET Mabuzas/Mr RN Baloyi

TO: **THE CHAIRPERSON**  
Judicial Commission of Inquiry into  
Allegations of State Capture, Corruption  
and Fraud in the Public Sector Including  
Organs of State  
Hill on Empire, 16 Empire Road  
**Parktown**  
**Email:** [itumelengm@commissionsc.org.za](mailto:itumelengm@commissionsc.org.za)  
[secretary@commissionsc.org.za](mailto:secretary@commissionsc.org.za)

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

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**AFFIDAVIT**

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I, the undersigned,

**NCEDISO GOODENOUGH ZIZI KODWA**

do hereby make and oath and say that:

1. I am an adult male Deputy Minister of State Security since July 2019 and a former national spokesperson of the African National Congress ("the ANC") during the period from 2015 to 2017. I quit my position as the ANC spokesperson after my appointment as the Deputy Minister.
2. During my tenure as the spokesperson of the ANC I was not employed or involved in any state department or organ of state. My position as the national spokesperson was a full-time position at the head office of the ANC, known as Albert Luthuli House.
3. The facts contained in this affidavit are, save where the contrary appears from the context, within my personal knowledge and are to the best of my belief both true and correct.

**PURPOSE OF AFFIDAVIT**

4. I depose to this affidavit at the request of the Commission of Inquiry into State Capture ("**The Commission**"), which, by means of the Chairperson's directive in terms of Regulation 10 (6) of the Commission's Regulation, issued on 7 June 2021, has directed me to deliver to the Secretary of the Commission an affidavit providing my full account of the specific issues set out in the directive.
5. The purpose of this affidavit is two-fold. First, it is to set out those details requested by the Commission in its directive as fully and as detailed as I can. Second, and with utmost respect to the Commission, I set out my application for the postponement of my appearance before the Commission. In this regard, I will set out the reasons and plead with the Commission to set down another date. I do this fully mindful that the Commission is running against time and has to complete its important work for our country.
6. I commence with my responses to the matters raised by the Chairperson in the directive to which I have referred above.
7. I must state at the outset, that I have responded to the same questions before the Integrity Commission of the ANC, with whom I met on 5 December 2020. The responses I provide below are consistent with the answers I shared with the Integrity Commission. The Integrity Commission was satisfied with my responses in this regard and I hope that the responses set out below are also sufficient to assist the Commission in respect of those issues.

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**RELATIONSHIP WITH MR JEHAN MACKAY**

8. I met Mr Jehan Mackay during the year 2013 and we became friends around that period. I continue to interact with him as a friend as I have done since we met. Such contact is indeed limited currently because of my engagements as a Deputy Minister.
9. However, Mackay and I did communicate by email but I have not been able to retrieve any of those emails so far. I will endeavour to search for such correspondence before my appearance at the Commission.

**PAYMENTS INTO MY ACCOUNT**

10. Although I do not at this point have all the details of payments into my account, I however confirm that several payments were made by Mackay into my bank account. I will endeavour to compile details of specific payments into my bank account before my appearance at the Commission, given my time constraints I have not been able to do so. What I can confirm is that none of those payments had anything to do with government procurement by Mackay or any of his companies.
11. I submit that such payments were made on request at times when I hit financial difficulties. I also confirm that such payments were not *quid pro quo* for any assistance then or in the future. I have often turned to friends like Mackay as and when I face financial difficulties. I extend the same to friends and relatives as and when I am so requested.

NG

**MACKAY DONATIONS TO ANC**

12. I confirm that at some point I did request Mackay to assist with groceries for one of the ANC branches and to pay for T-shirts at some stage. I never requested any further payments from him. I am aware however, that he may have made other donations to the ANC, but these were not done at my request or instance.
13. In regard to EOH, I have never received any payments from EOH into my personal account or for my personal use. When the ANC sought funding or donations from EOH I am aware that Mackay gave the ANC the name of the EOH official responsible for such endeavours.

