



EXHIBIT U 44

LANCE POON



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

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AFFIDAVIT

I, the undersigned,

LANCE POON

do hereby make oath and state that:

1. The facts herein contained are, unless otherwise stated or indicated, within my personal knowledge and are to the best of my belief both true and correct and I can and do swear positively thereto.

A. CREDENTIALS AND QUALIFICATIONS

2. I am a 42-year-old adult male with identity number 7811145036086. I own a consulting firm, EM Discovery (Pty) Ltd, which consults in the field of digital forensics and electronic discovery ("eDiscovery").
3. I have worked in the consulting industry for over 18 years, 15 years of which has been in the field of digital forensics and eDiscovery.
4. During my career, I have obtained and held the following qualifications:
 - 4.1 BCom (Information systems);
 - 4.2 Certified Clearwell eDiscovery Administrator;
 - 4.3 EnCase Certified Examiner; and
 - 4.4 Certificate in Forensic Law.



L.P.₁

5. I previously held directorships at EY (Ernst & Young) and The Institute of Commercial Forensic Practitioners in relation to my capacity as a digital forensic and eDiscovery professional.
6. I have guest lectured at various South African universities on topics related to the field of digital forensics and eDiscovery (including a short course on digital forensics and eDiscovery hosted by North-West University on behalf of The Institute of Commercial Forensic Practitioners).
7. I am a full member of The Institute of Commercial Forensic Practitioners.

B. CONTEXT

8. I have contracted and provided my professional services to The Commission of Inquiry into Allegations of State Capture, Fraud and Corruption in the Public Sector and Organs of State ("the Commission") since July 2018.
9. I am part of a multi-disciplinary team of skilled and dedicated digital forensic technology ("DFT") professionals, tasked by the Commission to, *inter alia*, perform tasks relating to digital forensics and eDiscovery in support of the Commission's investigations.
10. I was tasked to analyse data that was forensically acquired, pertaining to Ms. Suzanne Daniels ("Ms. Daniels"), Mr. Matshela Koko ("Mr. Koko") and Mr. Zethemba Khoza ("Mr. Khoza") from Eskom.
11. I was asked to establish whether the documents listed in *Table 1: Pre-suspension letters* below, as described in detail by Professor Cecil Petrus Louwrens in his affidavit and oral testimony to the Commission on 21 April 2021, are present in the aforementioned data sources, and to ascertain the source of the documents to the extent that it can be seen in the acquired data.


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Table 1: Pre-suspension letters

Annexure	File name	MD5¹ hash
LP1	PreSuspensionDM.docx	d6bc d810 9ed8 d403 481c d558 ac20 9229
LP2	PreSuspensionFD.docx	bdb6 0e60 9628 0c73 6f8d 8fcd efe2 3ddd
LP3	PreSuspensionMK.docx	7037 d600 7d4c 56d9 947d e9ab 9b73 88f4
LP4	PreSuspensionTM.docx	9635 ee5e 60bf 313d 4ddd 4a10 1a46 a936

12. The four documents were attached to an email that Mr. Khoza had sent to Ms. Venete Klein on 14 March 2015 at 15:19 (SAST), and contained pre-suspension letters for Dan Marokane, Tsholofelo Molefe, Matshela Koko and Tshediso Matona.
13. I attach hereto **Annexures LP1 to LP4**, which display the content of the four pre-suspension letters listed in *Table 1: Pre-suspension letters* above.

C. EVIDENCE

14. Two datasets provided by Eskom, were forensically acquired on 19 February 2019 and 21 February 2019, which contained user folder backups and email archives relating to Ms. Daniels, Mr. Koko and Mr. Khoza.
15. The resulting forensic images were allocated the evidence numbers *SCCJHB19022019TM008* and *SCCJHB21022019TM014*, respectively. See **Annexure LP5** attached hereto.
16. The acquisition and verification MD5 hashes for the aforementioned images matched, and are shown in *Table 2: Evidence MD5 hashes* below:

¹ MD5 hash values are cryptographic (hashing) algorithms that result in a string of characters that uniquely identifies the totality of the data within the evidence file(s).


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Table 2: Evidence MD5 hashes

Evidence number	Acquisition MD5 Hash	Verification MD5 Hash
SCCJHB19022019TM008	d30a 7f98 5097 efd5 0412 9f2e 89d1 c801	d30a 7f98 5097 efd5 0412 9f2e 89d1 c801
SCCJHB21022019TM014	4760 ffc2 bb05 79c2 c6f9 5b78 adf6 a255	4760 ffc2 bb05 79c2 c6f9 5b78 adf6 a255

17. Both images were signed into the evidence register with register numbers 51 and 104, on 22 February 2019 and on 2 May 2019, respectively. See **Annexure LP6** attached hereto.
18. I have considered the chain-of-custody documentation applicable to this evidence, and have found the chain-of-custody to be in tact.
19. To aid my analysis of the data, I processed the data using a forensic tool styled Nuix Workstation ("Nuix"). Nuix is a globally recognised data analytics tool that is used to analyse data in forensic investigations.

D. FINDINGS

20. I searched for the documents listed in *Table 1: Pre-suspension letters* across the acquired data referred to in paragraph 15 above, by searching for the file names or their respective Hash values.
21. In addition, I selected several common strings of text contained in all of the original documents (per *Table 1: Pre-suspension letters*) and used the sample set of text as search phrases, to search for and identify the documents that matched or were similar in content to those listed in *Table 1: Pre-suspension letters*.
22. The sample strings of text that I had used in the search referred to above were:
 - 22.1 "invitation to a pre-suspension meeting";
 - 22.2 "company is presently conducting an investigation";
 - 22.3 "company has not completed the investigation"; and


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- 22.4 "we envisage that our investigation should be completed within a period of four".
23. Twelve documents were responsive to the search criteria described above. Six of the documents were attachments to three emails, whilst the other six documents were loose files located in various folders within their users' computer profiles contained in the backed up data. Refer to **Annexure LP7** attached hereto for a list of the twelve responsive documents and their associated three emails.
24. The documents and emails listed in **Annexure LP7** have been ordered chronologically, and will be described as such in the paragraphs to follow.

Emails from Ms. Daniels to Mr. Koko

25. On 25 February 2015 at 18:02 (SAST²), it appeared that Ms. Daniels sent Mr. Koko an email with subject title: *Sekhasimbe documents (Annexure LP8 attached hereto)*. The email contained two attachments, one of which was an MS³ Word document with file name *20150225 Invitation to Pre Suspension Meeting execution copy.docx (Annexure LP9 attached hereto)*.
26. **Annexure LP9** was a draft letter addressed to *Malesela Sekhasibe, General Manager Commodity Sourcing*, at Eskom, and was dated 25 February 2015. The subject of the letter was "INVITATION TO A PRE-SUSPENSION MEETING". *Matshela Koko* was reflected in the letter as the issuer of the letter.
27. In the metadata associated with **Annexure LP9**, *Susanne Daniels* was reflected as the (original) Author and Last Author of the document.
28. On 26 February 2015 at 08:22 (SAST), it appeared that Ms. Daniels sent Mr. Koko another email with subject title *RE: Sekhasimbe documents (Annexure LP10 attached hereto)*, which appeared to be a follow-up to the previous email. The email contained an MS Word document with the same file name

² SAST – South African Standard Time

³ MS – is an acronym for "Microsoft".




as in the previous email, being *20150225 Invitation to Pre Suspension Meeting execution copy.docx* (**Annexure LP11** attached hereto).


29. In the metadata associated with **Annexure LP11**, and consistent with the metadata associated with **Annexure LP9**, Susanne Daniels was reflected as the (original) Author of the document, as well as the Last Author of the document.
30. **Annexure LP11** appeared to be an updated version of **Annexure LP9**. There were minor amendments to **Annexure LP11** when compared to the previous version of **Annexure LP9**.
31. Both emails (**Annexures LP8** and **LP10**) and their respective attachments were found in both Ms. Daniels' and Mr. Koko's email data.

Documents found in Mr. Koko's backup data

32. I found two MS Word documents in Mr. Koko's backup data that were responsive to the search criteria.
33. The first document had the file name *20150225 Invitation to Pre Suspension Meeting execution copy.docx* (**Annexure LP12** attached hereto) and was located in a path styled "...2015 Backup/KokoMM/Desktop/Matshela stuff". This document had the same file name as the email attachments that Ms. Daniels had sent to Mr. Koko, as described in paragraphs 25 and 28 above. The Last Modified Datetime of this document was 26 February 2015 at 10:57 (SAST).
34. **Annexure LP12** appeared to be an updated version of **Annexure LP11** that was sent via email from Ms. Daniels to Mr. Koko on 26 February 2015 at 08:22 (SAST), and was addressed to Malesela Sekhasibe, as was the case in the previous two versions (**Annexures LP9** and **LP11**).
35. **Annexures LP11** and **LP12** were near duplicates of each other, save for a couple of amendments made in **Annexure LP12**.


WP⁶


36. Per the metadata associated with **Annexure LP12**, *Susanne Daniels* was reflected as the (original) Author of the document and *Matshela Koko* was reflected as the Last Author of the document. It thus appears that Mr. Koko effected the last set of changes to the document, from the last version that was contained in the email that Ms. Daniels appeared to have sent Mr. Koko on 26 February 2015 at 08:22 (SAST).
37. The second document found in Mr. Koko's data also had the same file name as the previous MS Word documents mentioned above, being *20150225 Invitation to Pre Suspension Meeting execution copy.docx* (**Annexure LP13** attached hereto) and was located in a path styled "...2015 Backup/KokoMM".
38. The Last Modified Datetime of this document was 10 March 2015 at 15:14 (SAST) and the Last Author metadata field reflected *Matshela Koko*.
39. In all of the previous documents discussed thus far, they were all addressed to Malesela Sekhasibe. However, in this version of the letter (**Annexure LP13**), it was addressed to *Matshela Koko*.
40. Another difference between the letters is that in the section of **Annexure LP13**, where it specifies the allegations set out against the recipient, apart from a couple of grammatical differences, the updated allegations specified in **Annexure LP13** are identical to the allegations found in the letter of **Annexure LP3**, which was ostensibly the final version of Matshela Koko's pre-suspension letter.
41. In **Annexure LP14** attached hereto, I compared **Annexure LP9** alongside **Annexure LP13**, since it appeared that **Annexure LP13** was more closely similar to **Annexure LP9** than when compared to any of the other versions discussed thus far. The notable differences and similarities are highlighted in yellow and green, respectively.
42. It appears that **Annexure LP9** was used as a template to draft **Annexure LP13**. I make this assertion based on the following observations:
- 42.1 Both **Annexures LP9** and **LP13** bear the same file name;


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- 42.2 **Annexure LP13's** Last Modified Datetime of 10 March 2015 at 15:14 (SAST) occurs after **Annexure LP9** was received via email from Ms. Daniels on 25 February 2015 at 18:02 (SAST);
- 42.3 Within **Annexure LP13**, there appears to be a remnant of **Annexure LP9** appearing in it. This remnant is the date of "*Monday 2 March 2015 at 11h00*" in which the recipient of the letter is invited to attend the pre-suspension meeting; and
- 42.4 There appears to be an additional remnant in that at the end of the letter, there is a section where the recipient of the letter must sign acknowledgement of receipt of the letter. That recipient still reflected *Malesela Sekhasimbe* as it does in **Annexure LP9**.
43. Based on the data to my avail for purposes of this affidavit, it seems possible that the letter of **Annexure LP9** may have been used as the template to draft the letter of **Annexure LP13** and that it may also have led to the version appearing in **Annexure LP3**, which is the letter for Mr. Koko's pre-suspension.
44. Furthermore, given that the letter was found within Mr. Koko's own backup data and the Last Author reflected as *Matshela Koko*, one can also not exclude the possibility that the letter of **Annexure LP13**, which appeared to be addressed to Mr. Koko, was modified by Mr. Koko himself or at least on his computer, and was subsequently used in the final drafting of the letter of **Annexure LP3**. Although the value of the Last Author metadata field can be altered, it is not an activity that is done in the normal course of editing a document.
45. There were no indications within Mr. Koko's data on what happened to **Annexure LP13** beyond 10 March 2015 at 15:14 (SAST), the last time that the file had been modified.

Documents found in Mr. Khoza' backup data

46. I found all four of the files listed in the *Table 1: Pre-suspension letters* in Mr. Khoza's backup data. The files matched in both file name and by MD5 hash,

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the latter meaning that the documents were identical to those listed in *Table 1: Pre-suspension letters*.

47. The Last Modified Datetime values for each of these files appear in *Table 3: Khoza loose files* below, and occurred after the letter of **Annexure LP13** was last modified as referred to in paragraph 38 above.

Table 3: Khoza loose files

Annexure	File name	Last Modified Datetime
LP15	PreSuspensionMK.docx	2015-03-10 18:25:14
LP16	PreSuspensionDM.docx	2015-03-10 18:39:46
LP17	PreSuspensionFD.docx	2015-03-10 18:54:00
LP18	PreSuspensionTM.docx	2015-03-10 18:48:16

48. These files were stored in the folder path styled "...2017 Backup/khozazw/Documents/Today" in Mr. Khoza's backup data.
49. In addition to finding these documents in Mr. Khoza's backup data, I also looked at other files that were stored within the same folder location. There were files that had file names that began with the characters "." (dot underscore), followed by the same file names as those listed in *Table 3: Khoza loose files* above. In other words, these files were named "_PreSuspensionDM.docx", "_PreSuspensionFD.docx", "_PreSuspensionMK.docx" and "_PreSuspensionTM.docx".
50. Nuix identified the aforementioned dot underscore files as *Apple Double* files. I am not an Apple expert or specialist, but performed research into these files, and found the following:
- 50.1 Apple file systems⁴ include and maintain structures that accommodate Apple specific properties/attributes/metadata (i.e. additional information) for file management.
- 50.2 When a file (an MS Word document for example) originating from an Apple file system is copied onto a storage disk that is configured with a different type of file system (for example, FAT32 or exFAT) that does not support these

⁴ File system - controls how data is stored and retrieved on a computer system

Apple specific properties/attributes/metadata, the Apple file system saves the additional information into a separate Apple Double file. It does this so that in the event that the file (e.g. MS Word document) is later copied back onto an Apple file system, the recipient Apple system can then use the data contained in the Apple Double file to reconstitute the Apple specific properties/attributes/metadata for that file.

51. Based on my understanding of the Apple Double files, the implication of these files existing within the "...2017 Backup/khozazw/Documents/Today" folder in Mr. Khoza's backup data is that the MS Word "presuspension" files originated from an unknown Apple system prior to having been copied onto Mr. Khoza's computer.
52. I can confirm that Mr. Khoza's computer from which the backup data was taken, was not an Apple computer since the folder structure contained in the backup data is consistent with a Microsoft based computer system.
53. In Professor Cecil Petrus Louwrens' affidavit dated 14 June 2021, he confirmed that Mr. Koko's computer was not an Apple computer either.
54. It appears, therefore, that between the date and time of 10 March 2015 at 15:14 (SAST), which was the Last Modified Date of the document **Annexure LP13** that was found within Mr. Koko's data, and the Last Modified Date of 10 March 2015 at 18:25 (SAST) of the document PreSuspensionMK.docx (**Annexure LP14**), which was found in Mr. Khoza's backup data; an unknown Apple computer may have been used to modify and/or transit the documents from Mr. Koko's computer to Mr. Khoza's computer.
55. This is consistent with Professor Cecil Petrus Louwrens' oral testimony to the Commission on 21 April 2021 in that the document of **Annexure LP3** contained metadata that indicated that the document had been edited with software described as "Microsoft Word for Mac", which is a version of the Microsoft Word document editor software used exclusively in Apple computer systems.

Documents found in Mr. Khoza' email data

56. I found all four of the files listed in the *Table 1: Pre-suspension letters* in Mr. Khoza's email backup data. The files matched in both file names and by MD5 hashes, the latter meaning that they were identical to those listed in *Table 1: Pre-suspension letters*.
57. The files were attached to an email that was sent from Khoza's Eskom email account to the address `venete@kleininc.co.za`, which I understand is the email address for Venete Klein.
58. The email was sent from Khoza to Klein on 14 March 2015 at 15:19 (SAST), and had the subject as "specials docs".
59. This email and its four attachments are identical to the email and attachments that Professor Cecil Petrus Louwrens testified to in his oral evidence provided to the Commission on 21 April 2021, as it shares the same MD5 Hash values as those contained in his testimony.
60. The four attachments contained in this email also matched by MD5 Hash values to those documents that were found in Mr. Khoza's backup data as described in paragraph 46 above.
61. It is possible that Mr. Khoza attached those files specifically located at the path "...2017 Backup/khozazw/Documents/Today" to the email that he had sent to Klein on 14 March 2015 at 15:19 (SAST).

E. ADDITIONAL SEARCH PERFORMED

62. Subsequent to the procedures having been performed above, I was requested to perform an additional search within Mr. Khoza's email data, to search for emails relating to one Ms. Elsie Pule, whose affidavit to the Commission was provided for the Commission's consideration of certain emails, in relation to the suspension of the individuals referred to in paragraph 12 above.



63. I searched for "Elsie Pule" against Mr. Khoza's email data between 9 March 2015 and 14 March 2015, and my findings are set out below.
64. There were only two (2) emails of Ms. Elsie Pule on 11 March 2015 to Mr Khoza.
- 64.1 The first is an email with subject "As discussed" that contained a spreadsheet outlining the disciplinary process for one Sal Laher. It also contained a spreadsheet listing the IT assets of certain people. Koko and Laher were both included in the list. I attach hereto a copy of the said email, together with the annexures thereto, marked **Annexure LP19**.
- 64.2 The second email, with subject "SUSPENSION PROCESS", contained three (3) attachments that detailed the suspension process and included two suspension letter templates. I did not see any references to Mr. Koko or anyone else specific in the email or attachments. The second email, together with the three attachments are attached hereto as **Annexure LP20**.
65. Emails before 11 March 2015 did not seem to be related to the matter of the suspension, whilst emails after were related to internal Eskom discussions around corporate communiques to various stakeholders following the suspensions of Dan Marokane, Tsholofelo Molefe, Matshela Koko and Tshediso Matona.



Lance Poon

I hereby certify that the deponent has acknowledged that he knows and understands the contents of this affidavit, which was signed and sworn before me at FAIRLAND on 24 JUNE 2021, the regulations contained in Government Notice No R1258 of 21 July 1972, as amended, and Government Notice No 1648 of 19 August 1977, as amended, having been complied with.

P. Mkh... 2157 6732 Sgt

COMMISSIONER OF OATHS

Full names: Sgt Winy Mkh...a

Business Address: cnr Sophia and 11th Avenue

Office: Fairland



[Handwritten signature]



Dan Marokane
Group Executive (Group Capital)

Date:
11 March 2015

Dear Mr Marokane,

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –
 - 1.1. As the Chairman of the Emergency Committee you have been negligent in the management of the electricity system during the times of emergency that resulted to unnecessary load shedding.
 - 1.2. You were grossly negligent in managing the build programme for Medupi that resulted in delays and cost overruns.
 - 1.3. You acted irregularly in administering and managing the coal purchase contracts to the detriment of Eskom
2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –
 - 2.1. seriousness of the allegations; and
 - 2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.
3. You are temporarily suspended until further notice

4. You are invited to make a representation to the Chairperson of the Board of Directors
5. The meeting will be held on 12 March 2015 at 09h45.
6. During the meeting you have the following rights-
 - 6.1. you are entitled to be present at the meeting;
 - 6.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
 - 6.3. you are entitled to have the facility of an interpreter if so required;
 - 6.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
 - 6.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
7. We envisage that our investigation should be completed within a period of four (4) weeks.

I, **Dan Marokane**, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE



Annexure LP2: PreSuspensionFD.docx

Tsholofelo Molefe
Finance Director

Date:
11 March 2015

Dear Ms Molefe,

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –
 - 1.1. You violated the tender process by being in contact with a bidder during an active tender process
 - 1.2. You acted negligently by procuring Finance for Eskom at inflated rates thereby adversely impacting Eskom
2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –
 - 2.1. seriousness of the allegations; and
 - 2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.
3. You are temporarily suspended until further notice
4. You are invited to make a representation to the Chairperson of the Board of Directors
5. The meeting will be held on 12 March 2015 at 10h30.
6. During the meeting you have the following rights-



- 6.1. you are entitled to be present at the meeting;
- 6.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
- 6.3. you are entitled to have the facility of an interpreter if so required;
- 6.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
- 6.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
7. We envisage that our investigation should be completed within a period of four (4) weeks.

I, **Tsholofelo Molefe**, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE





Matshela Koko
Group Executive (Technology and Commercial)

Date:
11 March 2015

Dear Matshela

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –

1.1. As the head of engineering, you caused the appointment of Alstom to execute the Control and Instrumentation contract for Medupi and Kusile projects when they were not technically qualified to do the job. This caused the delay on both the Medupi and Kusile projects

1.2. You were grossly negligent by failing to control the welding quality issues at Medupi power station. This resulted in a 3 year delay for the Medupi project and a significant increase in cost overrun.

2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –

2.1. seriousness of the allegations; and

2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.

3. You are temporarily suspended until further notice

4. You are invited to make a representation to the Chairperson of the Board of Directors

5. The meeting will be held on 12 March 2015 at 11h15.
6. During the meeting you have the following rights-
- 6.1. you are entitled to be present at the meeting;
 - 6.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
 - 6.3. you are entitled to have the facility of an interpreter if so required;
 - 6.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
 - 6.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
7. We envisage that our investigation should be completed within a period of four (4) weeks.

I, **Matshela Koko**, acknowledge receipt of this notice to attend a pre-suspension hearing.


SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE


[LP Page 6]



Tshediso Matona
Chief Executive Officer

Date:
11 March 2015

Dear Mr Matona,

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –

- 1.1. Failure to satisfactorily perform job requirements as set out in the job description or work plan which caused or resulted in a serious adverse impact on Eskom

2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –

- 2.1. seriousness of the allegations; and

- 2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.

3. You are temporarily suspended until further notice
4. You are invited to make a representation to the Chairperson of the Board of Directors
5. The meeting will be held on 12 March 2015 at 09h00.
6. During the meeting you have the following rights-
 - 6.1. you are entitled to be present at the meeting;

A handwritten signature in black ink, appearing to be 'W.P.'.

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- 6.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
- 6.3. you are entitled to have the facility of an interpreter if so required;
- 6.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
- 6.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
7. We envisage that our investigation should be completed within a period of four (4) weeks.

I, **Tshediso Matona**, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE



Annexure LP5: Chain-of-Custody documents



CONFIRMATION OF RECEIPT / CHAIN OF CUSTODY LOG

I, the undersigned (refer to "Received by" at initial handover), acknowledge that an affidavit was submitted and the identity document presented of the person who provided the Commission with information and/or evidence as stipulated below.

Organisation ESKOM Anonymous submission ☐

ID number of the person that completed the affidavit, if applicable ^7607310472084

Date of affidavit 22/02/2019 Confirm that affidavit is signed by above ☐
Unsigned or incomplete affidavits may be indicative of evidence and/or information that is compromised

ID of the person who handed over item(s), if different from above _____

Matter the evidence relates to, e.g. specific SOE(s), person(s), allegation(s) ESKOM

Source description Images previously conducted + computers @ Eskom

Context / purpose of evidence Imaging

History of the evidence, where it can be determined Previously imaged digital material

Supporting chain of custody information obtained from person who handed over item(s) _____

Attached. workload

Notes _____

Other individuals that are present, where applicable Precious Ramusi

I furthermore hereby acknowledge the receipt of the item(s) listed below. These item(s) were handed over to me by the undersigned (refer to "Released by" at initial handover).

Overview of information / evidence submitted – number of items:

After security considerations have been adhered to

Hard copy documents ☐ Audio recordings ☐ HDD ☒ CD/DVD ☐ USB / SD card ☐ Laptop ☐ Mobile ☐

Other (specify) _____

Copy of confirmation of receipt made available to the party that released the item(s) ☐

Signature of initial releaser confirming his/her understanding of the contents of the confirmation of receipt, confirming the handover and that the answers to the questions were written down in his/her presence and are true

(Signature)

Initial handover	Released by (Name): <u>NONKUMISO ZIKI</u>	Received by (Name): <u>TSEPENI MOLLEKO</u>
Date <u>22/02/2019</u>	Released by (Position & Company): <u>Chief Info. Officer (Actg)</u>	Received by (Position & Company): <u>Investigator</u>
Time <u>10:04</u>	Released by (Signature): <u>(Signature)</u>	Received by (Signature): <u>(Signature)</u>
	Released by (Contact number): <u>011-8005528 / 082 8993610</u>	Received by (Contact number): <u>060 745 9866</u>
All evidence transferred? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Place of receipt: <u>Eskom head office</u>	
If you selected "No" above, please list evidence numbers transferred	Additional Information: <u>more evidence to collect.</u>	




[SCC][JHB][19022019][TM003]

CONFIRMATION OF RECEIPT / CHAIN OF CUSTODY LOG

Documentary evidence

[illegible]

Tim N. Z. 



[SCC] [GHB] [21022019] [TMC14] + [TMC15]
+ [TMC16]

CONFIRMATION OF RECEIPT / CHAIN OF CUSTODY LOG

I, the undersigned (refer to "Received by" at initial handover), acknowledge that an affidavit was submitted and the identity document presented of the person who provided the Commission with information and/or evidence as stipulated below.

Anonymous submission ☐

ID number of the person that completed the affidavit, if applicable _____

Date of affidavit 26/02/2019

Confirm that affidavit is signed by above ☐

Unsigned or incomplete affidavits may be indicative of evidence and/or information that is compromised

ID of the person who handed over item(s), if different from above _____

Matter the evidence relates to, e.g. specific SOE(s), person(s), allegation(s) ESKOM

Source description ESKOM CUSTODIAN MAILBOXES ARCHIVES

Context / purpose of evidence INVESTIGATIONS

History of the evidence, where it can be determined PREVIOUSLY HANDED OVER TO HAWKS

Supporting chain of custody information obtained from person who handed over item(s) _____

Notes HOD OF EMAIL ARCHIVES PREVIOUSLY HANDED OVER TO HAWKS

Other individuals that are present, where applicable _____

I furthermore hereby acknowledge the receipt of the item(s) listed below. These item(s) were handed over to me by the undersigned (refer to "Released by" at initial handover).

Overview of information / evidence submitted – number of items:
After security considerations have been adhered to

Hard copy documents ☐ Audio recordings ☐ HDD ☒ CD/DVD ☐ USB / SD card ☐ Laptop ☐ Mobile ☐

Other (specify) _____

Copy of confirmation of receipt made available to the party that released the item(s) ☐

Signature of initial releaser confirming his/her understanding of the contents of the confirmation of receipt, confirming the handover and that the answers to the questions were written down in his/her presence and are true

Initial handover	Released by (Name): <u>Luchandran Govender</u>	Received by (Name): <u>TSEPO MOLEKO</u>
Date	Released by (Position & Company): <u>Senior Adviser</u>	Received by (Position & Company): <u>Investigator</u>
Time	Released by (signature): 	Received by (signature):
	Released by (contact number): <u>0837799153</u>	Received by (contact number): <u>060 745 9866</u>
All evidence transferred? Yes <input type="checkbox"/> No <input type="checkbox"/>	Place of receipt:	
If you selected "No" above, please list evidence numbers transferred	Additional information:	

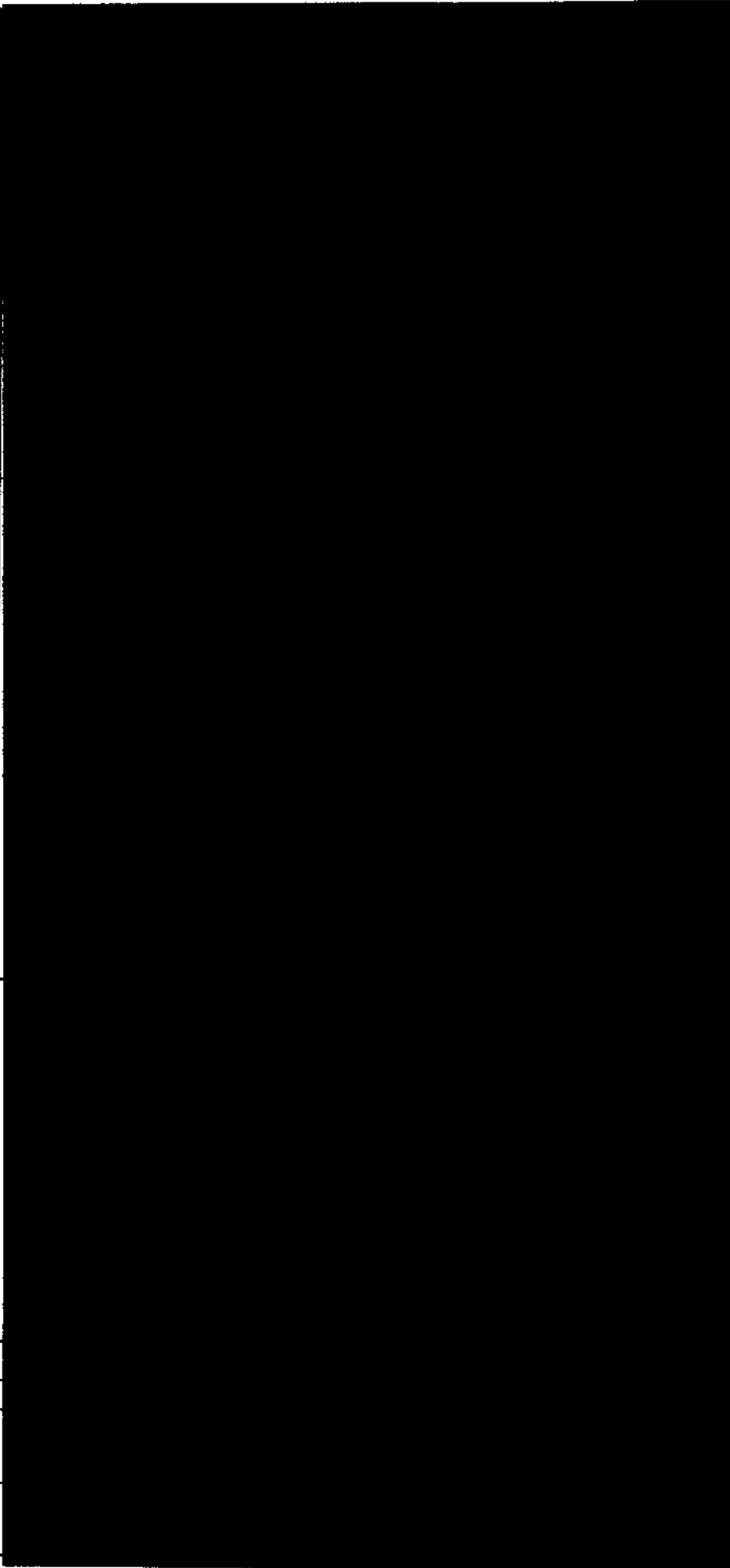



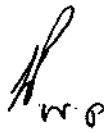
CONFIRMATION OF RECEIPT / CHAIN OF CUSTODY LOG



Documentary evidence

[illegible]

Annexure LP6: Evidence registers

#	DATE & TIME	EVIDENCE #	DESCRIPTION	PERSON SIGNING IN/OUT	WITNESS
					
51	08/01/22	ESKOM	[TMOU] - [TMOU 013] image	IN	



#	DATE & TIME	EVIDENCE #	DESCRIPTION	PERSON SIGNING IN/OUT	WITNESS
104	2/25/19	ESKOM MASTER TINNEY - TINGY	ESKOM MASTER WATERS	 IN	
					

BRUIZER EVIDENCE STORE REGISTER


W.P.

Annexure LP7: Document search results

Annexure	Source data	Email subject/ File name	File type	Email Send/ Receive Date/time	Last Modified Date/time	Original path	Notes
LP8	Matshela Koko and Suzanne Daniels	Sekhasimbe documents	Email	2015/02/25 18:02		SCCJHB21022019TM014\Matshela Koko Export_0013.pst\Top of Outlook data file/Root Items\Sekhasimbe documents	c4ed7ab7db2d7e181b8e8d4fd89898
LP9	Matshela Koko and Suzanne Daniels	20150225 invitation to Pre Suspension Meeting execution copy.docx	MS Word document - Attachment to Annexure LP8			SCCJHB21022019TM014\Matshela Koko Export_0013.pst\Top of Outlook data file/Root Items\Sekhasimbe documents	90a391fadc80f5db14d4f49dc8984
LP10	Matshela Koko and Suzanne Daniels	RE: Sekhasimbe documents	Email	2015/02/25 08:22		SCCJHB21022019TM014\Matshela Koko Export_0006.pst\Top of Outlook data file/Root Items/RE: Sekhasimbe documents	404b6433bc027904d1b1e0038774985
LP11	Matshela Koko and Suzanne Daniels	20150225 invitation to Pre Suspension Meeting execution copy.docx	MS Word document - Attachment to Exhibit LP10			SCCJHB21022019TM014\Matshela Koko Export_0006.pst\Top of Outlook data file/Root Items/RE: Sekhasimbe documents	1649e282756cd4ae087a8850c34f1c2c
LP12	Matshela Koko	20150225 invitation to Pre Suspension Meeting execution copy.docx	Loose MS Word document		2015-02-28 10:57:49 338 +0200	SCCJHB19022019TM008\2015 Backup\KokoMM\Desktop\Matshela stuff	c9a6f44947a3b159035e98a44c527d08
LP13	Matshela Koko	20150225 invitation to Pre Suspension Meeting execution copy.docx	Loose MS Word document		2015-03-10 15:14:14.000 +0200	SCCJHB19022019TM008\2015 Backup\KokoMM	2859251409763a742a1c80aa117b35a
LP14	Zethemba Khoza	PreSuspensionMK.docx	Loose MS Word document		2015-03-10 18:25:14.000 +0200	SCCJHB19022019TM008\2017 Backup\Khoza\Documents\Today	7037d60074c56a9947d9a9b9b73884
LP15	Zethemba Khoza	PreSuspensionDM.docx	Loose MS Word document		2015-03-10 18:39:46.000 +0200	SCCJHB19022019TM008\2017 Backup\Khoza\Documents\Today	986cad8109ad8d403481cd558ac209228
LP16	Zethemba Khoza	PreSuspensionTM.docx	Loose MS Word document		2015-03-10 18:48:16.000 +0200	SCCJHB19022019TM008\2017 Backup\Khoza\Documents\Today	9635ee5a80b313d4dd4a101e45a936
LP17	Zethemba Khoza	PreSuspensionFD.docx	Loose MS Word document		2015-03-10 18:54:00.000 +0200	SCCJHB19022019TM008\2017 Backup\Khoza\Documents\Today	bdb90e6096280c735d888e9b9d81f6d7
LP18	Zethemba Khoza	special.docx	Email	2015/03/14 15:18		SCCJHB21022019TM014\Zethemba Khoza Export_0002.pst\Top of Outlook data file/Root Items/special docs	11dbf346c7c401c6d6bcd8109ad8d403
LP19	Zethemba Khoza	PreSuspensionDM.docx	MS Word document - Attachment to Exhibit LP18			SCCJHB21022019TM014\Zethemba Khoza Export_0002.pst\Top of Outlook data file/Root Items/special docs/special docs	481cd558ac209228
LP20	Zethemba Khoza	PreSuspensionFD.docx	MS Word document - Attachment to Exhibit LP18			SCCJHB21022019TM014\Zethemba Khoza Export_0002.pst\Top of Outlook data file/Root Items/special docs/special docs	bdb90e6096280c735d888e9b9d81f6d7
LP21	Zethemba Khoza	PreSuspensionMK.docx	MS Word document - Attachment to Exhibit LP18			SCCJHB21022019TM014\Zethemba Khoza Export_0002.pst\Top of Outlook data file/Root Items/special docs/special docs	7037d60074c56a9947d9a9b9b73884
LP22	Zethemba Khoza	PreSuspensionTM.docx	MS Word document - Attachment to Exhibit LP18			SCCJHB21022019TM014\Zethemba Khoza Export_0002.pst\Top of Outlook data file/Root Items/special docs/special docs	9635ee5a80b313d4dd4a101e45a936

Annexure LP8

Outlook

From: Suzanne Daniels <DanielSM@eskom.co.za>
Sent: Wednesday, 25 February 2015 18:02
To: Matshela Koko
Subject: Sekhasimbe documents
Attachments: 20150223 Memorandum_execution copy.docx; 20150225 Invitation to Pre Suspension Meeting execution copy.docx

Importance: High
Sensitivity: Confidential

Regards
Suzanne

Annexure LP9



Malesele Sekhasimbe
General Manager Commodity Sourcing
Group Commercial
Eskom Holdings SOC Ltd

Date:
25 February 2015

Dear Malesele

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –

- 1.1. Contravention or failure to comply with Eskom's procedures, directives and applicable statutory requirements, more specifically, causing the Chairman, Eskom Holdings SOC Ltd to commit to payment which he was not authorised to do;
- 1.2. Disregarding or Wilfully failing to carry out a lawful order given to you by a person authorised to do so, more specifically, failing to ensure that the transaction
- 1.3. Being insubordinate and/or insolent by failing to follow a written instruction to execute on the above by causing to have issued written communication on behalf of Eskom which is inconsistent in material respects to the prescribed procedures.

2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –

- 2.1. seriousness of the allegations; and
- 2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.

Group Technology and Commercial
Megawatt Park Maxwell Drive Sunninghill Sandton
PO Box 1091 Johannesburg 2000 SA
Tel +27 11 800 4852 Fax +27 86 668 2072 www.eskom.co.za

Eskom Holdings SOC Ltd Reg No 2002/015527/30

A handwritten signature in black ink, appearing to be 'H.W.S.'.

3. You are invited to attend a meeting to discuss your possible suspension.
4. The meeting will be held on Monday 2 March 2015 at 11h00.
5. During the meeting you have the following rights-
 - 5.1. you are entitled to be present at the meeting;
 - 5.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
 - 5.3. you are entitled to have the facility of an interpreter if so required;
 - 5.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
 - 5.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
6. We envisage that our investigation should be completed within a period of four (4) weeks.

Matshela Koko, GROUP EXECUTIVE, TECHNOLOGY AND COMMERCIAL (Acting)

I, **Malesela Sekhasimbe**, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE



Annexure LP10

Outlook

From: Suzanne Daniels <DanielSM@eskom.co.za>
Sent: Thursday, 26 February 2015 08:22
To: Matshela Koko
Subject: RE: Sekhasimbe documents
Attachments: 20150225 Invitation to Pre Suspension Meeting execution copy.docx

Importance: High
Sensitivity: Confidential

Cleaned up copy.

Regards
Suzanne

From: Suzanne Daniels
Sent: Wednesday, February 25, 2015 6:02 PM
To: Matshela Koko
Subject: Sekhasimbe documents
Importance: High
Sensitivity: Confidential

Regards
Suzanne

Annexure LP11



Malesela Sekhasimbe
General Manager Commodity Sourcing
Group Commercial
Eskom Holdings SOC Ltd

Date:
26 February 2015

Dear Malesela

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –
 - 1.1. Contravention or failure to comply with Eskom's procedures, directives and applicable statutory requirements, more specifically, causing the Chairman, Eskom Holdings SOC Ltd, to commit to payment which he was not authorised to do;
 - 1.2. Disregarding or Wilfully failing to carry out a lawful order given to you by a person authorised to do so, more specifically, failing to ensure that the transaction is properly authorised in terms of the prescribed procedures;
 - 1.3. Being insubordinate and/or insolent by failing to follow a written instruction to execute on the above by causing to have issued written communication on behalf of Eskom which is inconsistent in material respects to the prescribed procedures.
2. The Company has not completed the investigation. The purpose of the investigation is to establish whether there are grounds for disciplinary action. Having regard to the –
 - 2.1. seriousness of the allegations; and
 - 2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.

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Eskom Holdings SOC Ltd Reg No 2002/015527/30

[LP Page 20]

3. You are invited to attend a meeting to discuss your possible suspension.
4. The meeting will be held on Monday 2 March 2015 at 11h00.
5. During the meeting you have the following rights-
 - 5.1. you are entitled to be present at the meeting;
 - 5.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
 - 5.3. you are entitled to have the facility of an interpreter if so required;
 - 5.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
 - 5.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
6. We envisage that our investigation should be completed within a period of four (4) weeks.

Matshela Koko
GROUP EXECUTIVE, TECHNOLOGY AND COMMERCIAL

I, **Malesela Sekhasimbe**, acknowledge receipt of this notice to attend a pre-suspension hearing.

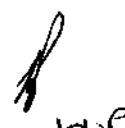
SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE



[LP Page 21]

Annexure LP12



Malesela Sekhasimbe
General Manager Commodity Sourcing
Group Commercial
Eskom Holdings SOC Ltd

Date:
26 February 2015

Dear Malesela

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –
 - 1.1. Contravention or failure to comply with Eskom's procedures, directives and applicable statutory requirements, more specifically, causing the Chairman of Eskom Holdings SOC Ltd, to commit Eskom Holdings SOC Ltd to a payment of ZAR 60 506 852 to Sumitomo Corporation(Japan) which he was not authorized to do;
 - 1.2. Disregarding or Wilfully failing to carry out a lawful order given to you by a person authorised to do so, more specifically, failing to ensure that the transaction is properly authorized in terms of the prescribed procedures;
 - 1.3. Being insubordinate and/or insolent by failing to follow a written instruction to execute on the above by causing to have issued written communication on behalf of Eskom which is inconsistent in material respects to the prescribed procedures.
2. The Company has not completed the investigation. The purpose of the investigation is to establish whether there are grounds for disciplinary action. Having regard to the –
 - 2.1. seriousness of the allegations; and
 - 2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

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Eskom Holdings SOC Ltd Reg No 2002/015527/30

A handwritten signature in black ink, appearing to be 'M. S.' or similar, with a flourish at the end.

the Company is of the view that you should be suspended without prejudice and on full pay pending the finalisation of the investigation.

3. You are invited to attend a meeting to discuss your possible suspension.
4. The meeting will be held on Monday 2 March 2015 at 11h00.
5. During the meeting you have the following rights-
 - 5.1. you are entitled to be present at the meeting;
 - 5.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
 - 5.3. you are entitled to have the facility of an interpreter if so required;
 - 5.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
 - 5.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
6. We envisage that our investigation should be completed within a period of four (4) weeks.

Matshela Koko
GROUP EXECUTIVE, TECHNOLOGY AND COMMERCIAL

I, **Malesela Sekhasimbe**, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE



Annexure LP13



Matshela Koko
Group Executive (Technology and Commercial)

Date:
11 March 2015

Dear Matshela

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –

1.1. As the head of engineering, you caused the appointment of Alstom to execute the Control and Instrumentation contract for Medupi and Kusile projects when they were not technically qualified to do the job. This caused the delay on both the Medupi and Kusile projects

1.2. You were gross negligent for failing to control the welding quality issues at Medupi power station. This resulted in a 3 years delay for Medupi project and a significant increase in cost overrun.

2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –

2.1. seriousness of the allegations; and

2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.

3. You are invited to attend a meeting to discuss your possible suspension.

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Eskom Holdings SOC Ltd Reg No 2002/015527/30

4. The meeting will be held on Monday 2 March 2015 at 11h00.
5. During the meeting you have the following rights-
 - 5.1. you are entitled to be present at the meeting;
 - 5.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
 - 5.3. you are entitled to have the facility of an interpreter if so required;
 - 5.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
 - 5.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
6. We envisage that our investigation should be completed within a period of four (4) weeks.

Matshela Koko, GROUP EXECUTIVE, TECHNOLOGY AND COMMERCIAL (Acting)

I, **Malesela Sekhasimbe**, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE


I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE



LP9 (page 1)



Malesela Sekhasimbe
General Manager Commodity Sourcing
Group Commercial
Eskom Holdings SOC Ltd

Date:
25 February 2015

Dear Malesela

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –

1.1. Contravention or failure to comply with Eskom's procedures, directives and applicable statutory requirements, more specifically, causing the Chairman, Eskom Holdings SOC Ltd to commit to payment which he was not authorised to do;

1.2. Disregarding or Wilfully failing to carry out a lawful order given to you by a person authorised to do so, more specifically, failing to ensure that the transaction


1.3. Being insubordinate and/or insolent by failing to follow a written instruction to execute on the above by causing to have issued written communication on behalf of Eskom which is inconsistent in material respects to the prescribed procedures.

2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –

2.1. seriousness of the allegations; and

2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;


the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.



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Eskom Holdings SOC Ltd Reg No 206201553706

LP13 (page 1)



Matshela Koko
Group Executive (Technology and Commercial)

Date:
11 March 2015

Dear Matshela

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –

1.1. As the head of engineering, you caused the appointment of Alstom to execute the Control and Instrumentation contract for Medupi and Kusile projects when they were not technically qualified to do the job. This caused the delay on both the Medupi and Kusile projects

1.2. You were gross negligent for failing to control the welding quality issues at Medupi power station. This resulted in a 3 years delay for Medupi project and a significant increase in cost overrun


2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –

2.1. seriousness of the allegations; and

2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.

3. You are invited to attend a meeting to discuss your possible suspension.



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Eskom Holdings SOC Ltd Reg No 206201552700

LP9 (page 2)

2

3 You are invited to attend a meeting to discuss your possible suspension.

4 The meeting will be held on Monday 2 March 2015 at 11h00

5 During the meeting you have the following rights-

5.1 you are entitled to be present at the meeting;

5.2 you are entitled to be represented at the meeting by a fellow employee or an employee representative;

5.3 you are entitled to have the facility of an interpreter if so required;

5.4 you are entitled to confer with your representative at reasonable times before, during and after the meeting;

5.5 you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.

6 We envisage that our investigation should be completed within a period of four (4) weeks.

Matshela Koko, GROUP EXECUTIVE, TECHNOLOGY AND COMMERCIAL (Acting)

i. Malesela Sekhasimbe, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE

LP13 (page 2)

2

4 The meeting will be held on Monday 2 March 2015 at 11h00

5 During the meeting you have the following rights-

5.1 you are entitled to be present at the meeting;

5.2 you are entitled to be represented at the meeting by a fellow employee or an employee representative;

5.3 you are entitled to have the facility of an interpreter if so required;

5.4 you are entitled to confer with your representative at reasonable times before, during and after the meeting;

5.5 you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.

6 We envisage that our investigation should be completed within a period of four (4) weeks.

Matshela Koko, GROUP EXECUTIVE, TECHNOLOGY AND COMMERCIAL (Acting)

i. Malesela Sekhasimbe, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE

Annexure LP15



Matshela Koko
Group Executive (Technology and Commercial)

Date:
11 March 2015

Dear Matshela

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –

1.1. As the head of engineering, you caused the appointment of Alstom to execute the Control and Instrumentation contract for Medupi and Kusile projects when they were not technically qualified to do the job. This caused the delay on both the Medupi and Kusile projects

1.2. You were grossly negligent by failing to control the welding quality issues at Medupi power station. This resulted in a 3 year delay for the Medupi project and a significant increase in cost overrun.

2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –

2.1. seriousness of the allegations; and

2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.

3. You are temporarily suspended until further notice

4. You are invited to make a representation to the Chairperson of the Board of Directors

2

5. The meeting will be held on 12 March 2015 at 11h15.
6. During the meeting you have the following rights-
 - 6.1. you are entitled to be present at the meeting;
 - 6.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
 - 6.3. you are entitled to have the facility of an interpreter if so required;
 - 6.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
 - 6.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
7. We envisage that our investigation should be completed within a period of four (4) weeks.

I, **Matshela Koko**, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE



Annexure LP16



Dan Marokane
Group Executive (Group Capital)

Date:
11 March 2015

Dear Mr Marokane,

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –

1.1. As the Chairman of the Emergency Committee you have been negligent in the management of the electricity system during the times of emergency that resulted to unnecessary load shedding.

1.2. You were grossly negligent in managing the build programme for Medupi that resulted in delays and cost overruns.

1.3. You acted irregularly in administering and managing the coal purchase contracts to the detriment of Eskom

2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –

2.1. seriousness of the allegations; and

2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.

3. You are temporarily suspended until further notice

4. You are invited to make a representation to the Chairperson of the Board of Directors
5. The meeting will be held on 12 March 2015 at 09h45.
6. During the meeting you have the following rights-
 - 6.1. you are entitled to be present at the meeting;
 - 6.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
 - 6.3. you are entitled to have the facility of an interpreter if so required;
 - 6.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
 - 6.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
7. We envisage that our investigation should be completed within a period of four (4) weeks.

I, **Dan Marokane**, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE



Annexure LP17



Tshediso Matona
Chief Executive Officer

Date:
11 March 2015

Dear Mr Matona,

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –

1.1. Failure to satisfactorily perform job requirements as set out in the job description or work plan which caused or resulted in a serious adverse impact on Eskom

2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –

2.1. seriousness of the allegations; and

2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;

the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.

3. You are temporarily suspended until further notice

4. You are invited to make a representation to the Chairperson of the Board of Directors

5. The meeting will be held on 12 March 2015 at 09h00.

6. During the meeting you have the following rights-

6.1. you are entitled to be present at the meeting;

2

6.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;

6.3. you are entitled to have the facility of an interpreter if so required;

6.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;

6.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.

7. We envisage that our investigation should be completed within a period of four (4) weeks.

I, **Tshediso Matona**, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE



Annexure LP18



Tsholofelo Molefe
Finance Director

Date:
11 March 2015

Dear Ms Molefe,

INVITATION TO A PRE-SUSPENSION MEETING

1. The Company is presently conducting an investigation into allegations of misconduct allegedly committed by you. The allegations of misconduct which will be investigated relate to, amongst others, the following –
 - 1.1. You violated the tender process by being in contact with a bidder during an active tender process
 - 1.2. You acted negligently by procuring Finance for Eskom at inflated rates thereby adversely impacting Eskom
2. The Company has not completed the investigations. The purpose of the investigations is to establish whether there are grounds for disciplinary action. Having regard to the –
 - 2.1. seriousness of the allegations; and
 - 2.2. the possibility that your presence may jeopardise the investigation into the alleged misconduct;the Company is of the view that you should be suspended on full pay pending the finalisation of the investigation.
3. You are temporarily suspended until further notice
4. You are invited to make a representation to the Chairperson of the Board of Directors
5. The meeting will be held on 12 March 2015 at 10h30.
6. During the meeting you have the following rights-

2

- 6.1. you are entitled to be present at the meeting;
 - 6.2. you are entitled to be represented at the meeting by a fellow employee or an employee representative;
 - 6.3. you are entitled to have the facility of an interpreter if so required;
 - 6.4. you are entitled to confer with your representative at reasonable times before, during and after the meeting;
 - 6.5. you are entitled personally, or through your representative, to question us as to the reasons why we believe that you should be suspended.
7. We envisage that our investigation should be completed within a period of four (4) weeks.

I, **Tsholofelo Molefe**, acknowledge receipt of this notice to attend a pre-suspension hearing.

SIGNATURE OF EMPLOYEE

DATE

I hereby certify that the above rights have been read and explained to the employee.

SIGNATURE OF PERSON SERVING NOTICE

DATE


wp.

Annexure LP19

From: [Elsie Pule](#)
To: [Zethembe Khoza](#)
Subject: as discussed
Date: Wednesday, 11 March 2015 14:29:39
Attachments: [Copy of F Band List assests Jan 2015.xls](#)
[Disciplinary Process.xlsx](#)

A handwritten signature in black ink, appearing to be 'WP'.

Project Plan- Disciplinary Action (Sai Laher)

Activity	Responsible Person	Date
Institute an investigation - Appointment Internal Forensic Department	Line Manager	17-Dec-14
Conclusion of the investigation	Forensic Investigator	09-Jan-15
Appointment of case presenter - Attorney	Line Manager/ Legal Dept	13-Jan-15
Appointment of chairperson - Advocate - (Note 2)	Line Manager/ Legal Dept	13-Jan-15
Drafting of charges	IR/Legal Office/Attorney	15-Jan-15
Serving the charges (minimum 5 working days notice before the hearing)	Line Manager	16-Jan-15
Preparation of witnesses	Attorney	20-Jan-15
Exchange of bundles of documents	Attorney	21-Jan-15
Disciplinary hearing (Schedule 4 days 27-30 January 2015)	Chairperson/All parties	27-Jan-15
Closing Arguments	Attorney/Employee	03-Feb-15
Verdict/Finding (Within working 5 days from date of submissions)	Chairperson	10-Feb-15
Mitigating/Aggravating factors (Only if found guilty)	Attorney/Employee	13-Feb-15
Sanction	Chairperson	20-Feb-15
Employee served with sanction	Line Manager	20-Feb-15
Appeal (Employee to lodge appeal within 5 working days) ** (Note 2)	Employee	27-Feb-15
ESKOM responds appeal (Within 5 working days)	Attorney	06-Mar-15
All relevant documents to be submitted to the appeal chairperson (Next level of management - CE) *** (Note 3)	Office of the CE	09-Mar-15
Consider the appeal and make a determination (Within 5 working days)	Office of the CE	16-Mar-15
Employee given the outcome	Office of the CE	16-Mar-15
Dispute with CCMA **** (Note 4)	Employee	16-Apr-15
Future dates will be determined by CCMA ***** (Note 5)	CCMA	May-15
Notes 1 My Initial recommendations were that we appoint an advocate through a briefing attorney. In further discussion with our legal department. We have agreed to appoint the advocate through TOKISO to avoid appointing via the same attorney who might be presenting the case. It does not necessary differ from my initial recommendation, we will have an option of selecting the most experienced advocate on the TOKISO panel.		
Note 2 This will apply only if the employee is not satisfied with the outcome. Further, he may decided to refer the dispute direct to CCMA without lodging an appeal. Irrespective of the process he follows, the sanction will be implemented accordingly until a contrary decision is taken either at the appeal or dispute level.		
Note 3 The Chief Executive has an option to delegate the appeal to a senior person.		
Note 4 In the event the employee gets dismissed, he has 30 calendar days to refer an Unfair Dismissal Dispute to CCMA. In case of any sanction short of dismissal, he has 90 calendar days to refer an Unfair Labour Practice dispute to CCMA.		
Note 5 CCMA will take charge of the process and set down all the dates. Both Eskom and the employee/applicant will be given an opportunity to consider settling the matter before it is arbitrated. The same attorney used at the hearing should continue with the dispute resolution process so that there is continuity.		

Msangita Norman Rikhotso
Manager: Industrial Relations (Services Function)

Date

WP

UNIQUE NUMBER	TITLE	INITIALS	SURNAME	NICKNAME	DESIGNATION	OFFICE TELEPHONE NUMBER	FACSIMILE NUMBER	CELL NUMBER	HOME NUMBER	E-MAIL GROUPWISE	COST CENTRE	ADDRESS	HOME EQUIPMENT
1027206	Mr	Z A	Tsoisi	Zola	CHAIRMAN	800-650/6809	011 800 5903	063 654 2768		zola.tsoisi@eskom.co.za	210007	D3 EXECUTIVE	
4589314	Mr	T J	Maltona	Tshediso	CHIEF EXECUTIVE	800-4585	011 800 5903	063 376 0448		Tshediso.Maltona@eskom.co.za	210007	D3 EXECUTIVE	
GROUP EXECUTIVES													
0748787	Mr	T	Govender	Thava	GROUP EXECUTIVE (TRANSMISSION & GROUP CUSTOMER SERVICES)	800 206/15661	800 3801	062 456 0470	011 803-2225	Thava.Govender@eskom.co.za	210007	D3 EXECUTIVE	Desktop & Lod Screen
0676209	Mr	M	Koko	Matshela	GROUP EXECUTIVE (TECHNOLOGY AND COMMERCIAL)	800-4552/6467	066 668 2072	062 859 9334	013) 662-4732	Matshela.Koko@eskom.co.za	210007	D3 EXECUTIVE	
0492159	Dr	S J	Lennon	Steve	GROUP EXECUTIVE (SUSTAINABILITY)	800-4404/4655	800-4069	063 601 2082	011) 702-1638	Steve.Lennon@eskom.co.za	210007	D3 EXECUTIVE	Monitor, Desktop
42383+43 N	Mr	D L	Marokane	Dan	GROUP EXECUTIVE (GROUP CAPITAL)	800-6524/2336	800 6709	062 401 0226		MarokanD@eskom.co.za	210007	D3 EXECUTIVE	
3846535	Ms	T	Molefe	Tsholelelo	FINANCE DIRECTOR	800-3740/4847	011 800 4769	062 869 4531	011 467 4516	Tsholelelo.Molefe@eskom.co.za	210007	D3 EXECUTIVE	Screen
3844254	Ms	A	Noah	Ayanda	GROUP EXECUTIVE (DISTRIBUTION)	800-2094/6173	800-3597	063 270 2665	011) 807-2686	Ayanda.Noah@eskom.co.za	210007	D3 EXECUTIVE	None
7841035	Mr	M M	Ntsikobo	Mongezi	GROUP EXECUTIVE (GENERATION)	800-2054/5977	800 3639	062 651 3666	011) 463-8225	Mongezi.Ntsikobo@eskom.co.za	210007	D3 EXECUTIVE	Desktop & Lod Screen
1028667	Ms	E M	Pule	Elsie	ACTING GROUP EXECUTIVE (HUMAN RESOURCES)	011 516 7017/800 8382		063 481 7654	012 861 7026	Elsie.Pule@eskom.co.za	210007	C3 U39	None
SENIOR GENERAL MANAGERS													
4232145	Mr	C A K	Choeu	Chose	DIVISIONAL EXECUTIVE (CORPORATE AFFAIRS)	800 3652/4122	066 219 3668	062 783 7302	011) 495-3106	Choeu.Chose@eskom.co.za	210007	D3 EXECUTIVE	Screen
7848463	Mr	J A	Dladla	Johnny	CHIEF EXECUTIVE (ESKOM ENTERPRISES)	800-5843/5804	066 665 2369	062 729 7545	-	Johnny.Dladla@eskom.co.za	210007	D3 EXECUTIVE	None
4407849	Mr	S H	Lathe	Sal	CHIEF INFORMATION OFFICER	800-5067/2596		062 451 3156	011) 783 4207	Sal.Lathe@eskom.co.za	210007	D3 EXECUTIVE	Monitor, Desktop, Printer
1057849	Ms	K	Maharaj	Kren	DIVISIONAL EXECUTIVE (PRIMARY ENERGY)	800 6988 / 3765	066 663 9855	062 338 0673	011) 315-3291	Kren.Maharaj@eskom.co.za	210007	D3 EXECUTIVE	IPAD
3837089	Mr	M F	Indou	Freddy	ACTING DIVISIONAL EXECUTIVE OFFICE OF THE CHIEF EXECUTIVE	011 800 3072	066 667 5681	062 894 1852	-	Freddy.Indou@eskom.co.za		CG Future Centre	
SENIOR GENERAL MANAGERS													
1032925	Mr	L B	Dlamini	Leo	SENIOR GENERAL MANAGER (OFFICE OF THE CHAIRMAN)	800 4766/5396	066 665 2010	063 280 3029	-	DlaminiLB@eskom.co.za	210007	LG Future Centre	
0606460	Mr	A	Etzinger	Andrew	SENIOR GENERAL MANAGER (INTEGRATED DEMAND MANAGEMENT)	800 5316/4196	011 800 4190	062 655 3463	011) 791-7779	Andrew.Etzinger@eskom.co.za	210007	D3 EXECUTIVE	
0632534	Ms	C M	Henry	Caroline	SENIOR GENERAL MANAGER (TREASURY)	800-2801/3225	800-2308	062 863 4964	011) 918-5293	Caroline.Henry@eskom.co.za	210007	CG Treasury	
0011772	Mr	C R	le Roux	Clive	SENIOR GENERAL MANAGER (KOEBERG)	800-3253/6503	800-3001	062 652 7585	011) 486-2190	LeRouxCR@eskom.co.za	210007	D3 Y46	
0969090	Mr	E T	Mabelane	Edwin	SENIOR GENERAL MANAGER (CUTAGE MANAGEMENT)	800-8697/7672/7655/6697	066 668 4483	062 652 2691	013) 244-1215	Edwin.Mabelane@eskom.co.za	210007	elo Simba & Louiskop Road, Sunninghill	
0611826	Mr	WJ	Majola	Willy	SENIOR GENERAL MANAGER (ENGINEERING)	011 800 2763/6673	011 805 4529	063 633 1600		Willy.Majola@eskom.co.za	210007	Enterprise Park, Zimba Road, Sunninghill	
858063	Mr	L	Maleka	Louis	SENIOR GENERAL MANAGER (DISTRIBUTION)	012 421 6629	012 421 3084	063 258 6781		Louis.Maleka@eskom.co.za	210007	Merlyn	
1059065	Mr	V	Mboweni	Vusi	SENIOR GENERAL MANAGER (COAL 1)	011 800 3036/5610	066 667 5421	064 580 6996	011) 913 1915	Vusi.Mboweni@eskom.co.za	210007	Club Area next to Gym	
0612028	Ms	B A	Nakedi	Ayanda	SENIOR GENERAL MANAGER (RENEWABLES)	012 484 5200/012 421 6680	012 484 5202	062 829 7768	-	Ayanda.Nakedi@eskom.co.za	210007	C2 U35	
4480644	Mr	M D	Nkhulu	Molefi	SENIOR GENERAL MANAGER (INTERNAL AUDIT)	011 800 2966/5300		062 789 7990	012 681 6655	Molefi.Nkhulu@eskom.co.za	210007	C3 U32	
0627716	Mr	S M	Schepers	Segomoo	SENIOR GENERAL MANAGER (SOUTHERN AFRICAN ENERGY)	011 800 2287/2174	011 800 2715	062 806 3081	011 807 2310	Segomoo.Schepers@eskom.co.za	210007	D3 EXECUTIVE	
0410705	Mr	H J	Steyn	Kobus	SENIOR GENERAL MANAGER (ESKOM CONSTRUCTION MANAGEMENT)	800 6266/2667	066 662 8126	062 041 3988		Kobus.Steyn@eskom.co.za	210007	D3 Y46	
0480934	Mr	F C	Van Niekirk	Christo	SENIOR GENERAL MANAGER (COAL 2)	012 484 5173/600 7252	066 539 0747	062 902 3648	-	VNiekirkFC@eskom.co.za	210007	D2 Y39	
1232183	Ms	N S	Velei	Nonkululeko	SENIOR GENERAL MANAGER (SHARED SERVICES)	011 800 4718/2634	066 665 5527	063 742 6342	-	Nonkululeko.Velei@eskom.co.za	210007	Llido House, Sunninghill	

[Handwritten signature]

Annexure LP20

From: [Elsie Pule](#)
To: [Zethembe Khoza](#)
Subject: SUSPENSION PROCESS
Date: Wednesday, 11 March 2015 16:06:22
Attachments: [SUSPENSION PROCESS 240811 \(3\) covering Safety rules violations.doc](#)
[Confirmation suspension.docx](#)
[Draft Letter of suspension.doc](#)

Mr Khoza
Additional information.


w.p

SUSPENSION PROCESS

In line with the principle of natural justice, the "*Audi Alteram Partem*" rule and the doctrine of case law, the doctrine of "*Stare Decisis*" the Suspension Process pending an investigation and/or disciplinary hearing is reviewed.

A suspension of an employee pending an investigation and/or a disciplinary hearing in terms of clause 3.4. of the Eskom Disciplinary Procedure will not be effected unless the following process has been followed:

Suspension Process

Stage 1: Grounds for suspension

Any person who wishes to impose suspension on an employee pending an investigation and/or a disciplinary hearing must determine whether any of the following grounds exist or there is a possibility that any of these grounds can materialize:

- Element of dishonesty in the alleged misconduct
- Possibility of tempering with evidence
- Possibility of interfering with investigation
- Possibility of intimidating witness
- The impact on industrial peace
- The image of the organisation.
- Alleged violation of a safety rule including cardinal rule

N.B A suspension includes a "leave of absence". The above is not intended to be an exhaustive list but merely a guideline.

Stage 2: Representation

Once a person is reasonably satisfied that the above grounds exist or there is a possibility that they will materialize, an employee must be advised and be given an opportunity to make representation as to why a suspension should not be imposed.

The employee must be written a letter detailing the intention of imposing a suspension. The letter must call upon the employee to make written representations prior to a decision being made.

In the event where there are **extreme exceptional circumstances** that warrant an immediate suspension, the above process may be dispensed with. Consequently an employee may be temporary suspended with immediate effect however, immediately after the employee is suspended, the employee must within the same day of suspension be given a letter calling the employee to make representations within two days as to why the suspension should not be made final. The letter must also detail the reasons for dispensing with the normal process.



NB: Extreme exceptional circumstances must be objectively assessed and only accepted if there are no other mitigating and alternative options.

Stage 3: Decision

Once the representations have been received, they must be considered. The representations must be weighed against the interest of the organisation.

A decision must be communicated to the employee in writing.



Dear Employee

INTENTION TO EFFECT A SUSPENSION PENDING INVESTIGATION (DISCIPLINARY HEARING)

As you are aware, we have launched an investigation/intend to launch an investigation on the alleged misconduct/s levelled against you or we are to proceed with a disciplinary hearing against you.

We have reasons to believe that your presents at work will have a negative effect on the continuous investigation process/disciplinary hearing. We believe that:



We are of the view that you should be suspended from work pending the outcome of the investigation/disciplinary hearing. Prior to final decision being regarding your suspension from work, you are hereby called upon to make written representation as to why a suspension should not be effected. Kindly submit your representation within two working days of receipt of this letter.

Your representations will be considered and a final decision be made as to whether a suspension is effected or not. Kindly note that failure to make the representation, will leave us with no alternative but to take a unilateral decision.

Yours faithfully

A handwritten signature in black ink, appearing to be 'W.P.' or similar, located at the bottom right of the page.



Date:

Enquiries:
Tel: +2711

Dear

NOTICE OF SUSPENSION WITH PAY PENDING AN INVESTIGATION INTO ALLEGED MISCONDUCTS AND/OR DISCIPLINARY ACTION

I refer to your written representations dated

I have carefully perused and considered your representations.

Having considered your representations, I have decided to confirm your suspension with pay pending the finalization of an investigation into the allegations of misconduct against you. My decision is based on the following:

1.
2.
3.

If you still have not done so, please return to Eskom all Eskom property within your possession and control, including but not limited to your access card, lap top computer and any Eskom documentation.

During the period of your suspension you are required to observe the following:

1. You shall not contact any employee, supplier or customer of Eskom; in the any Eskom customer, supplier or employee contacts you, you are required to inform them to contact ---. No further information should be shared with them that may prejudice Eskom or affect the integrity of the organisation.
2. You are to co-operate with the investigation process and will ensure that you make yourself available upon request.
3. You shall not perform any work at any Eskom work site and/or enter any Eskom premises without an express permission from my office;

Your access to Eskom's information technology systems will be suspended.

Group Technology & Commercial
Office of the Group Executive
Eskom Megawatt Park Maxwell Drive Sunninghill
P O BOX 1090 JHB 2000 SA
Tel +27 11 800 4262 Fax +2786 537 8448

Eskom Holdings SOC Limited Reg No 2002/015527/30

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A contravention of any of these suspension conditions will lead to disciplinary action being instituted against you.

Should you require contacting Eskom during your suspension period, please do so through my office at telephone number

Yours sincerely

.....
.....)

Received:

Signature

Date





Date:

Enquiries:

Tel:

Dear

INTENTION TO SUSPEND PENDING AN INVESTIGATION INTO ALLEGATIONS OF MISCONDUCT

Eskom has received information in terms of which it is alleged that you committed various acts of misconduct. The allegations relate to the following:

.....

In light of the serious nature of the allegations of misconduct against you, I believe that your presence in the workplace will have a negative impact on the organisation and on your contractual duties. I have therefore taken a preliminary decision to suspend you from work, with full pay, pending the outcome of the disciplinary hearing. My preliminary decision to suspend you is informed by the following:

- ❖
- ❖

Whilst preliminarily suspended, you are hereby called upon to make written representations to me as to why the preliminary decision to suspend you should not be made final. Kindly submit your representation within two (2) working days of receipt of this letter to me.

I will on receipt of your representations consider them and in turn make a decision as to whether the preliminary suspension should be made final or should be uplifted. Please note that should you fail to respond as required, a decision will be taken without consideration of any submissions by you.

Please note that the following conditions will apply during your preliminary suspension:

1. You are required to immediately submit all Eskom property within your possession and control, including but not limited to your access card, lap top computer and any Eskom documentation;
2. You may not contact any employee, supplier and/or customer of Eskom;
3. You may not enter any Eskom premises, utilise and/or remove any property, equipment and documentation from Eskom;

Human Resources Division
Megawatt Park Maxwell Drive Sunninghill Sandton
P O Box 1091 Johannesburg 2000 SA
Tel +27 11 800 47180 Fax +27 11 800 3045 www.eskom.co.za

Eskom Holdings SOC Limited Reg No 2002/015527/06

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4. You shall make yourself immediately available to Eskom upon request.

Any contravention of any of the above conditions may lead to disciplinary action being instituted against you.

Should you need to communicate with Eskom during your period of suspension, please contact on the number listed above.

Yours sincerely

A handwritten signature in black ink, appearing to be 'W. R.', located at the bottom right of the page.