**PURCHASE OF JEEP VEHICLE**

14. I do confirm that I obtained a loan in the sum of R1 000 000.00 from Mackay, R890 000.00 of which went into the purchase of the Jeep vehicle as identified in the questions during June 2015. I confirm that this was a loan from a friend and had no strings attached. I obtained it at the time of financial difficulty and would not have been able to secure a bank loan.
15. It was also flexible for me as Mackay indicated that I did not have to rush making payments until I felt that my finances had been stabilized.

**LUXURY ACCOMMODATION**

16. It is not correct that Mackay paid for my hotel accommodation whatsoever. Mackay has several properties in Cape Town. As a friend I often slept at one of his properties as and when I needed to. He had made his home(s)

NG

or properties available to him open to me to visit as and when I was in Cape Town. As I stated above, he also made available properties to which he had access even if these may not have been his own. I understood that he had access to a variety of properties in the area of Cape Town. As I understand it, not all the properties he had access to were his own or were in his name.

17. I confirm that there was nothing untoward in his allowing me to visit his home or to spend a night or nights at any of his properties. He specifically demanded no payment for the time I spent at any of his homes.

#### **ROLE IN TENDERS AS IDENTIFIED**

18. I have played no role in any of the tenders identified in the directive or any tender whatsoever. This includes the SASSA bid 18/14/ICT, the Eastern Cape Department of Education bid SCMU6-15/16-0001 and the Department of Home Affairs bid RFB 1303/2014. I have never personally or through any entity been involved in these tenders at all.
19. There was a time when Mackay was frustrated because his tender was disqualified and requested my assistance since I was in the ANC and he had hoped that I could make some inquiries. He sent me the documents in this regard and I categorically advised him that I was in no position to assist him at all. This is the only instance in which he ever asked for assistance from me. Since then, he understood that I viewed interference with tender processes in a negative light and would not involve myself in such matters as I was not responsible for any tender processes in any government department or organ of state.

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**APPLICATION FOR THE POSTPONEMENT OF HEARING**

20. I am in receipt of the directive that I must appear before the Commission on 25 June 2021. I fully respect the directive of the Chairperson in this regard and have no desire to disregard it in any manner whatsoever. I make this application for practical reasons and in order to prepare myself fully so that I can assist the Commission better.
21. As I prepare this affidavit I have found no time in my schedule to physically or virtually consult sufficiently with my legal representatives. My interaction with them has been limited to virtual and yet brief consultations. This is so because I have been travelling and engaged in various assignments of the state.
22. As soon as I received the directive from the Chairperson, I immediately requested my legal representatives to advise the Commission of my tight schedule and prior engagements. I was immediately advised by my legal representatives that although they would make such a request, the Commission would require me to make a formal application in this regard, which I hereby make.
23. Indeed on 16 June 2021 my legal representatives, Mabuza Attorneys addressed a letter to the Commission indicating that I would be unable to attend on 25 June 2021.
24. I am now in receipt of correspondence of 21 June 2021 from the Secretary of the Commission, Prof Itumeleng Mosala, advising me that if I need a postponement of the hearing I should make a formal application which I

W4



hereby do.

25. At the outset, I must state that I fully appreciate the constraints facing the Commission as a result of the work it must complete.
26. However, I have been for the past two weeks engaged in a series of government engagements on matters that pertain to the security cluster. As a result, I have not been able to consult or prepare fully in order to be of real assistance to the Commission.
27. I have provided the above requested information urgently and in the midst of my pressing prior engagements. I am prepared and willing to appear before the Commission but would like to do so when I have had time to consult with my legal team and when I am confident that I will be of better assistance to the Commission.
28. I do understand that the directive is non-negotiable and that it is the prerogative of the Chairperson to grant any postponement. I also understand that such an application is not there for the taking by any applicant, but such applicant must await the decision of the Chairperson, having considered the reasons for non-attendance.

#### CONCLUSION

29. I hereby request the Chairperson to indulge me with a couple of days to complete the government commitments so that I can fully prepare for my appearance, even a week or two after the set date.
30. I also hope that my answers to the specific issues raised by the Commission

204



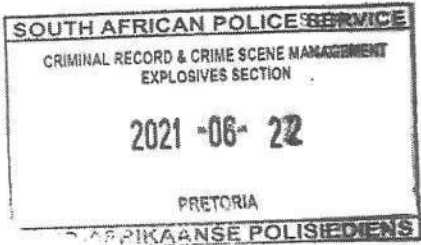
are sufficient. If not, I undertake to elaborate when I appear before the Commission on any of the issues raised in the directive.

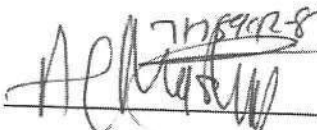
- 31. To the extent necessary, and in the event that in my search I find more details than what I have provided in this affidavit, I undertake to file a supplementary affidavit with such details.

  
DEPONENT

NG

I HEREBY CERTIFY That the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn to before me, a Commissioner of Oaths, At Pretoria on this day 22 Of JUNE 2021, 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

Names: Kagiso Mashigo  
Address: 39 Cwyn Street, Colbyn  
Capacity: Admin Clerk

NG

[illegible]

U. S. DEPT. OF THE ARMY  
HEADQUARTERS, ARMY MEDICAL DEPARTMENT  
WASHINGTON, D. C. 20315

CASE FILE ACCIDENT NUMBER 46-7900 3178  
TICK REFERENCE NUMBER

STATEMENT OF	PAGE
STAFF	1038
STAFF	1039

TACTICAL SOFTWARE SYSTEMS (PTY) LTD  
PRIVATE BAG 726 SJTIE 184  
SUNN NGHILL  
2157

**ALSA WEALTH BUSINESS**

CLIENT NO. REF NO. 67001-B703

DATE	TRANSACTION DESCRIPTION	CHARGE	DEBIT AMOUNT	CREDIT AMOUNT	BALANCE
DATE	TRANSACTION DESCRIPTION	KUSTI	DEBIT AMOUNT	CREDIT AMOUNT	SALDO
10/04/2015	BARU KREDIT BAWA KONE CORP SERV			114 000 00	114 000 00
10/04/2015	BANK TRANSFER SETTLE MENY		100 000 00		14 000 00
10/04/2015	100-1060 BLUE STAR AIR CA			800 000 00	914 000 00
10/04/2015	BANK TRANSFER SETTLE MENY		565 190 00		348 810 00
10/04/2015	BANK TRANSFER SETTLE MENY			1000 000 00	1348 810 00
10/04/2015	BANK TRANSFER SETTLE MENY		1000 000 00		348 810 00
10/04/2015	ACB DEBIT IN IPNA ACCOUNTS		5 9 0 29		342 919 71
10/04/2015	NPI (CREDIT REAS EBS)			1200 100 00	1255 020 71
10/04/2015	BANK TRANSFER SETTLE MENY		100 000 00		1155 020 71
10/04/2015	PERMANENT TO ACCOUNTS		45 8 28		1109 132 43
10/04/2015	PERMANENT TO ACCOUNTS		100 000 00		1009 132 43
10/04/2015	PERMANENT TO ACCOUNTS			55 000 00	1064 132 43

[illegible]

\* V. I. RIZOV, IMLJUDIB

LARGE      A      ADDRESS      L      LEAD      LEADS      M      MISS      S      SERVICE      T      TRANSPORT

CASH CHECKS & OTHER WITHDRAWALS	IN FIRST YEAR	SUNDRIES DEBIT	CREDIT
" "	1944-45	" " 1944-45	1944-45
CHECKS DEPOSITED	DEPOSITS	INTEREST EARNED	SUNDRIES CREDITS
" "	" "	" "	" "

IMPOR ANI  
BELANCRik

1. The following information was obtained from the records of the FBI, New York City Office, dated 1/15/68, in connection with the investigation of the above captioned case: