



EXHIBIT T 23

**DESMOND
NAIR**



**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**

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

TO : MR DESMOND NAIR

**ADDRESS : SECOND FLOOR
PARKHURST SQUARE
38 4TH AVENUE
PARKHURST
2193**

TEL : 0833837427

EMAIL : dnair@justice.gov.za

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 Desmond Nair**, to:

*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."

1.1 deliver on or before **26 August 2019** to the Secretary or Acting Secretary of the Commission at the address given above an affidavit or affirmed declaration in which:

(a) you state whether you admit or deny the allegations made about, or, against, you in the affidavit or statement or affirmed declaration of **Mr Le Roux** dated **28 January 2019** attached hereto which was submitted to the Commission for the purpose of its investigations.

(b) you state, if you deny or dispute any allegation or statement made about, or, against, you in the said affidavit or statement or affirmed declaration, the grounds on which you base your denial and give your full version in regard to the allegation(s) or statement(s) or issue(s) or matters or incidents covered in that statement or affidavit which refer, or, relate, to you.

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 or Acting 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. Should you have difficulty in reaching the Secretary or Acting Secretary or should the Secretary or Acting Secretary not return your call or respond to your letter or emails, you may contact Ms Lerato Chesi-Buthelezi at 060 773 9825 or at leratob@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 without such assistance and have it delivered to the Secretary or Acting 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)(b) and (c) of the Regulations of the Commission. 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) ...

- (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)(b) and (c) reads:

“12 (1) . . .

(2) Any person who

- (a) . . .
- (b) wilfully hinders, resists or obstructs the Chairperson or any officer in the exercise of any power contemplated in regulation 10; or
- (c) 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) to a fine, or to imprisonment for a period not exceeding six months; and
 - (ii) in the case of an offence referred to in paragraph (b) or (c), to a fine, or to imprisonment for a period not exceeding 12 months.”

SIGNED IN _____ ON THIS _____ DAY OF _____ 2019.

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**

**RESPONSE TO REGULATION 10(6) DIRECTIVE BY THE HONOURABLE
CHAIRPERSON OF THE JUDICIAL COMMISSION OF INQUIRY INTO
ALLEGATIONS OF STATE CAPTURE**

AFFIDAVIT

I, the undersigned,

DESMOND NAIR

do hereby state under oath:

1. I am an adult male, currently employed as the Chief Magistrate of Tshwane.
2. I have been directed by the Chairperson of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector Including Organs of State (herein after referred to as "the Commission"), to deliver an affidavit or an affirmed declaration in response to "the allegations made about, or, against" me in an "affidavit", dated 28 January 2019 and deposed to by a certain Mr Richard le Roux (hereinafter referred to as "Le Roux"), attached to the Honourable Chairperson's directive dated 4 August 2019 and marked "A". I note that the said directive also has attached and marked "B", an extract of the typed record of a portion (selection) of the viva voce evidence of the said Le Roux. I have not been specifically directed to

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deal with the latter evidence of Le Roux. I have assumed that the failure to invite me to respond to the viva voce evidence of Le Roux was an oversight and will therefore also deal with this evidence infra.

3. I believe it is prudent to invite attention to certain earlier communications between my legal representatives and representatives of the Commission, which record my position with regard to the nature of and the evidential weight that I believe should be afforded to the evidence of Le Roux.

4. I allude to the correspondence addressed to the Secretary of the Commission on 1 February 2019 (See attached marked "DN1") and place the following on record:

4.1 The Secretary of the Commission was requested to provide me with all evidential material placed before the Commission that may potentially implicate me in improper conduct. My attorneys only received a transcript of the evidence of Le Roux, which evidence was given before the Commission on 31 January 2019, as well as a copy of the affidavit purportedly deposed to by the said Le Roux on 28 January 2019.

4.2 No corroborating documentary evidence and/or any other viva

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voce evidence of any other witnesses corroborating the evidence of Le Roux (to the extent that it involved me), was supplied.

4.3 Le Roux was recalled and gave further evidence before the Commission on the 2nd of April 2019. During his latter testimony he inter alia revisited the topic of “special projects” to which he alluded in his evidence on 31 January 2019. From the information available to me, it appears that Le Roux did not give any evidence involving me in “special projects” on the latter occasion.

4.4 From my understanding of the evidence of Le Roux (and only if Le Roux is to be believed – which is disputed), there would be corroboration for the allegations made by Le Roux, involving me, at the following levels:

4.4.1 Documentary proof of the execution of a “special project” involving me, which documentary proof should be in the possession of Mr Aggrizzi and/or other persons.

4.4.2 The witnesses Mathenjwa, Watson, Aggrizzi and

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Beju, amongst others, would all be able to corroborate the evidence of Le Roux.

- 4.5 In a letter from my attorneys dated 4 April 2019 (see attached and marked "DN2"), addressed to the Commission, the Secretary of the Commission was again requested to provide me with any corroboration/support/confirmation of the evidence of Le Roux, received by the Commission. To date there has been no response from the Commission to this request. I can only assume that the Commission is not in possession of such evidence.
- 4.6 I have taken note of the fact that Mr Agrizzi was also recalled, to give further evidence before the Commission. Mr Agrizzi inter alia also revisited some of his earlier evidence and more particularly dealt with the topic of "special projects". To the best of my knowledge, Mr Agrizzi, however, did not confirm Le Roux's evidence on special projects insofar as it relates to me.
- 4.7 From the foregoing it becomes clear that Le Roux's evidence remains untested and uncorroborated insofar as it relates to

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me.

5. There are also some vital and critical features in the evidence of Le Roux, which portions of evidence have not been attached to the directive of the Honourable Chairperson, that differentiates my position from that of beneficiaries of the alleged "special projects". I mention but a few of the salient features in the evidence of Le Roux that protests against a possible finding that I was a beneficiary of Bosasa "special projects":

- 5.1 As head of special projects, Le Roux was in charge of these projects and he personally assigned a specific project name to each of these projects. On Le Roux's own evidence, no project name was assigned to any security installation at my residential premises.

- 5.2 The security installations were effected at the premises of high-profile associates of Gavin Watson, an executive within Bosasa. The evidence of Le Roux does not link me to Mr Watson at all. In fact Le Roux, in his evidence, fails to establish any direct link between Bosasa and I. Le Roux specifically mentions that the special projects were for

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ministers and high ranking ANC officials. I do not fall into this category and Le Roux does not explain why.

- 5.3 Special project installations would be done using unbranded and unmarked vehicles belonging to Bosasa and/or Sondolo, a subsidiary of Bosasa and by individuals who did not wear Sondolo uniforms but were attired in civilian clothing. Le Roux, however, testified that Sondolo branded vehicles were used and technicians used Sondolo clothing during at least one of the visits to my residential premises.
- 5.4 Mr le Roux wanted the Commission to believe that Mr Aggrizzi was very angry with the fact that Sondolo branded vehicles were used for the installation at my premises. His evidence on this score was vague and was never corroborated by Mr Agrizzi.
- 5.5 Mr le Roux had a very clear knowledge of the prominence and stature of the VIP persons in respect of whom these special projects were carried out. He, however, did not even know who I was.
- 5.6 Unlike the other special project installations, Le Roux never

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had personal contact with me as a special project VIP "client" of Bosasa. Le Roux specifically mentions that he would be present at every site, finish the project and hand over the project. Le Roux, on his own version, never met me and does not know who I am and he responded to a question on this score by saying that he has no clue who I am. This despite his response to the Chairperson earlier that he eventually got to know who the owners were. This begs the question who did he hand over to or in consultation with whom did he do the site visit, if he was to be believed.

- 5.7 There is not even a suggestion of my having given or having been expected/anticipated to give any benefit to Sondolo and/or Bosasa in return for the supposed benefit received (security equipment). In any event I do not serve on any tender board or committee in my capacity as Chief Magistrate and I have no authority in this regard.
6. In light of the foregoing highly unsatisfactory aspects in the evidence of Le Roux, the lack of corroboration and the absence of any evidence implicating me in any form of capture, I was advised to address the letter dated 4 April 2019 to the Secretary of the

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Commission which records my position and approach.

7. The unsatisfactory aspects of Le Roux's evidence appear from the discussion of same hereinabove. It lacks veracity and corroboration, which corroboration should be readily available if it exists.
8. The factual matrix which should be present according to Le Roux in respect of "special projects" is also missing insofar as it is suggested that I was a "special project" beneficiary. In fact, the position in so far as I am concerned shows clear distinctive features.
9. I was not a party to any attempt at state capture. I further deny having had any knowledge of any attempt by Bosasa/Sondolo IT to cause me to become captured.
10. As Chief Magistrate of the Pretoria Magistrates' Court, I came to know a certain Mr Deuts Bejoo. Bejoo was employed by a company known to me only as Sondolo which company had assigned to him (Bejoo), as one of his nodes of responsibility, the Pretoria Magistrates' Court.
11. I was acutely aware of the security related risks to my family and I arising out of my responsibilities as a presiding officer and more particularly as an Acting Judge in high profile criminal matters. This

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especially because I was acting on circuit in the Polokwane High Court at Sekhukune for the greater part of 2016. I would stay in Burgersfort and travel home on weekends.

12. These matters frequently related to violent crimes, deserving life imprisonment sentences which I often and regularly imposed. The foregoing led to me taking a conscious decision to step up security measures for the protection of my family and I.
13. I had an existing electric fence, security beams and alarm system. A basic camera system was lacking. To improve the security at my residence, I took formal measures as arranged through the intervention of the Department of Justice, e.g. escort services and personal guarding services and also informal private arrangements, e.g. joining a neighbourhood watch and engaging Mr Deuts Bejoo to assist me, in a private capacity, to improve the security installation at my residence.
14. The engagement of Mr Bejoo happened on a contractual basis. I entered into an oral agreement with Mr Bejoo for the installation of a basic camera system and for the repair of (where and if necessary) the existing electric fence and the existing alarm and beams (provided

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the costs remained within the agreed budget) at my residence, at an agreed maximum contract price of R50 000,00.

15. The contractor, Mr Bejoo, never complied with his contractual obligations. In fact, the security installation was not done as per the agreed terms and included the installation of equipment that was faulty and/or non-functional and/or was installed at positions within the residence that was in direct conflict with the agreed contractual terms.
16. At no stage was I made aware of or did I request Mr Bejoo to install equipment to a value in excess of R50 000,00. I was not provided with an invoice and at no stage informed that the budget would be exceeded. In any event, in the absence of proof regarding the cost of the equipment, the total amount mentioned by Mr Le Roux is disputed. Mr Bejoo was called upon to remedy the position. This, however, never happened. I eventually resiled from the agreement and subsequently caused the contractual deficiencies in the installation to be remedied by a third-party contractor.
17. Although I cannot speak on behalf of Messrs Bejoo or Le Roux, or Bosasa for that matter, I vehemently deny my suggested and/or

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Document1/JH

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Bosasa for that matter, I vehemently deny my suggested and/or implied involvement at any level of state capture and/or corruption and/or dishonesty and/or improper conduct. I was always alert to the potential risks and pitfalls in the situation and throughout steered clear of any action that may subsequently be perceived to be improper.



DEPONENT

THUS SIGNED AND SWORN TO before me at Pretoria on this the 26th day of August 2019 by the deponent who acknowledges that the deponent knows and understands the contents of this affidavit; that it is the truth to the best of the deponent's knowledge and belief and that the deponent has no objection to taking the prescribed oath and regards the same as binding on the deponent's conscience and the administration of the oath complied with the Regulations contained in Government Gazette No. R1258 of 21 July 1972, as amended.




COMMISSIONER OF OATHS

EX OFFICIO: ADMINISTRATIVE OFFICER

FULL NAMES: MATHABATHA DAPHNE MACHETE

PHYSICAL ADDRESS: NO. 61 ST. SEBASTIAN, 160 RIVERA STREET, DOORNPOORT, PRETORIA

DESIGNATION: Mrs
MD Machete, Magistrate
Court Pretoria

<p>1. Ek verklaar dat voordat ek die voorgeskryfde eed afleë, ek die inhoud van die eed verstaan en begryp het. Ek verklaar ook dat ek die eed afleë en swaar sonder enige twyfel of twyfel.</p> <p>(1) Is u vertroud met die inhoud van die voorgeskryfde eed en begryp u dit?</p> <p>Antwoord: <u>Yes</u></p> <p>(2) Het u enige beswaar teen die afleë van die voorgeskryfde eed?</p> <p>Antwoord: <u>No</u></p> <p>(3) Beskou u die voorgeskryfde eed as bindend vir u gewetens?</p> <p>Antwoord: <u>Yes</u></p> <p>2. Ek verklaar dat die verklaarde persoon wat my by die afleë van die eed teenwoordig was, my in kennis gestel het dat die verklaarde persoon die eed afleë en swaar sonder enige twyfel of twyfel.</p> <p>(1) Do you know and understand the contents of the prescribed oath?</p> <p>Answer: <u>Yes</u></p> <p>(2) Do you have any objection to taking the prescribed oath?</p> <p>Answer: <u>No</u></p> <p>(3) Do you regard the prescribed oath as binding on your conscience?</p> <p>Answer: <u>Yes</u></p> <p>3. I certify that the deponent has declared that he/she knows and understands the contents of the prescribed oath and that the deponent has no objection to taking the prescribed oath and that the deponent regards the same as binding on his/her conscience.</p>	<p></p> <p>ADMINISTRATIVE OFFICER</p> <p>Full name (druk/afskryf): <u>Mathabatha Daphne Machete</u></p> <p>Designation (afskryf): <u>Administrative Officer</u></p>
--	---

DN1

URA
ULRICH ROUX
AND ASSOCIATES

Our reference: UR/cb/NAIR

Your reference:

1 February 2019

Commission of Enquiry into State Capture
The Secretary of the Commission

FOR THE ATTENTION OF : **MS OUMA THAGANE**

PER EMAIL : inquiries@sastatecapture.org.za
oumat@commissionssc.org.za
peterP@commissionsc.org.za
mbuyiselos@commissionsc.org.za

Dear Madam

RE: OUR CLIENT - MAGISTRATE DESMOND NAIR //
JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF
STATE CAPTURE

1. We refer to the above and confirm that we act on behalf of Chief Magistrate Desmond Nair ("our client").
2. On 31 January 2019, whilst testifying before the above commission, Mr Richard Le Roux ("Le Roux") referred to certain security-related work allegedly performed at the residence of our client. We understand Le Roux to have deposed to an affidavit confirming same.

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Registration Number 2018/054794/21
Directors Ulrich Andre Roux B.Com Law, LLB | Keren West Smith LLB
Senior Associates Vanessa Da Silva Faria LLB (Cum Laude) | Casper HJ Badenhorst LLB LLM

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3. We refer to the provision of Rule 3 of the Rules governing proceedings of the Judicial Commission of Inquiry into allegations of state capture, corruption and fraud in the public sector including organs of state ("the rules"), specifically Rule 3.3, which states the following:

"3.3. If the Commission's Legal Team intends to present to the Commission a witness, whose evidence implicates or may implicate another person, it must, through the Secretary of the Commission, notify that person ("implicated person") in writing within a reasonable time before the witness gives evidence:

3.3.1. that he or she is, or may be, implicated by the witness's evidence;

3.3.2. in what way he or she is, or may be, implicated and furnish him or her with the witness's statement or relevant portions of the statement"

4. We place on record that the said rule affords our client the opportunity to receive formal prior notification that he will be implicated in the evidence of a witness of the commission. Despite these provisions, our client was not given formal notification in accordance with Rule 3.3.
5. Our client has taken note of the evidence of Le Roux and has instructed us to obtain a transcript of the record of Le Roux's evidence in front of the commission as well as the affidavit deposed to by Le Roux, together with all supporting documentation, including but not limited to, electronic communications and invoices referred to in Le Roux's testimony. The aforesaid information is required in order to allow us to consider the information and to advise our client appropriately.

URA
ULRICH ROUX
AND ASSOCIATES

6. We are instructed to request the commission to make the said information available to us on or before close of business on Tuesday, 5 February 2019 and hereby tender all associated costs pertaining to same.
7. We await your urgent feedback. Please do not hesitate to contact writer hereof should there be any uncertainty pertaining to the content of this letter.

Yours faithfully



ULRICH ROUX | DIRECTOR
ULRICH ROUX & ASSOCIATES

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DU2.

URA
ULRICH ROUX
AND ASSOCIATES

Our reference: UR/cb/NAIR

Your reference:

4 April 2019

COMMISSION OF ENQUIRY INTO STATE CAPTURE
The Secretary of the Commission

FOR THE ATTENTION OF : **MS A GRIFFITHS**
MR P PEDLAR
PER EMAIL : AntoinetteG@commissionsc.org.za

Dear Madam

**RE: OUR CLIENT MAGISTRATE DESMOND NAIR // JUDICIAL COMMISSION
OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION
AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE //**
RICHARD LE ROUX

1. We refer to the above and again confirm that we act on behalf of Magistrate Desmond Nair ("our client"). We further refer to our correspondence dated 11 February 2019 and your response of 13 February 2019.
2. In our correspondence dated 11 February 2019, we confirmed that our office received the transcript of the record of Mr Richard Le Roux's ("Le Roux") evidence in front of the commission as well as the affidavit deposed to by Le Roux. We further requested that our offices be supplied with all supporting documentation, including but not limited to, electronic communications and invoices referred to in Le Roux's testimony.

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Registration Number 2018/054794/21
Directors Ulrich Andre Roux B.Com Law, LLB | Keren West Smith LLB
Senior Associates Vanessa Da Silva Faria LLB (Cum Laude) | Casper HJ Badenhorst LLB LLM

AN MD



3. We confirm that no further documentation has been received by our offices to date and we therefore accept that no such documentation exists. We have tried, as best we can and with reference to media reporting and other sources, to ascertain whether Le Roux's evidence in front of the Commission (pertaining to our client) has been corroborated/supported/confirmed in any way. We could not identify any such evidence or information. You are requested to kindly inform us if any such evidence/information has become available to the Commission and to make same available to us, to enable us to properly advise our client on the appropriate cause of action.
4. We have drawn our client's attention to rules 3.9 and 3.10, governing the proceedings of the commission, which state as follows:
- 3.9. An implicated person may apply to the Commission for leave to make written and/or oral submissions on the findings or conclusions that the Chairperson should make on the evidence placed before the Commission that relates to him or her.*
- 3.10. The Chairperson may, at any time, direct any person against whom allegations are made in a witness's statement or evidence to respond in writing to the allegations relating to him or her in that statement or evidence and/or to answer in writing specific questions put to him or her by the Chairperson arising from the witness's statement.*
5. In order to enable our client to properly exercise the rights afforded to him in terms of the aforesaid rules, you are kindly requested to afford our client the opportunity provided for in the said rules, prior to any possible findings or conclusions being made by the Honourable Chairperson in respect of our client.
6. We trust you find the above in order and await your response.

Yours faithfully


ULRICH ROUX | DIRECTOR
ULRICH ROUX & ASSOCIATES

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

In the application of:

DESMOND NAIR

Applicant

APPLICATION IN TERMS OF RULE 11.3

Be pleased to take notice that application will be made on behalf of the abovementioned Applicant, on a date to be determined by the Honourable Chairperson of the Commission, for the following relief:

1. Granting the legal representative of the Applicant leave to cross-examine and to test the credibility of the witness Richard le Roux in respect of his allegations implicating the Applicant in unlawful, illegal and/or improper conduct pertaining to the alleged installation of security equipment, by Bosasa, at the residence of the Applicant; and
2. Further and/or alternative relief.

Be pleased to take notice further that the affidavit of **DESMOND NAIR**, with Annexures attached thereto, will be used in support of this application.

Kindly cause the matter to be placed before the Honourable Chairperson on an agreed date.

TAKE NOTICE FURTHER that the applicant has appointed **ULRICH ROUX AND ASSOCIATES** Attorneys for the Applicant 2nd Floor Parkhurst Square 38 on 4th Avenue Parkhurst Johannesburg emails: ulrich@rouxlegal.com & casper@rouxlegal.com at which he will accept notice and service of all process in these proceedings.

DATED AND SIGNED AT JOHANNESBURG ON THIS THE 14 DAY OF JULY 2020.



ULRICH ROUX AND ASSOCIATES
Attorneys for the Applicant
2nd Floor Parkhurst Square
38 on 4th Avenue
Parkhurst
Johannesburg
Email: ulrich@rouxlegal.com
casper@rouxlegal.com
Tel: 011 455 4640
REF: UR/CB/MU1449

TO: **THE SECRETARY OF THE COMMISSION**
secretary@commissionsc.org.za

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

In the application of:

DESMOND NAIR

Applicant

FOUNDING AFFIDAVIT

I the undersigned,

DESMOND NAIR

do hereby make oath and say:

1. I am an adult male, currently employed by the Department of Justice and Constitutional Development and holding the rank of Chief Magistrate, stationed at the Magistrates Court Pretoria.
2. I have previously deposed to an affidavit in response to the evidence of Mr Le Roux given at the Zondo Commission of Enquiry into State Capture and same is attached hereto marked Annexure A.
3. I have been served with a Rule 3.3 Notice inviting me to apply to cross examine Mr Le Roux in respect of a further affidavit dated 30 June 2021. I now believe it necessary to cross examine and test the veracity of Mr Le Roux's evidence and hereby apply to do so. In support of my application I refer to my affidavit

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marked Annexure A and a further supplementary affidavit marked Annexure B in response to the new version by Mr Le Roux.

4. I pray the contents of both Annexure A and B are incorporated herein and read as part of this affidavit for the purpose of this application to cross examine Mr Le Roux.
5. I have highlighted numerous discrepancies in Mr Le Roux's affidavits and initially held the view that the contradictions and points advanced in Annexure A would be adequate for the Honourable Chairperson to accept that I was not part of State Capture or Corruption. Mr Le Roux persists with misleading and contradictory statements which I believe need to be tested.
6. It is however my humble request that a careful conspectus of his two statements together with three further affidavits deposited to the South African Police will lead to a determination that the installation at my residence cannot be categorised with the so called "SPECIAL PROJECT" that Mr Le Roux will have the Commission believe and accept.
7. I repeat that the installation followed a private contractual agreement with one Mr D Bejoo who was employed as a supervisor for Sondolo at the Court. I was totally unaware of the existence of a so-called SPECIAL PROJECT operation and by his own version Mr Le Roux concedes that Mr Bejoo was not part of the SPECIAL PROJECT unit. Mr Le Roux, however repeatedly places Mr Bejoo in the forefront of the installation. It is clear that Mr Le Roux needs to do so to "explain" Mr Bejoo's involvement in the installation, in circumstances where Mr Bejoo would not be involved in the normal course, as he had no involvement in Special Projects.
8. In light of the foregoing I humbly pray for the Honourable Chairperson of the Commission to grant leave for my legal representative to cross-examine Mr Le Roux on the aspects of dispute raised in this affidavit and in the affidavits marked Annexures A and B attached hereto.


DW

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THIS DONE AT Pretoria AND SIGNED ON THIS 14th DAY OF JULY 2020


DEPONENT

I HEREBY CERTIFY that the Deponent has acknowledged that he knows and understands the contents of this affidavit which was signed and sworn on before me at Johannesburg on the 14th day of July 2020, the regulations contained in Government Gazette No. R 1258 of 21 July 1972, as amended pertaining to the administering of an oath having been observed.


COMMISSIONER OF OATHS

MARC CURLEWIS
COMMISSIONER OF OATHS Ex Officio
PRACTISING ATTORNEY
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MJC

Annexure A

RESPONSE TO REGULATION 10(6) DIRECTIVE BY THE HONOURABLE
CHAIRPERSON OF THE JUDICIAL COMMISSION OF INQUIRY INTO
ALLEGATIONS OF STATE CAPTURE

AFFIDAVIT

I, the undersigned,

DESMOND NAIR

do hereby state under oath:

1. I am an adult male, currently employed as the Chief Magistrate of Tshwane.
2. I have been directed by the Chairperson of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector Including Organs of State (herein after referred to as "the Commission"), to deliver an affidavit or an affirmed declaration in response to "the allegations made about, or, against" me in an "affidavit", dated 28 January 2019 and deposed to by a certain Mr Richard le Roux (hereinafter referred to as "Le Roux"), attached to the Honourable Chairperson's directive dated 4 August 2019 and marked "A". I note that the said directive also has attached and marked "B", an extract of the typed record of a portion (selection) of the viva voce evidence of the said Le Roux. I have not been specifically directed to

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deal with the latter evidence of Le Roux. I have assumed that the failure to invite me to respond to the viva voce evidence of Le Roux was an oversight and will therefore also deal with this evidence infra.

3. I believe it is prudent to invite attention to certain earlier communications between my legal representatives and representatives of the Commission, which record my position with regard to the nature of and the evidential weight that I believe should be afforded to the evidence of Le Roux.

4. I allude to the correspondence addressed to the Secretary of the Commission on 1 February 2019 (See attached marked "DN1") and place the following on record:

4.1 The Secretary of the Commission was requested to provide me with all evidential material placed before the Commission that may potentially implicate me in improper conduct. My attorneys only received a transcript of the evidence of Le Roux, which evidence was given before the Commission on 31 January 2019, as well as a copy of the affidavit purportedly deposed to by the said Le Roux on 28 January 2019.

4.2 No corroborating documentary evidence and/or any other viva

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- 3 -

voce evidence of any other witnesses corroborating the evidence of Le Roux (to the extent that it involved me), was supplied.

4.3 Le Roux was recalled and gave further evidence before the Commission on the 2nd of April 2019. During his latter testimony he inter alia revisited the topic of "special projects" to which he alluded in his evidence on 31 January 2019. From the information available to me, it appears that Le Roux did not give any evidence involving me in "special projects" on the latter occasion.

4.4 From my understanding of the evidence of Le Roux (and only if Le Roux is to be believed – which is disputed), there would be corroboration for the allegations made by Le Roux, involving me, at the following levels:

4.4.1 Documentary proof of the execution of a "special project" involving me, which documentary proof should be in the possession of Mr Aggrizzi and/or other persons.

4.4.2 The witnesses Mathenjwa, Watson, Aggrizzi and

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- 4 -

Beju, amongst others, would all be able to corroborate the evidence of Le Roux.

- 4.5 In a letter from my attorneys dated 4 April 2019 (see attached and marked "DN2"), addressed to the Commission, the Secretary of the Commission was again requested to provide me with any corroboration/support/confirmation of the evidence of Le Roux, received by the Commission. To date there has been no response from the Commission to this request. I can only assume that the Commission is not in possession of such evidence.
- 4.6 I have taken note of the fact that Mr Agrizzi was also recalled, to give further evidence before the Commission. Mr Agrizzi inter alia also revisited some of his earlier evidence and more particularly dealt with the topic of "special projects". To the best of my knowledge, Mr Agrizzi, however, did not confirm Le Roux's evidence on special projects insofar as it relates to me.
- 4.7 From the foregoing it becomes clear that Le Roux's evidence remains untested and uncorroborated insofar as it relates to

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- 5 -

me.

5. There are also some vital and critical features in the evidence of Le Roux, which portions of evidence have not been attached to the directive of the Honourable Chairperson, that differentiates my position from that of beneficiaries of the alleged "special projects". I mention but a few of the salient features in the evidence of Le Roux that protests against a possible finding that I was a beneficiary of Bosasa "special projects":

- 5.1 As head of special projects, Le Roux was in charge of these projects and he personally assigned a specific project name to each of these projects. On Le Roux's own evidence, no project name was assigned to any security installation at my residential premises.

- 5.2 The security installations were effected at the premises of high-profile associates of Gavin Watson, an executive within Bosasa. The evidence of Le Roux does not link me to Mr Watson at all. In fact Le Roux, in his evidence, fails to establish any direct link between Bosasa and I. Le Roux specifically mentions that the special projects were for

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- 6 -

ministers and high ranking ANC officials. I do not fall into this category and Le Roux does not explain why.

- 5.3 Special project installations would be done using unbranded and unmarked vehicles belonging to Bosasa and/or Sondolo, a subsidiary of Bosasa and by individuals who did not wear Sondolo uniforms but were attired in civilian clothing. Le Roux, however, testified that Sondolo branded vehicles were used and technicians used Sondolo clothing during at least one of the visits to my residential premises.
- 5.4 Mr le Roux wanted the Commission to believe that Mr Aggrizzi was very angry with the fact that Sondolo branded vehicles were used for the installation at my premises. His evidence on this score was vague and was never corroborated by Mr Agrizzi.
- 5.5 Mr le Roux had a very clear knowledge of the prominence and stature of the VIP persons in respect of whom these special projects were carried out. He, however, did not even know who I was.
- 5.6 Unlike the other special project installations. Le Roux never

DN MD

- 7 -

had personal contact with me as a special project VIP "client" of Bosasa. Le Roux specifically mentions that he would be present at every site, finish the project and hand over the project. Le Roux, on his own version, never met me and does not know who I am and he responded to a question on this score by saying that he has no clue who I am. This despite his response to the Chairperson earlier that he eventually got to know who the owners were. This begs the question who did he hand over to or in consultation with whom did he do the site visit, if he was to be believed.

5.7 There is not even a suggestion of my having given or having been expected/anticipated to give any benefit to Sondolo and/or Bosasa in return for the supposed benefit received (security equipment). In any event I do not serve on any tender board or committee in my capacity as Chief Magistrate and I have no authority in this regard.

6. In light of the foregoing highly unsatisfactory aspects in the evidence of Le Roux, the lack of corroboration and the absence of any evidence implicating me in any form of capture, I was advised to address the letter dated 4 April 2019 to the Secretary of the

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- 8 -

Commission which records my position and approach.

7. The unsatisfactory aspects of Le Roux's evidence appear from the discussion of same hereinabove. It lacks veracity and corroboration, which corroboration should be readily available if it exists.
8. The factual matrix which should be present according to Le Roux in respect of "special projects" is also missing insofar as it is suggested that I was a "special project" beneficiary. In fact, the position in so far as I am concerned shows clear distinctive features.
9. I was not a party to any attempt at state capture. I further deny having had any knowledge of any attempt by Bosasa/Sondolo IT to cause me to become captured.
10. As Chief Magistrate of the Pretoria Magistrates' Court, I came to know a certain Mr Deuts Bejoo. Bejoo was employed by a company known to me only as Sondolo which company had assigned to him (Bejoo), as one of his nodes of responsibility, the Pretoria Magistrates' Court.
11. I was acutely aware of the security related risks to my family and I arising out of my responsibilities as a presiding officer and more particularly as an Acting Judge in high profile criminal matters. This

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especially because I was acting on circuit in the Polokwane High Court at Sekhukune for the greater part of 2016. I would stay in Burgersfort and travel home on weekends.

12. These matters frequently related to violent crimes, deserving life imprisonment sentences which I often and regularly imposed. The foregoing led to me taking a conscious decision to step up security measures for the protection of my family and I.
13. I had an existing electric fence, security beams and alarm system. A basic camera system was lacking. To improve the security at my residence, I took formal measures as arranged through the intervention of the Department of Justice, e.g. escort services and personal guarding services and also informal private arrangements, e.g. joining a neighbourhood watch and engaging Mr Deuts Bejoo to assist me, in a private capacity, to improve the security installation at my residence.
14. The engagement of Mr Bejoo happened on a contractual basis. I entered into an oral agreement with Mr Bejoo for the installation of a basic camera system and for the repair of (where and if necessary) the existing electric fence and the existing alarm and beams (provided

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- 10 -

the costs remained within the agreed budget) at my residence, at an agreed maximum contract price of R50 000,00.

15. The contractor, Mr Bejoo, never complied with his contractual obligations. In fact, the security installation was not done as per the agreed terms and included the installation of equipment that was faulty and/or non-functional and/or was installed at positions within the residence that was in direct conflict with the agreed contractual terms.
16. At no stage was I made aware of or did I request Mr Bejoo to install equipment to a value in excess of R50 000,00. I was not provided with an invoice and at no stage informed that the budget would be exceeded. In any event, in the absence of proof regarding the cost of the equipment, the total amount mentioned by Mr Le Roux is disputed. Mr Bejoo was called upon to remedy the position. This, however, never happened. I eventually resiled from the agreement and subsequently caused the contractual deficiencies in the installation to be remedied by a third-party contractor.
17. Although I cannot speak on behalf of Messrs Bejoo or Le Roux, or Bosasa for that matter, I vehemently deny my suggested and/or

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Bosasa for that matter, I vehemently deny my suggested and/or implied involvement at any level of state capture and/or corruption and/or dishonesty and/or improper conduct. I was always alert to the potential risks and pitfalls in the situation and throughout steered clear of any action that may subsequently be perceived to be improper.

DEPONENT 

THUS SIGNED AND SWORN TO before me at Pretoria on this the 26th day of August 2019 by the deponent who acknowledges that the deponent knows and understands the contents of this affidavit; that it is the truth to the best of the deponent's knowledge and belief and that the deponent has no objection to taking the prescribed oath and regards the same as binding on the deponent's conscience and the administration of the oath complied with the Regulations contained in Government Gazette No. R1258 of 21 July 1972, as amended.



COMMISSIONER OF OATHS

EX OFFICIO: ADMINISTRATIVE OFFICER
FULL NAMES: MATHABATHA DAPHNE MACHETE
PHYSICAL ADDRESS: NO. 61 ST. SEBASTIAN, 160 RIVER STREET, DOORNSPOORT, PRETORIA
DESIGNATION: Mrs
MD Machete, Magistrate
Court Pretoria

1. Ek sertifiseer dat voordat ek die voorgeskrywe eed/verklaring afgeleem het, ek die voorgeskrywe vrae aan die verklaarder gestel en sy haar antwoorde in sy/haar teenwoordigheid neerskryf het.

2. Ek sertifiseer dat die verklaarder bewus is dat hy/haar verbaad is om die inhoud van die verklaring en/of die inhoud van die oaths te versprei. Hierdie verklaring is beskikbaar vir die gebruik van die hantsekeringsgereguleerder om te bevestig dat die verklaarder die oaths toegestaan het.

3. Ek sertifiseer dat die verklaarder bewus is dat hy/haar verbaad is om die inhoud van die verklaring en/of die inhoud van die oaths te versprei. Hierdie verklaring is beskikbaar vir die gebruik van die hantsekeringsgereguleerder om te bevestig dat die verklaarder die oaths toegestaan het.

(1) Is u vertroud met die inhoud van die voorgeskrywe eed/verklaring en begrip u dit?

Antwoord: Yes

(2) Het u eed/verklaring aan die afgeleem van die voorgeskrywe eed/verklaring?

Antwoord: Yes

(3) Bejig u die voorgeskrywe oaths te neem?

Antwoord: Yes

(4) Do you know and understand the contents of the prescribed oath/declaration?

Answer: Yes

(5) Do you have any objection to taking the prescribed oath/declaration?


Answer: No

(6) Do you intend to take the prescribed oath/declaration?

Answer: Yes

7. I certify that before administering the oath/declaration I asked the deponent the following questions and wrote down his/her answers in my presence.

8. I certify that the deponent has been advised that he/she is prohibited from disclosing the contents of the declaration and the oath/declaration to any person other than the deponent.



Full name (druk/typ): Mathabatha Daphne Machete

Rank (rang): Administrative Officer

DN1

URA
ULRICH ROUX
AND ASSOCIATES

Our reference: UR/cb/NAIR

Your reference:

1 February 2019

Commission of Enquiry into State Capture
The Secretary of the Commission

FOR THE ATTENTION OF : MS OUMA THAGANE

**PER EMAIL : inquiries@sastatecapture.org.za
oumat@commissionssc.org.za
peterP@commissionssc.org.za
mbuyiselos@commissionssc.org.za**

Dear Madam

RE: OUR CLIENT - MAGISTRATE DESMOND NAIR //
JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF
STATE CAPTURE

1. We refer to the above and confirm that we act on behalf of Chief Magistrate Desmond Nair ("our client").
2. On 31 January 2019, whilst testifying before the above commission, Mr Richard Le Roux ("Le Roux") referred to certain security-related work allegedly performed at the residence of our client. We understand Le Roux to have deposed to an affidavit confirming same.

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Registration Number 2018/054794/21
Directors Ulrich Andre Roux B.Com Law, LLB | Keren West Smith LLB
Senior Associates Vanessa Da Silva Faria LLB (Cum Laude) | Casper HJ Badenhorst LLB LLM

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3. We refer to the provision of Rule 3 of the Rules governing proceedings of the Judicial Commission of Inquiry into allegations of state capture, corruption and fraud in the public sector including organs of state ("the rules"), specifically Rule 3.3, which states the following:

"3.3. If the Commission's Legal Team intends to present to the Commission a witness, whose evidence implicates or may implicate another person, it must, through the Secretary of the Commission, notify that person ("implicated person") in writing within a reasonable time before the witness gives evidence:

3.3.1. that he or she is, or may be, implicated by the witness's evidence;

3.3.2. in what way he or she is, or may be, implicated and furnish him or her with the witness's statement or relevant portions of the statement"

4. We place on record that the said rule affords our client the opportunity to receive formal prior notification that he will be implicated in the evidence of a witness of the commission. Despite these provisions, our client was not given formal notification in accordance with Rule 3.3.
5. Our client has taken note of the evidence of Le Roux and has instructed us to obtain a transcript of the record of Le Roux's evidence in front of the commission as well as the affidavit deposed to by Le Roux, together with all supporting documentation, including but not limited to, electronic communications and invoices referred to in Le Roux's testimony. The aforesaid information is required in order to allow us to consider the information and to advise our client appropriately.

URA
ULRICH ROUX
AND ASSOCIATES

6. We are instructed to request the commission to make the said information available to us on or before close of business on Tuesday, 5 February 2019 and hereby tender all associated costs pertaining to same.
7. We await your urgent feedback. Please do not hesitate to contact writer hereof should there be any uncertainty pertaining to the content of this letter.

Yours faithfully,



ULRICH ROUX | DIRECTOR
ULRICH ROUX & ASSOCIATES

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URA
ULRICH ROUX
AND ASSOCIATES

Our reference: UR/cb/NAIR

Your reference:

4 April 2019

COMMISSION OF ENQUIRY INTO STATE CAPTURE
The Secretary of the Commission

FOR THE ATTENTION OF : **MS A GRIFFITHS**
MR P PEDLAR
PER EMAIL : **AntoinetteG@commissionsc.org.za**

Dear Madam

**RE: OUR CLIENT MAGISTRATE DESMOND NAIR // JUDICIAL COMMISSION
OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION
AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE //
RICHARD LE ROUX**

1. We refer to the above and again confirm that we act on behalf of Magistrate Desmond Nair ("our client"). We further refer to our correspondence dated 11 February 2019 and your response of 13 February 2019.
2. In our correspondence dated 11 February 2019, we confirmed that our office received the transcript of the record of Mr Richard Le Roux's ("Le Roux") evidence in front of the commission as well as the affidavit deposed to by Le Roux. We further requested that our offices be supplied with all supporting documentation, including but not limited to, electronic communications and invoices referred to in Le Roux's testimony.

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Registration Number 2018/054794/21
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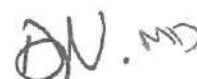
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3. We confirm that no further documentation has been received by our offices to date and we therefore accept that no such documentation exists. We have tried, as best we can and with reference to media reporting and other sources, to ascertain whether Le Roux's evidence in front of the Commission (pertaining to our client) has been corroborated/supported/confirmed in any way. We could not identify any such evidence or information. You are requested to kindly inform us if any such evidence/information has become available to the Commission and to make same available to us, to enable us to properly advise our client on the appropriate cause of action.
4. We have drawn our client's attention to rules 3.9 and 3.10, governing the proceedings of the commission, which state as follows:
- 3.9. *An implicated person may apply to the Commission for leave to make written and/or oral submissions on the findings or conclusions that the Chairperson should make on the evidence placed before the Commission that relates to him or her.*
- 3.10. *The Chairperson may, at any time, direct any person against whom allegations are made in a witness's statement or evidence to respond in writing to the allegations relating to him or her in that statement or evidence and/or to answer in writing specific questions put to him or her by the Chairperson arising from the witness's statement.*
5. In order to enable our client to properly exercise the rights afforded to him in terms of the aforesaid rules, you are kindly requested to afford our client the opportunity provided for in the said rules, prior to any possible findings or conclusions being made by the Honourable Chairperson in respect of our client.
6. We trust you find the above in order and await your response.

Yours faithfully


ULRICH ROUX | DIRECTOR
ULRICH ROUX & ASSOCIATES



Annexure B

I, the undersigned,

DESMOND NAIR

do hereby make oath and state:

1. I have read the affidavit by Mr Le Roux dated 30 June 2020, together with Annexures.
2. There is reference to Annexures RLR 15 and RLR 16 which annexures are not attached to his affidavit and I am therefore unable to verify the accuracy thereof nor reply thereto.
3. I have previously deposed to an affidavit dated August 2019 and have submitted same to the Honourable Commission. The affidavit is annexed hereto marked Annexure A.
4. As mentioned in the attached affidavit, the engagement of Mr Bejoo happened on a contractual basis. I entered into an oral agreement with Mr Bejoo for the installation of a basic camera system and to repair the existing fence and existing alarm and beams (provided the cost remained within the agreed budget) at my residence at an agreed maximum contract price of R50 000,00.
5. Mr Bejoo did not comply with his contractual obligations. The security installation was not done as per the agreed terms and included the installation of equipment that was faulty and/or non-functional and/or installed at positions within the residence that was in direct conflict with the agreed contractual terms.
6. At no stage was I made aware or requested equipment more than R50 000,00. Mr Bejoo was called upon to remedy the defect and he failed to do so. I eventually resiled from the agreement.

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7. I have never met Mr Le Roux and did not see him at any stage at my residence when the technicians were at my home. Mr Bejoo visited my residence on two occasions prior to the installation and was accompanied by an unknown white male on the last occasion.
8. The work done at my home commenced in my absence during the first week of October 2016. I had attended a funeral on the 4th and 5th October, and it was on these days that Mr Bejoo had advised that he would be busy with the installation.
9. Upon my return I found the installation contrary to my instructions and non-functional in the residence. The technicians returned later that week for a few hours and on one day the following week. I deny that they were at my residence for 14 days and further deny that there were 7 technicians at my home. I also dispute that this installation took place in September 2016.
10. I repeat that this transaction occurred solely between Mr Bejoo and me. I have never spoken to or know Messrs Watson, Aggrizzi or any of the other Sandolo directors. I will not dispute that Mr Mathenjwa may have attended meetings at my Office after the Court burnt in 2010.
11. I purchased this property in June 2016, and it had already had an installed electric fence, alarm and beams. See Annexed proof of registration and email by the previous owner regarding the electric fence and alarm.
12. I wish to point out certain contradictions that are evinced by Mr Le Roux's affidavit as compared to the previous testimony before the Honourable Commission.
13. Mr Le Roux now adds that it was Mr Riaan Van Der Merwe who had attended my residence on the 27th August 2016 with Mr Bejoo. He previously indicated that he had performed the survey and intimated that Bejoo was present in a later affidavit to the police. Mr Le Roux has deposed to five affidavits in the matter involving me all of which contradict each other.

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MSL

14. Mr Le Roux mentions a WhatsApp chat with me for the very first time in this affidavit. I do not see the attachment and have no independent recollection of the chat. I can confirm that I only approached Mr Bejoo about my complaints regarding the job. I do not recall speaking to anybody else in connection with the installation or repairs.
15. I reiterate that I was not involved in any form of corruption or State Capture. It is significant that Mr Le Roux himself does not allude to corruption or State Capture on my part.
16. Mr Le Roux now mentions that additional equipment that was allegedly sourced at Nemtech Randburg which is the first we hear of this and there are no invoices attached verifying this statement in so far as my residence.
17. Mr Le Roux makes no mention of having met me personally, on any occasion, in this affidavit.
18. I respectfully submit that Mr Le Roux is not truthful. I deny that I was captured in any way as an employee of the State and humbly pray for this Commission to find accordingly.

THIS DONE AT Johannesburg AND SIGNED ON THIS 14th DAY OF JULY 2020

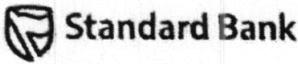

DEPONENT

I HEREBY CERTIFY that the Deponent has acknowledged that he knows and understands the contents of this affidavit which was signed and sworn on before me at Johannesburg on the 14th day of July 2020, the regulations contained in Government Gazette No. R 1258 of 21 July 1972, as amended pertaining to the administering of an oath having been observed.



COMMISSIONER OF OATHS

MARC CURLEWIS
COMMISSIONER OF OATHS Ex Officio
PRACTISING ATTORNEY
REPUBLIC OF SOUTH AFRICA
LOFTUS VERSVELD STADIUM - NORTHERN PAVILION
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KIRKNESS STREET, ARCADIA, PRETORIA, 0002
Tel: 012 343 4747 Faks / Fax: 012 343 0886



A

COMPLIANCE CERTIFICATE

MORTGAGOR(S): DESMOND NAIR (Full names)
680627 5019 08 5 (Identity number / registration number)
and
PAVALAMANI NAIR (Full names)
740625 0234 08 7 (Identity number / registration number)

BOND ACCOUNT NUMBER: 369989015
PROPERTY: ERF 280 MURRAYFIELD
AMOUNT OF BOND: R2 200 000.00 (TWO MILLION TWO HUNDRED THOUSAND RAND)

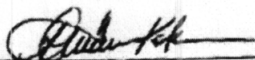
I, ANNA FRANCINA CECILIA OLIVIER-KOK
(full name of conveyancer)

a duly admitted conveyancer in the employ of:
ADAMS & ADAMS
(full name of firm of attorneys)

Hereby certify that:

1. The abovementioned mortgage bond was registered at the PRETORIA Deeds Office on 24 May 2016.
2. All aspects contained in the registration guidelines of the Home Loans Division of The Standard Bank of South Africa Limited issued to Conveyancers have been complied with.
3. All the terms and conditions pertaining to the said mortgage bond as contained in the Bank's instructions dated 04 April 2016 have been complied with.
4. The mortgagor(s) and/or surety(ies) identity and residential address details have been checked and verified in terms of the Financial Intelligent Centre Act, No. 38 of 2001 and its regulations.
5. The mortgagor(s) and/or surety(ies) income tax registration number has been recorded (if applicable).
6. The source of income / funds which the customer expects to use in concluding the transaction(s) in the course of the business relationship has been recorded.

SIGNED AT PRETORIA ON THIS THE 17 DAY OF OCTOBER 2019


CONVEYANCER

ANNA FRANCINA CECILIA OLIVIER-KOK
ADAMS & ADAMS
Lynnwood Bridge
4 Daventry Street
Lynnwood Manor
Pretoria 0081
COMMISSIONER OF OATHS
Practising Attorney R.S.A.

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----- Original Message -----

Subject: RE: Trevor 45 , Murryfield

From: adriaan@comodex.co.za

To: 'Desmond Nair'

CC:

Good day , herewith I (Adriaan Graham) confirm that property 45 Trevor street was bought in June 2015 By Mr Nair. At the time of sale there was a fully functional electric fence with energizer and alarm. All entrances into the house was covered by beams and inside the house was motion detectors.

Regards

Adriaan Graham

DN.
MTL

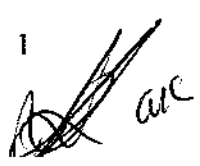
AFFIDAVIT

I, the undersigned,

RICHARD LE ROUX

do hereby state:

1. I am an adult male aged 47 years old, with identification Number 711 004 5382 082, residing at Plot 162 Road 5 Hillside, Randfontein (Residential address) and currently employed at Hex Technology, and previously at Global Technology Systems, situated at Number 1 Windsor Road Luipaardsvlie Krugersdorp, Cell number 071 418 8938.
2. The facts deposed to herein are true and correct and, save where the context indicates otherwise, within my personal knowledge.
3. This affidavit is submitted for purposes of providing evidence to the Judicial Commission of Inquiry into allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State ("**the Commission**") in response to the affidavit of **DESMOND NAIR**.
4. **AD PARAGRAPH 1 AND 2**
 - 4.1. Save for stating that I am unaware as to the Commission having not invited **DESMOND NAIR** to respond to my evidence I admit the contents of these paragraphs.
5. **AD PARAGRAPH 3 AND 4**
 - 5.1. I have no knowledge of the allegations in these paragraphs.
6. **AD PARAGRAPH 4.3, 4.4.1 AND 4.4.2**
 - 6.1. I confirm my evidence as to both the work and installations at the said premises which I have pointed out to the Commissions investigators

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and the Hawks in the presence of **DESMOND NAIR** and his attorney and I state that my evidence is true and should be believed.

7. **AD PARAGRAPH 4.5, 4.6 AND 4.7**

7.1. Save for noting the allegations in these paragraphs, I repeat and confirm my evidence as to the work that I did at the premises and which I have identified and pointed out to the Commissions investigators and/or the Hawks.

7.2. I respectfully leave the legal argument and debates to the Honourable Chair of the Commission to decide.

8. **AD PARAGRAPH 5**

8.1. I have noted the allegations in these paragraphs and save for confirming that the Honourable Chair will decide on the evidence before the commission I state as follows:

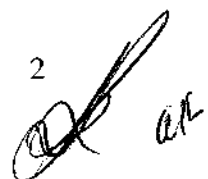
8.1.1. **AD PARAGRAPH 5.1**

8.1.1.1. I confirm and agree that I did not assign a name to this installation and project as I took the installation and job over as instructed by Mr. Trevor Mathengwa and by the late Mr. G Watson from Mr. Beju who had been to the premises in a Sondolo IT uniform (which was part of the Bosasa group of companies).

8.1.2. **AD PARAGRAPH 5.2**

8.1.2.1. I have noted the facts set out by **DESMOND NAIR** and I confirm that I was only at a later stage of the installation told that **DESMOND NAIR** was a Magistrate.

8.1.2.2. That was all that I was told.

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8.1.2.3. I have no knowledge of his position or his connection with the late Mr. Watson or others at Bosasa. I received an instruction from my Employers and I went and attended to the work and installation.

8.1.3. **AD PARAGRAPH 5.3**

8.1.3.1. I agree with the allegations set out in this paragraph save for confirming that when I and my team attended to special projects we only used unbranded vehicles and we did not wear uniforms.

8.1.3.2. I however agree that there was a major dispute brought to my attention about this installation as Mr. Baljoo had been there whilst wearing uniforms. That was the main reason why I was instructed to take the installation and work over.

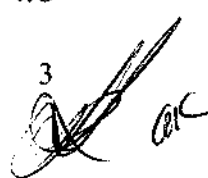
8.1.4. **AD PARAGRAPH 5.4**

8.1.4.1. I confirm and agree that in particular Mr. Agrizzi was very angry about Mr. Baljoo having gone to the premises in Sondolo IT branded uniforms.

8.1.4.2. This is was why I received the instruction to take over the work.

8.1.4.3. The said premises already had a guard posted from a different security firm when Mr. Baljoo attended at the premises.

8.1.4.4. In all the time that my team and I spent on the said work and installation at the premises we

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only used unbranded vehicles and we wore civilian clothing not uniforms.

8.1.5. **AD PARAGRAPH 5.5**

- 8.1.5.1. I have noted the contents of this paragraph. Save for stating that during the installation I was told that **DESMOND NAIR** was a Magistrate, I agree I did not know who or where he was employed and in what capacity.
- 8.1.5.2. I am a technician and I received instructions to do an installation or survey a premises and then I follow procedure as to what is required which includes obtaining quotes of the costing of equipment.
- 8.1.5.3. I would then obtain quotes the go ahead and fulfill my instruction. My work would be signed off and I would collect the money usually from Mr. Jaques van zyl and thereafter I would purchase the equipment.
- 8.1.5.4. On the 28th of August 2019 I was taken by. Captain. Neven and his team from the hawks to the premises where **DESMOND NAIR** arrived and later his lawyer and then I was requested to point out the equipment that I and my team had installed at the premises.
- 8.1.5.5. I state further that I had already pointed out the premises to the investigators of the Commission but we did not go into the premises. This was prior to the Hawks and Captain Neven taking me there.

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8.1.6. **Ad para 5.6**

- 8.1.6.1. I confirm that I do not know **DESMOND NAIR** and the same applies to all the individuals that I was instructed to do installations for.
- 8.1.6.2. I repeat that I am a technician and can only confirm the work that I did with my team and identify where the equipment is still present.
- 8.1.6.3. From the time that the job at the premises was taken over as instructed. My team of technicians had completed the work and the site was handed over to the persons at the house.
- 8.1.6.4. I am also attaching a copy of a message received on my phone and a response from **DESMOND NAIR**.
- 8.1.6.5. My only knowledge that I have is in relation to the work carried out, the equipment purchased and the installation.
- 8.1.6.6. I am not sure who the completed the work on this job as it was handed over to at the premises despite being completed.
- 8.1.6.7. I do not recall to whom the handover was done but we give all codes and manuals to the persons at the premises. I do however confirm my messages to and from **DESMOND NAIR** and discussions in regard to the moving the camera to the television.

8.1.7. **Ad para 5.7**

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8.1.7.1. I have no knowledge of the allegations and facts set out herein and I cannot admit nor deny same.

9. AD PARAGRAPH 6

9.1. I can only confirm my own evidence as to the installation and work completed and what I identified. I do not in any way state that **DESMOND NAIR** was involved in State Capture and I would leave that aspect to the Honorable Chair to decide after all the evidence is before him.

10. AD PARAGRAPH 7

- 10.1. I am setting out the facts relating to the work done and installations at the premises after pointing out the premises to the Commissions investigators and after I was taken there by the SAPS, the Hawks.
- 10.2. Captain Neven and his team were present together with **DESMOND NAIR** and his lawyer.
- 10.3. On Thursday the 28th of August 2019, I had been requested by the members of the Directorate for Priority Crime Investigations (DPCI) to go with them to the house of **DESMOND NAIR** in order to point out all the articles and equipment that I and my team had installed at his house in Pretoria, on the instruction of Mr. Trevor Mathengwa, Director of Global Technology Services, also known as Sondolo IT part of the then Bosasa Group. I attended to the site meeting with the DPCI.
- 10.4. On the same day I drove together with Captain Neven and members of his unit and when we drove in Pretoria. I then started directing Captain Neven to the house which Global Technology Services had installed cameras and electric fence and alarm system which I knew that it belonged to Mr Desmond Nair. I directed Captain Neven straight to house number 45 Trevor Street, situated in Murrayfield, Silverton in Pretoria.



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- 10.5. Upon arrival at the premises of **DESMOND NAIR**, Captain Neven and Captain Plaatjie went alone to the gate and they spoke to an African Male who was inside the yard and they came back. Captain Neven then informed me that we will have to wait for **DESMOND NAIR** and his Lawyer as they were not there, and we all left went to the nearby garage to wait. After some time while waiting Captain Neven then informed us that we should go back to the house of **DESMOND NAIR** as the Lawyer had arrived.
- 10.6. Upon arrival at number 45 Trevor Street, Captain Neven together with Captain Plaatjie. They went inside the premises and they spoke to a gentleman while I waited inside the car. Afterwards Captain Neven called me including the DPCI team and we went inside the premises. Captain Neven asked me to point out all the equipment's which I had installed with my team, on the instruction of Mr. Mathenjwa.
- 10.7. I then started pointing out the Energiser, Wizard 2 with no serial number which was mounted on the wall inside the garage, 23 Inch LG monitor with serial number 5118ABKOA805, External cabinet for the equipment (NVR) Tescom Hikvision with serial number 576351186, planet switch with serial number GS-4210-24PL4C AK90186600031(000) Model GS-4210-24PL4C, UPS and video extender units, and I then noticed a box on the floor and I told Captain Neven that the box had old equipment's inside which the team had removed during the installation. Captain Neven then asked the lawyer if he can check what was in the box and he agreed. I then opened the box which had the following equipment's: two (2) Securi-Prod- sealed lead acid battery 12 v 7AH, three white beams and one old energiser Wizard 4. Before we left the garage Captain Neven then asked the Lawyer if he was happy with how I installed the equipment back as I had removed it to get the serial number of the Planet switch.
- 10.8. After the garage verification, I went with Captain Neven together with the team pointing out all the cameras, the beams and electric fence

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around the premises, the following Hikvision cameras with serial numbers,

- 10.8.1. One (1) HIKVISION Camera facing the drive way with serial number 613904664.
- 10.8.2. Two (2) HIKVISION Cameras at the gate entrance with serial number 613904598 and 613904589,
- 10.8.3. Two (2) HIKVISION Cameras next to the stairways on the wall facing Trevor Road with serial number 613904641 and 590724953
- 10.8.4. One (1) HIKVISION Camera on the patio with serial number 590724285.
- 10.8.5. Two (2) HIKVISION Cameras on the wall facing the back street 590724330 and 613904840.
- 10.8.6. One (1) HIKVISION Camera at the corner of the house with serial number 613904587.
- 10.8.7. Two (2) HIKVISION Camera on the precast wall with serial number 613904824 and 613904536.
- 10.8.8. One (1) HIKVISION Camera at the end of the precast wall with serial number 613904769.
- 10.9. The aforementioned equipment is what myself and my team installed at the premises and what was paid for.
- 10.10. During the pointing out I pointed out all the beams installed and the model was TAKEX and all of them did not have serial numbers on the outside and the electric fence does not have serial number. One camera on the wall facing Trevor road Captain Neven could not get the serial number because it was too high to reach it.

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- 10.11. At the time when the team went inside the house I did not get inside the house because I informed Captain Neven that I could not get inside because I did not work inside but I knew where the equipment's was installed inside by my team members. My team worked on the inside of the house and the premises. I worked on the outside of the premises but I know where the equipment and installation were done inside the house.
- 10.12. I would like to make specific mention that originally I was not aware of the installation, it was initially given to Mr Duets Baljoo, a technician employed by Sondolo IT / GTS / Bosasa. This was given by Mr Mathengwa. On the initial site visit Mr Baljoo arrived in full Sondolo IT (Bosasa) uniform, this created an issue with the Fidelity guard guarding the house, this is one of the deciding factors why he was removed from the project, and I was co-opted on the project. I was then instructed to take over the said project and work.
- 10.13. I state that all the equipment was provided by and paid for Sondolo/ GTS / Bosasa and paid via the cash or account at the supplier by Sondolo / GTS / Bosasa. Mr. Duets Baljoo was during that period of time employed by and doing work for Sondolo IT, part of the Bosasa group of companies.

11. AD PARAGRAPH 8

- 11.1. I note the contents of this paragraph and state that this is an aspect for the Commission to decide after hearing all the parties including **DESMOND NAIR** .

12. AD PARAGRAPH 9

- 12.1. save for noting the contents I cannot comment and I leave this to the Honourable Chair

13. AD PARAGRAPH 10

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- 13.1. I have no knowledge of the contents of this and I cannot comment on same.

14. AD PARAGRAPH 11 and 12

- 14.1. I have no knowledge of these facts and cannot comment on same.

15. AD PARAGRAPH 13

- 15.1. save for stating that I replaced the electric fence as same was not sufficient and the alarm system.
- 15.2. I have no knowledge of the further allegations and facts set out herein.
- 15.3. I opened the box and photos were taken of the old equipment that was replaced.

16. AD PARAGRAPH 14

- 16.1. I have no knowledge of this oral agreement.
- 16.2. I can state that Mr. Baljoo was a technician employed by the Bosasa Group and Sondolo IT and that he actually used Mr. Riaan van der Merwe, a systems design engineer, employed by the Bosasa Group as at that premises they wanted a bespoke system installed.
- 16.3. I am unaware whether there was a private arrangement and budget with Mr. Baljoo but can only confirm what I have testified to as to the instruction I received from my employer to take over and do the installation at the said premises in Pretoria the said installation took approximately 14 days and I used the technical support of approximately 7 people to do the said work at the premises. I used 6 technicians as well as myself, making a team of 7 people at the premises.

17. AD PARAGRAPH 15

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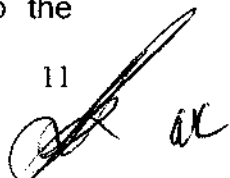
- 17.1. I have no knowledge of the contractual obligations referred to but I can confirm that my team and I continued with the installation and work at the premises.
- 17.2. The equipment was all in good working order. The electric fence was working, the beams were working and some three and half years later when I was taken to and asked save for approximately 2 cameras everything was in good working order.
- 17.3. I state further that if there was a private oral arrangement with Mr. Baljoo then there would have been no need for Sondolo IT nor Bosasa Group to pay for the equipment, labour and to do the installation or purchase and install the equipment as well as transport.
- 17.4. I would respectfully leave the evidence to be considered by the Honourable Chair.

18. AD PARAGRAPH 16

- 18.1. I have no knowledge of this alleged budget and contractual aspect with Mr. Baljoo and I state that the costs of the equipment and the payment for same is in possession of the Commissions investigators and/or the Hawks together with the invoices and the approximate costs of transport from Krugersdorp to Pretoria. The labour can be estimated or obtained.
- 18.2. Save for the above I have no knowledge of the remaining facts as set out in this paragraph.

19. AD PARAGRAPH 17

- 19.1. I cannot comment on these allegations and submissions set out in this paragraph.
- 19.2. Save for stating that I have never alleged any involvement of **DESMOND NAIR** in any irregularities or State Capture I again confirm my role played as a technician to take over and attend to the

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installations at the premises and where I have identified the equipment installed.

19.3. I state further that I myself attended to the outside installations and my team where involved inside the house but I have pointed out what and where the equipment was installed to the best of my recollection when I was taken to the said premises with Captain Neven of the Hawks. When both **DESMOND NAIR** and his lawyer were present.

I know and understand the contents of this affidavit.
I have no objection in taking the prescribe oath.
I consider the prescribed oath to be binding on my conscience.



RICHARD LE ROUX

I certify that the deponent has acknowledged that he knows and understands the content of this statement. This statement was sworn to before me and the deponent's signature placed thereon in my presence at on this the 04 day of **AUGUST 2020**.

Signature, 
Full Name: AHMED KHAN
Commissioner of Oaths
Designation: Owner of 3@1 Florida Junction
Ref No JC/22/10-2017 Johannesburg 14/06/2016
Date 04/08/2020
Place: Florida Park
Business Address: Florida Junction Shopping Centre,
Christiaan De Wet Road.

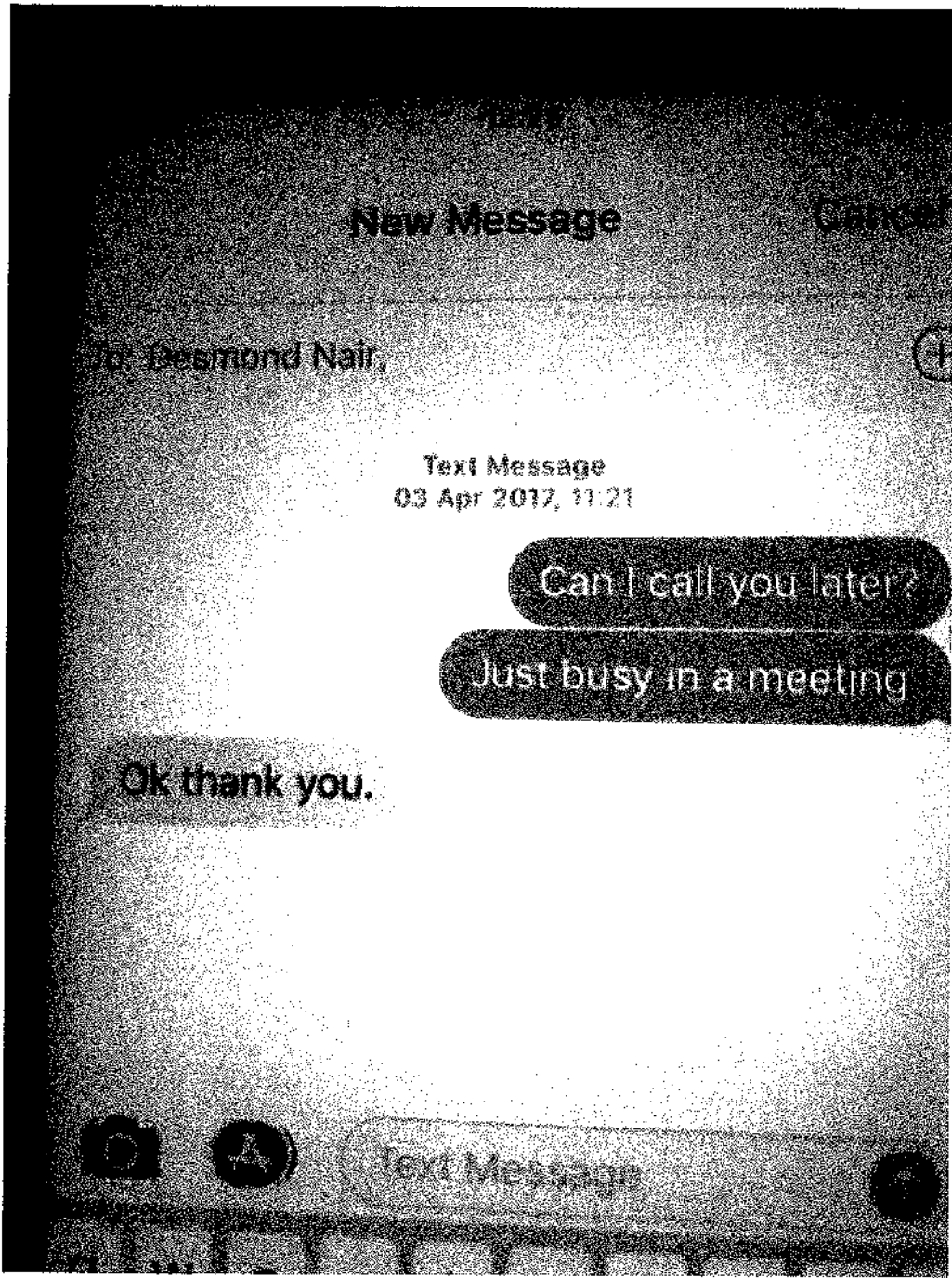


COMMISSIONER OF OATHS

SILVERTON CAS 121/02/2019

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SMS AS RECEIVED DESMOND NAIR



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STATEMENT

I, the undersigned,

RIAAN VAN DER MERWE

do hereby state:

1. I am an adult male currently self-employed as a Director of a company operating in the Gauteng area.
2. The facts deposed to herein are true and correct and, save where the context indicates otherwise, within my personal knowledge.
3. This statement is submitted for purposes of providing evidence to the Judicial Commission of Inquiry into allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State ("the Commission").

Background

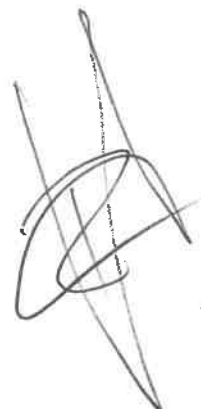
4. I have been employed in the security industry for about 25 years with experience in all security sectors
5. I was previously employed by Paxton Access, an international company which provides access control systems, from 2013 to 2016. The company is commonly known as Paxton Access and I do not know the international companies' details.
6. During this period, I provided Access control support. I also provided Access control consulting services to Sondolo IT which is a subsidiary of the Bosasa Group ("Bosasa").
7. In or around October 2015, I was requested by Mr Angelo Agrizzi and Mr Thabo Ngoako ("Mr Ngoako") to provide CV's of individuals I could recommend to Sondolo IT as they were looking to employ additional staff. I did so, where-after

they requested me to send my CV as well. I submitted my CV and was subsequently interviewed by Mr Johan Abrie for the position of System Architect.

8. I was thereafter appointed as the Head of Department Systems Architect for Sondolo IT, with effect from 04 January 2016.
9. Sondolo IT was later renamed Global Technology Systems ("GTS") and I retained the same position within the company.
10. When I was employed by Sondolo IT/ GTS, I reported to the following Directors/ Managers of Sondolo IT: Mr Jason Stoltz ("Mr Stoltz") Operations manager, Fezile Mzazi Managing Director and Mr Trevor Mathenjwa ("Mr Mathenjwa") Director and Chairman.
11. In or around 2016, I was subsequently moved to the 'Research and Development' centre still under Sondolo IT which centre comprised Mr Barend Hoffmann ("Mr Hoffmann"), Mr Edward Hall and I. We reported directly to Mr Gavin Watson ("Mr Watson") and the Bosasa Board of Directors, commonly known as "the Bosasa Executive", while still on the Sondolo IT/ GTS payroll.
12. I remained working in the Research and Development centre until 30 April 2019 on which date my services were terminated as a result of the liquidation of GTS.

Duties and responsibilities at Sondolo IT

13. When I was first employed by Sondolo IT, my main focus of work was technical solution design as their Systems Architect.
14. During this period, I met Mr Richard Le Roux ("Mr Le Roux") when we were sent to sort out a problem on a site at the Department of Education in Kimberly, where there was an issue with the Paxton Access control installation. At the time there was no reporting line between Mr Le Roux and I as we were held positions at an equal level. Sondolo IT teams had been working on the site for a few months and it was still not operational. Mr Le Roux and I remained on site for 7 days in order to sort it out.
15. I was subsequently involved in the:



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- 15.1. Design of security systems;
 - 15.2. Drafting of specifications for internal projects; and
 - 15.3. Evaluation of equipment requirements for tenders to be submitted by Bosasa or Sondolo IT.
16. Whilst employed by Sondolo IT at the Research and Development centre:
- 16.1. My team and I were involved in the design of technical solutions for the Bosasa group of companies;
 - 16.2. I would receive instructions directly from Mr Watson and other Board members to design security systems at sites, such as new courts. These were normally large sites;
 - 16.3. I was involved in the upgrading of the Bosasa campus security systems and developed a Security Command and Control centre from where all CCTV footage, access control and building management systems for the campus was retained.

Magistrate Nair

- 17. I was aware that Mr Le Roux was involved in what he named "Special Projects", where he would install security systems at premises that the majority of Bosasa employees were not aware of.
- 18. I was aware of the Special Projects team, as did most of the Sondolo IT staff, because this is what the team was called in Sondolo IT meetings. The Special Projects team was also responsible for internal maintenance of the Bosasa Office Park and Lindela and this is why they were mentioned in operational meetings.
- 19. When I asked Mr Le Roux to explain the Special Projects to me, he informed me that over and above their role to service and maintain internal sites, they sometimes did projects for VIP clients of the Board of Directors. He indicated that he is not allowed to share those details and never disclosed for who or where any project took place. I understand the risks in sharing security details of sites and never asked him about this again.



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20. Mr Le Roux worked independently from me and there were no reporting lines between Mr Le Roux and myself. Mr Le Roux reported directly to the Bosasa Board of Directors.
21. I recall that in 2016, Mr Mathenjwa, who was the Director of Sondolo IT, called me and requested that I assist Mr Deuts Baijoo with a solution design for a site on the following Saturday. At the time I was unaware of where the site was and whether the site was a residential or business/ industrial site.
22. I agreed to assist and meet with Mr Baijoo the following morning at the Bosasa office park where after we travelled together. At this stage Mr Baijoo informed me that we are going to Pretoria.
23. Before departing from the Bosasa office park, I remarked to Mr Baijoo that he should not be wearing his T-shirt which had a Sondolo IT name and logo on. I stated this as I had previously been informed by Mr Mathenjwa not to wear clothing or use vehicles that could identify us as Bosasa/ Sondolo employees when doing site inspections prior to any work being awarded. This was standard procedure in Bosasa/ Sondolo IT for any tender meetings and tender site visits. Mr Mathenjwa also reiterated this to me in his phone call instructing me to assist Mr Baijoo. Mr Baijoo shrugged this off and we drove to the site and at the time the location was unknown to me.
24. On the way to the site I asked Mr Baijoo where we were going and he informed me that it was a site in Pretoria. Mr Baijoo never informed me who the owner was but stated that it was for a VIP client of Sondolo IT. I did ask who it was for and why we were performing the work; however, the only response I received from Mr Baijoo was that it was for a VIP client of Sondolo IT and they require a proper security solution. Our conversation was interrupted by a lengthy telephone call and I did not continue the discussion thereafter.
25. I was surprised when we drove into a residential area in Pretoria and Mr Baijoo pointed out a house as the site I was to prepare a design for. This was abnormal as I normally did designs for large sites. Mr Baijoo informed me that I needed to



do the design for any security installations we considered necessary at the residence.

26. Upon our entry at the residence, we were stopped and confronted by some security guards that had been playing soccer on the lawn next to the drive way of the house. There were approximately three guards that I recall at the entrance, and one of them recognised the Sondolo shirt that Mr Baijoo was wearing and asked us why Sondolo was on this site.
27. The guards asked us why we were on site as they were from a different security company and thus wanted to know why we, a competing company, were coming to their site.
28. I do not recall what exactly Mr Baijoo said to the guards, but after some discussion they allowed us access into the yard.
29. I did the site inspection and design, which took about 30 minutes whilst Mr Baijoo remained inside the house with the occupant/ client.
30. I never met the occupant/ client but I recall that I had to go into the house in order to check the electric fence power source and alarm system keypad. I was shown to the main bedroom and the power source by a lady who was an Indian person.
31. To my understanding, the Indian lady was not the "owner" of the house as when I requested the Guard to enter the house, I was told that they will send someone to escort me as the owner was busy. The lady did not introduce herself to me and I do not recall seeing anyone else in the house on my route to the bedroom.
32. When I went inside the house, I was taken in via the kitchen entrance and went to the bedroom at the far end of the house to check the electric fence power point. The fence energizer was installed on the outside this bedroom wall. I am not able to provide a more detailed description of the interior part of the house as we were securing the perimeter and I did not focus on the interior. I followed the lady and did not look around.
33. I was asked by the Commission's Investigation Team to describe the premises and what I can recall about the house and surroundings. I recall the following:

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- 33.1. The premises had a black palisade fence around it with an electronic sliding gate at the main entrance for vehicles to enter the premises;
- 33.2. The main driveway entrance gate was offset from the perimeter (palisade) fence and there was an additional sliding vehicle gate on the right-hand side of the house. This will be described in further detail below when I deal with my notes and the drawing which I compiled on the date of the site-visit.
- 33.3. On the right side of the driveway was the lawn where the security staff played soccer;
- 33.4. To the left of the driveway there were two main garages;
- 33.5. To the left of the driveway above the garages were stairs leading to an entrance;
- 33.6. The patio on the left of the house facing the pan handle road had a big roof and there was a living space underneath the patio;
- 33.7. There was a large upmarket house to the left side of the main entrance gate with a panhandle driveway;
- 33.8. At the back of the property there was a palisade fence with the pedestrian entrance from the main house to the neighbour's wall. The pedestrian entrance allowed access to the washing line and extra garage at the rear of the property.
34. I was not aware of the address of the premises where I performed the design as this was known to Mr Baijoo, however on 14 March 2020 I verbally provided the above description, which I have reduced to writing in this affidavit, to the Commission's Investigators.
35. Subsequent to meeting with the Commission's Investigation Team, I searched my records for any information reflecting my visit to the premises and found a three-page record of my notes on my Samsung Notes Application ("Samsung App").

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36. On 17 March 2020, I provided the Commission's Investigation Team with my electronic notes which I made whilst at the premises. These are attached as **Annexure RVD1**. I can confirm that these are the notes that I made at the time of the site visit in 2016 as:
- 36.1. I did not normally do designs for residential properties and only did this one design for a residence in Pretoria during my employment at Sondolo IT (noting that the company normally did tenders and projects bigger than 8 million);
- 36.2. The design on my notes match the description of the residence and I recognise the design drawing; and
- 36.3. The notes are date stamped as having been made on 27 August 2016, as will be described in further detail below.
37. These notes include a rough drawing which indicates the entrances and suggested locations for equipment to be installed. In this regard, the rough drawing of the premises reflects:
- 37.1. The main entrance where the electric sliding vehicle gate is situated is at the bottom of the drawing;
- 37.2. The two main garages are depicted by the two squares just inside the property to the left of the main entrance;
- 37.3. The side entrance with the second sliding vehicle gate is depicted by the two-small hand-drawn circles along the right-hand side fence line;
- 37.4. The diamond mesh fence that separated the front from the back of the yard and had a pedestrian gate is depicted by the dotted line on the right-hand side of the house.
38. I have listed below certain of the items required at the premises according to my notes and indicated where this was specified by me or Mr Baijoo as a requirement, as follows:
- 38.1. *UPS Generator*: - (my suggestion);



Mr

- 38.2. *Remote alarm*: - (my suggestion);
- 38.3. *CCTV / Detection*: - (requirement specified by Mr Baijoo);
- 38.4. *Internal monitor*: - (requirement specified by Mr Baijoo);
- 38.5. *2 x VIP units*: - (requirement specified by Mr Baijoo); and
- 38.6. *Slam Lock gate*: - (requirement specified by Mr Baijoo).
39. Mr Baijoo specified the above requirements to me after I had performed my inspection at the premises. This may have been whilst we were still on site or when we were in the vehicle travelling back after leaving the premises. As Mr Baijoo had spent the time on site inside the house with the owner/client, I assume that as requirements were specified to him by the owner/client as is usual practice.
40. My notes also included such as where the internal CCTV monitors need to be and comments such as "*Guards / day / night*" and "*Telkom uncapped*". These were requirement specified by Mr Baijoo.
41. I have provided the Commission's Investigation Team with a screenshot from my Samsung App which reflects that I made these notes on 27 August 2016.
42. This screenshot is attached as **Annexure RVD2** and I note that this date is a Saturday, which corresponds to my recollection that the site visit was on a Saturday.
43. I did not know whose house it was that I went to with Mr Baijoo but upon describing the above to Mr Le Roux in March 2020, he informed me that the premises description matches that of the house of Mr Desmond Nair ("Mr Nair"), a Chief Magistrate.
44. When I discovered my notes on my Samsung App for this site I noted that I had named them "*25 trev*".
45. I attempted to locate this address and entered 25 Trevor Street Pretoria into my navigation App and I found Trevor Street in Pretoria.



MT

46. I then used Google street view and did not recognise the front street view of the house at number 25 Trevor street.
47. I then moved within the street view up the street and recognised the house described in this affidavit. I found this to be at the end of the street where Trevor street meets with Shirley Street. The house number on the sidewalk was 45 and it thus appears I may have misheard the house number being given to me when on site; or recorded it incorrectly as number 25. I do not recall any visible house numbering on the entrance gate or house itself.
48. I took screenshots of the street view images which are attached as follows:
- 48.1. Screenshot of the front main entrance where the electric sliding vehicle gate is situated, attached as **Annexure RVD3**; and
- 48.2. Screenshot of the side entrance in Shirley Street with the second electric sliding vehicle gate, attached as **Annexure RVD4**.

Vincent Smith

49. Sometime in 2017, Mr Le Roux 'disappeared' from Bosasa and it was unclear as to whether he had been fired or left on his own accord.
50. Shortly after this, Mr Ngoako, whom I knew well and was friends with, informed me that he had been called in by Mr Watson, and instructed to take over the work that Mr Le Roux had been doing. I asked Mr Ngoako what had happened to Mr Le Roux and his response was that he did not know.
51. Mr Ngoako told me that he was concerned as it meant that he had to take over the "Special Projects" and do the bidding on behalf of the Bosasa executives as well as being at their beck and call day and night, which would possibly create personal problems for him. By the 'executives' he was referring to Mr Papa Leshabane ("Mr Leshabane"), Mr Joe Gumede ("Mr Gumede") and Mr Watson. I understood these to be the 'executives' he was referring to as the office block where they had offices was called the 'executive block' and these three executives were normally at the forefront of all Bosasa activities.



MT

52. In September 2018, a video was released by the media showing CCTV cameras being removed from Mr Vincent Smith's house. In the media release it was alleged that the people removing the CCTV cameras were Bosasa employees.
53. I saw the video and to me it was clear that it was Mr Ngoako and members of the special projects team that were removing the camera's and you could also see the vehicle in the video clip that was usually used by Mr Ngoako.
54. I joked with Mr Ngoako when he was at the Bosasa office's and teased him about being caught on camera and the manner in which he removed the cameras whilst they were still streaming footage.
55. Mr Ngoako told me that after the video was released, he was called in by the Bosasa executives (I cannot recall if this was Mr Leshabane, Mr Gumede, Mr Watson or all of them) and berated by them. He told me that they berated him for being caught on camera and not removing the network recorder or deleting the recordings. He was very unhappy about this.

Message to Agrizzi regarding Dahua and Ramaphosa

56. It was reported in the media that on 14 March 2017, I sent the following message to Mr Agrizzi:

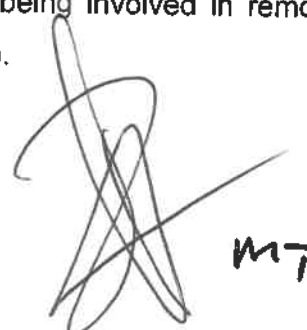
"Hi Angelo. Dahua wants to set up an (sic) private appointment with you to meet Andile Ramaphosa to structure a relationship/joint venture for the companies to tender on projects and they will use their influence to secure projects. They are looking for a strong trustworthy partner that can deliver results, Please advise on the way forward."
57. Dahua Technology is the world's second-biggest surveillance and security equipment manufacturer from China.
58. I can confirm that I sent the aforementioned message to Mr Agrizzi as I had been instructed by Mr Jason Stoltz to refer any business proposals to Mr Agrizzi.

A handwritten signature in black ink, consisting of a large, stylized 'M' or 'W' shape with a horizontal line crossing it, followed by the letters 'MT'.


59. This was brought about by a meeting between myself and Mr Fritz Wang, the Managing Director of Dahua South Africa, when we were discussing new technology and applications for this technology within the government sector. This was namely face recognition, automatic number plate recognition and smart analytical solutions. Mr Wang requested to meet with decision makers to further enhance their relationship with Bosasa and introduce potential new business opportunities.
60. To my understanding based on my personal assumptions and hearsay from others:
- 60.1. Mr Andile Ramaphosa was interested in the technology from Dahua and saw potential in the technology applications for business opportunity's locally and in Africa;
- 60.2. However, his company did not have installation capabilities and thus wanted to engage with Bosasa and Dahua to discuss how this business opportunity could be implemented.

Liquidation and termination of services

61. After the voluntary liquidation of Bosasa and its subsidiaries, Mr Cloete Murray ("Mr Murray") was appointed as the Liquidator (there may have been more than one but for the purposes of this affidavit I refer specifically to Mr Murray).
62. Mr Murray was at the Bosasa office park for a while on the same day when the court made an order overruling the liquidation. When this happened, various staff members manhandled Mr Murray and physically took him off the premises.
63. I saw this from the Security Command and Control centre from where all CCTV footage was retained.
64. The one staff member from Bosasa that I recall being involved in removing Mr Murray was Mr Sidwell Mahlaola ("Mr Mahlaola").



65. Within an hour after Mr Murray was manhandled, I was accosted by Mr Mahlaola, Mr Tshepo Huma ("Mr Huma") and Mr Raymond (whose surname is unknown to me) who instructed me to allow them access to the Command and Control centre. Although these were Bosasa staff members, to my recollection all being Senior Technicians at GTS, I refused as access was limited to a few people on a previous instruction of Mr Gavin Watson.
66. Mr Mahlaola threatened me and my colleague Mr Barend Hoffmann with violence if we did not allow them into the Command and Control centre. I called Mr Watson and informed him of the situation. Mr Watson spoke to Mr Mahlaola and Mr Huma using my cell phone where after he spoke to me. Mr Watson told me to allow these staff members into the Command and Control centre but they should not damage any equipment.
67. At this stage Mr Ronny Mthimkulu ("Mr Mthimkulu"), the Bosasa Manager for Training and the Call Centre, had also joined the group. Mr Mahlaola then took Mr Hoffmann by the arm and walked him over to the command centre.
68. I did not accompany them to the command and Control centre, but Mr Hoffmann informed me that:
- 68.1. Mr Mahlaola, Mr Huma, Mr Raymond and Mr Mthimkulu, requested him to find the video footage of the event; and
- 68.2. After the footage was located, they deleted it from the system.
69. The next morning Mr Hoffmann and I were then called to a meeting at the small executive boardroom at the Bosasa office park. Present at the meeting were Mr Watson, Mr Mathenjwa, Mr Ishmael Dikani, Ms Thandi Makoko, Mr Mahlaola, Mr Huma and Mr Mthimkulu.
70. At this meeting Mr Watson praised Mr Mahlaola for taking action and dragging Mr Murray into the street. Mr Gumede then entered the boardroom after the meeting had started and addressed us in a very aggressive manner. Mr Huma stated that he was afraid that there was still CCTV footage of this event and that



m.r

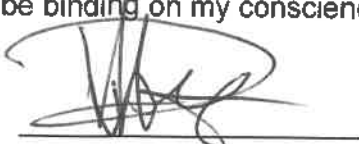
it could be used against them. After Mr Gumede heard the concern from Mr Huma, he demanded that we allow Mr Mahlaola, Mr Huma, Mr Raymond and Mr Mthimkulu access to the Command and Control centre.

71. Mr Gumede called Mr Hoffmann and myself "dutchmen" and threatened that if we did not co-operate our fingers would be chopped off to allow the aforementioned staff members to gain access to the centre.
72. As a result of the meeting, we granted Mr Mahlaola, Mr Huma, Mr Raymond, Mr Mthimkulu and Mr Hofney Hine (a technician) access to the Command and Control centre. They then proceeded to delete all the CCTV footage stored on the system. They also changed the fingerprint access and codes in order to allow them to access and change the system when they wanted. They also ensured that Mr Hoffmann and I no longer had access to the system.
73. Prior to this I had also seen Ms Gina Pieters and Ms Magda Van Rensburg, employed by Bosasa as the former personal assistant to Mr Agrizzi and an administrator respectively, being marched off the Bosasa premises by armed guards. However, the deletion of all the CCTV footage meant that this footage was also deleted.
74. Shortly after this, my services were terminated on 30 April 2019 as part of the liquidation process.

I know and understand the contents of this affidavit.

I have no objection in taking the prescribed oath.

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



I certify that the deponent has acknowledged that he knows and understands the content of this statement. This statement was sworn to before me and the deponent's signature placed thereon in my presence at on this the 21st day of July 2020.



Annexure RVD 1

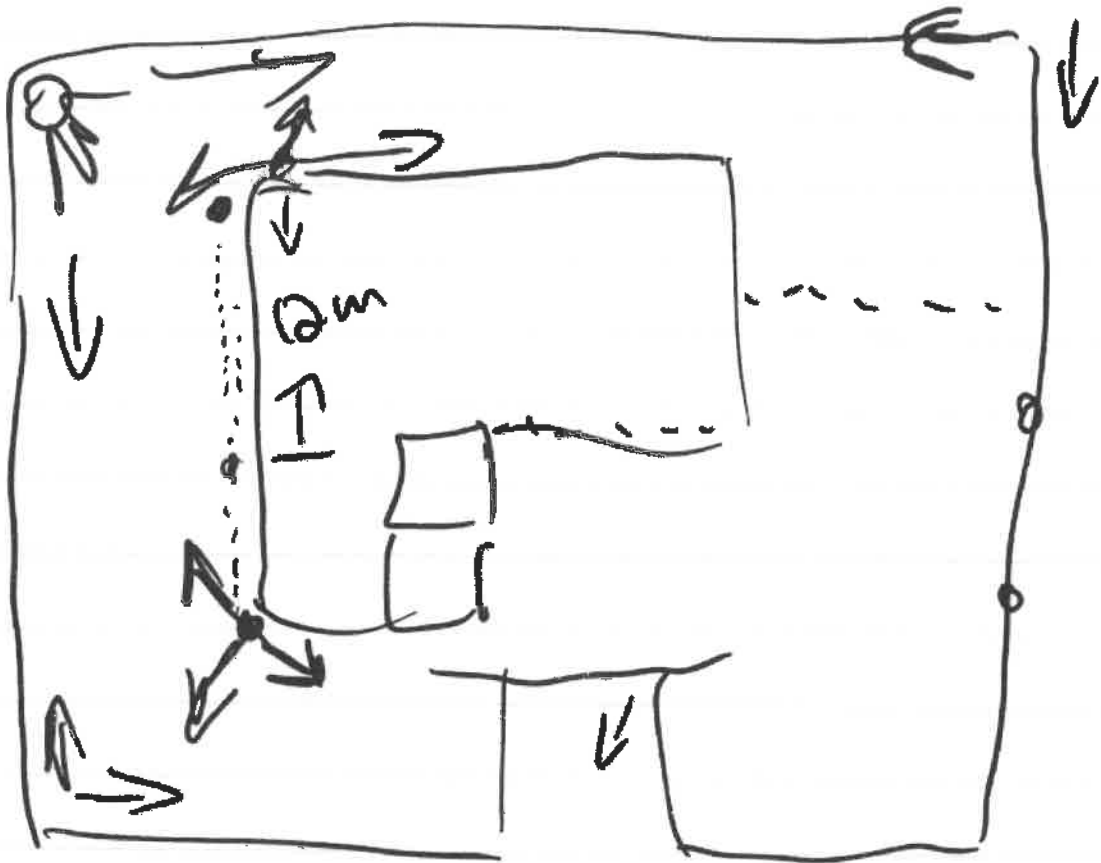
MT

A handwritten signature in black ink, consisting of several overlapping loops and a long vertical stroke, located below the initials MT.

25 TREV

INTERNAL MANAGE
KITCH / MAINT
CCTV / DETECTION
TELECOM UNWATED
2X VIP UNITS
GUARDS / DAY / NIGHT
SHAM LOCK GATE

A handwritten signature, possibly 'J. Smith', is written above a circled 'm2'.



UPS / GENERATOR
REMOTE ALARM

A handwritten signature and a set of initials in a circle.

forming us	MB
LG	LEWEE
NETWORK	GARAGE

CCTV IN HOUSE
FENCE ??

A handwritten signature consisting of a large, stylized 'Z' or 'J' shape, with the initials 'MTD' circled below it.


Annexure RVD 2

A handwritten signature in black ink, featuring a large, stylized 'S' or 'B' shape with a vertical line through it, and the letters 'MTC' written below it.

Tommy's MB
LG LEWEE
NETWORK GARAGE
CETV IN HOUSE
FENCE ??

Last modified: 27 Aug 2016, 9:58 am

Created: 27 Aug 2016

A handwritten signature consisting of a large, stylized loop, followed by the initials "GZ" in a circular stamp.

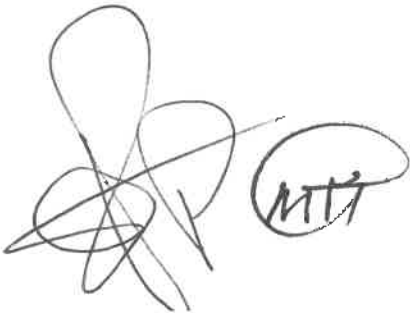
Annexure RVD 3

A handwritten signature in black ink, featuring a large, stylized 'S' or 'B' shape with a horizontal line crossing it, and the letters 'M' and 'J' at the bottom.



mpc

Annexure RVD 4

Handwritten signature and initials in black ink, located at the bottom right of the page. The signature is a large, stylized loop, and the initials are "MTT" inside a circle.



M 3
W

AFFIDAVIT

I, the undersigned,

Doothlakumar Baijoo

do hereby state under oath:

1. I am an adult male 58 years of age, residing in the Gauteng area.
2. The facts deposed to herein are true and correct and are, save where the context indicates otherwise, within my personal knowledge and belief.
3. This affidavit is submitted for purposes of providing evidence to the Judicial Commission of Inquiry into allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State ("**the Commission**") relating to my dealings with Mr Desmond Nair.

Background

4. In January 2006, I was employed by Sondolo IT, a subsidiary of Bosasa as a Project Manager by Sondolo IT reporting to Mr Trevor Mathenjwa ("**Mr Mathenjwa**"). I was retrenched in around 2013 and re-employed by Sondolo IT on 08 February 2013
5. In or around the year 2009, Sondolo IT was awarded a contract to install security systems at various Magistrates courts across South Africa. I was the "Regional Project Manager" representing Sondolo IT in the Gauteng area, which role entailed overseeing the installations of security systems in Gauteng. I met Mr Desmond Nair ("**Mr Nair**"), who was the Chief Magistrate at the Pretoria Magistrate Court, for the first time in or around 2010 during the installation of security systems at the Pretoria Magistrate Court.



6. I worked directly under the National Project Manager at Sondolo IT which was Mr Carel Coetzee. There were nine regional project managers for each region, and I managed the Gauteng region. All project installations were sub-contracted.
7. Mr Nair was part of the working group involved with our work to be carried out for the security upgrade at the Pretoria Magistrates Court, for which the Court Manager, Mr Bansie, had to give the final approval for the work to be carried out. In this regard, Mr Nair:
 - 7.1. Specified the security requirements from the court and staff side that they wanted to be implemented; and
 - 7.2. Needed to provide his approval of the work we were to perform, before the Court Manager, gave his final approval of the project installation plan and the project definition report.
8. As a result of the above, the project team would have meetings with Mr Nair and the Court Manager to have the project documents finalised and approved.
9. We completed our work at the court in or around 2012.

Services at Mr Nair's residence

10. While working on site at the court, Mr Nair informed me that he had a basic security system installed at his residence that needed to be upgraded, but that he was unsure as to what needed to be done and requested advice.
11. I mentioned this request to Mr Mathenjwa at our Sondolo offices and he suggested that I do a site visit of Mr Nair's residence when I had time and give him feedback thereafter.
12. Towards the middle of 2016, I offered Mr Nair assistance with the assessment of his security system. I also requested that he advise on a suitable day and time on which we could go to his residence for the purposes of the assessment. My communication with Mr Nair was at the Pretoria Magistrate Court. I had to



manage nine courts under my management and visited Pretoria Magistrates Court at least once a week

13. In or around May/June 2016 on a Saturday afternoon, I met with Mr Nair at the court. I had been attending to some work at the court which could only be done when the court was not busy. From the court, I drove behind Mr Nair, who was in his own vehicle, and followed him to his residence. I drove in a Sondolo branded vehicle.
14. When we arrived at his house, we were met by security guards at his home, who let me in as I was being accompanied by Mr Nair. This visit took place about a few months before the work was carried out at his residence.
15. At his residence, Mr Nair showed me the security system he had in place and I started to perform an assessment of what was needed to upgrade the system. I however realised that I was not able to adequately assess the requirements as it was not in my normal line of work with a residential security system. There was an existing alarm system, however, Mr Nair required a complicated system and some of his requirements in order to secure the premises were as follows:
 - 15.1. The perimeter electric fence needed to be armed 24 hours a day, 7 days a week ("24/7");
 - 15.2. The security guards that were at his premises 24/7, had to be able to access his yard to patrol without setting off any alarm;
 - 15.3. The basement cottage had to be isolated and have its own security zone;
 - 15.4. The security system had to also be accessible to be monitored from his office at his residence.
16. During the following week, I updated Mr Mathenjwa and he informed me that he would get Mr Richard Le Roux ("**Mr Le Roux**") and the Special Projects Team to attend to the matter.



17. I was aware that Mr Le Roux and the Special Projects Team performed installations of security systems at premises for certain individuals at the request of the Board of Directors of Bosasa. We, the majority of Bosasa employees, were however not normally aware of the details of where and for whom this work was performed by the Special Projects Team.
18. Sometime after this, I was at a meeting together with Mr Nair and Mr Mathenjwa at the Pretoria Magistrates Court, when the issue of security at Mr Nair's residence was discussed. We were discussing the work that Sondolo IT was performing at the courts, when Mr Nair indicated that he needed his security system to be upgraded. Mr Mathenjwa stated that Mr Nair must leave the matter to him and he will get it sorted out.
19. Mr Mathenjwa later reiterated that Mr Le Roux and I should go to Mr Nair's residence to assess what additional security equipment was needed to be installed.
20. Mr Nair agreed that we could conduct the assessment in around July/ August 2016
21. After making prior arrangements, Mr Le Roux and his special project team travelled from Bosasa Head Office in Krugersdorp to Mr Nair's Residence, where I met the special project team.
22. As I had been working at the court, I was wearing a shirt with a Sondolo IT logo on when I went to Mr Nair's residence. I was also driving a Sondolo IT branded vehicle.
23. Upon our arrival at Mr Nair's house, we found that there was Fidelity Security performing guarding services at the residence. When the security guards saw my shirt with the Sondolo IT logo on, they questioned why we were there. They did not want us to enter the premises.
24. Mr Le Roux and I explained that we were there to perform a security assessment with the permission of Mr Nair and after some discussion we were



allowed into the premises. I cannot recall if the security guards phoned Mr Nair or anyone else in order to allow us access as it was too long ago.

25. Mr Le Roux and his special project team then did an assessment of the security system in place and what was required for the upgrade, with some input from me. I had updated Mr Le Roux on requirements and concerns that Mr Nair indicated to me when I went to his place for the first time. His requirements were taken into consideration during this assessment. After the assessment I returned to the Pretoria Magistrates court to continue my work and Mr Le Roux went his separate way.
26. After this site visit, Mr Mathenjwa came to know that I was questioned by the security guards at Mr Nair's residence and was upset with me for wearing the shirt with Sondolo IT logo on. He berated me for this. I am not sure how Mr Mathenjwa came to know about the incident or whether he escalated this to Mr Agrizzi, but I was never questioned about this by Mr Agrizzi.
27. I only went to Mr Nair's residence during the assessment phase of the project which to my memory was carried over on two days with Mr Richard Le Roux and his team. After the basic assessment was agreed to cover the requirements, the design, project planning and installation was done by Mr Le Roux and his Special Projects Team.
28. I am aware that Mr Le Roux performed the installation as I recall that I was contacted a few times by Mr Nair when the installation was taking place at his premises. This was when he could get hold of Mr Le Roux. I indicated to Mr Nair that I no longer had any dealings with this project and that he needed to speak to Mr Le Roux. I subsequently informed Mr Le Roux of this when I saw him.
29. All discussions regarding any installation of additional equipment would thereafter have been between Mr Nair, Mr Mathenjwa and Mr Le Roux.
30. I was not involved with the subsequent design, approval, procurement, installation, user training, handing over and maintenance of this project.



31. Mr Nair did not discuss any budget or the cost for the work to be done at his residence with me. This may have been done at a higher level with Mr Mathenjwa.
32. When I met Mr Nair again at the Pretoria Magistrates court after these site visits and assessment, Mr Nair never:
 - 32.1. Discussed the installation of any security equipment at his residence and/ or the cost thereof;
 - 32.2. Complained to me about any equipment that had been installed that was not supplied.
33. In order to confirm that the premises I went to is the residence of Mr Nair, the Commission's Investigation Team has provided me with a screenshot of a house taken from Google Maps which is attached hereto as **Annexure DB1**.
34. The screenshot depicts the front gate and entrance to the house which I recognise and confirm as being the premises I went to when I followed Mr Nair to his house. Mr Nair informed me that that was his residence. The street number which is visible in the screenshot is the number "45". I cannot recall the street name.
35. Although I dealt with Mr Nair at the Pretoria Magistrates court for the work being performed by Sondolo IT, the assessment of his security needs and any subsequent work performed for him at his residence, was not an extension of the work being done at the courts by Sondolo IT.

Differing version

36. I have been informed by the Commission Investigation Team that a different version to my statement above exists in that:
 - 33.1 Mr Riaan Van Der Merwe, another former Bosasa employee:
 - 36.1.1. States that he went to perform the initial site assessment together with me and has the site notes confirming his visit;
 - 36.1.2. Identified the premises on his own accord; and

36.1.3. Recalls the security guards questioning me regarding wearing a Sondolo T Shirt.

33.2 Mr Le Roux version is that:

36.1.4. Mr Mathenjwa complained about me having gone there previously wearing a Sondolo shirt; and

36.1.5. He would have never allowed me to go with him wearing a Sondolo shirt, as per his usual practice of using unmarked cars and no branded shirts.

37. In this regard I can state that:

33.3 I recall going to Mr Nair's residence on a few occasions and recall being questioned by the guards regarding my branded vehicle and shirt;

33.4 I am not certain of the dates when I went to Mr Nair's residence;

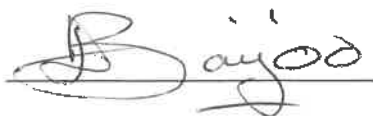
33.5 The site visit with Mr Le Roux and his Special Projects team could have included Mr Riaan van der Merwe as he headed the design team. I have little recollection of going with him to site on this day; and

33.6 The Special Projects Team made note of the details of the site including measurements. There was a lot that happened on site in a short time and I cannot recall all the details as I did not take any notes since the Special Projects team had taken over this project.

I know and understand the contents of this affidavit.

I have no objection in taking the prescribe oath.

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



I certify that the deponent has acknowledged that he knows and understands the content of this statement. This statement was sworn to before me and the



deponent's signature placed thereon in my presence at on this the 24 day of July 2020.

I solemnly swear that the foregoing statements are true and that the contents of this statement are true and correct. I have signed and confirmed before me and that signature/initials/thumbprint was placed in my presence.

FAIRLAND op 2000-07-24 om 14:41
On 2000-07-24 om 14:41
7208597-9
(HANTEKENING) KOMMISSARIS VAN EDE
(SIGNATURE) COMMISSIONER OF OATHS
Lopang Goofrey PAOLE
VOLLE VOORNAME EN VAN IN DRUKSKRIJF
FULL FIRST NAMES AND SURNAME IN BLOCK LETTERS
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BEGRIJPELIJKE ADRES (STRAATADRES)
BUSINESS ADDRESS (STREET ADDRESS)
FAIRLAND
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(HANTEKENING) KOMMISSARIS VAN EDE
(SIGNATURE) COMMISSIONER OF OATHS

VOLLE VOORNAAM EN VAN IN DRUKSKRIJF
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SOUTH AFRICAN AIR FORCE
 WISPOL HEAD
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 FAIRLAND
 SUNDAY APRIL 1980 (1980)

Silverbow CAB 12/04/2019

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DEUTS BAIJOO STATES UNDER OATH IN ENGLISH THAT

1

I am African male with identity number 6202085001 08 5 residing at 10 Arizona Complex, 2 Boomdruif Street Weltevreden Park Roodepoort. I am employed as a Project Manager at Global Technology Systems with contact number 083 789 0103, Work (011) 662 6495 .

2

During 2016/2017 I was maintaining the security system at Pretoria court. I was busy with the design with the security system at the burned court. That is when I get to contact with Desmond Nair (Magistrate) and the court manager by the name Bansi . His (court manager) real name is unknown to me. Magistrate Desmond Nair needed advice on the security system at his rented house that he was intending to purchase which is in Pretoria. I do not know the physical address.

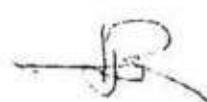
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I did go to magistrate Nair's house and found that it was not going to be simple installation. I got in contact with Richard Le Roux to assist as he has extensive experience with domestic installations. I accompanied Richard on the second visit and for the design of the security system. Richard exchanged contact details with Desmond Nair. That was the last association I had with that project. I do not know what name the project was given.

4

During my second visit with Richard Le Roux I was wearing cooperate uniform and the security at Desmond Nair's property were difficult and did not want me to enter the premises. The reason forwarded to me was that I was not from the same security company as theirs which is Fidelity Company.

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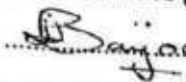


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I know and understand the contents of this statement.

I have no objection to taking the prescribed oath.


I consider the prescribed oath to be binding on my conscience

 2019/07/06.

THE DEPONENT

I CERTIFY THAT THE DEPONENT HAS AKNOWLEDGED THAT HE KNOWS AND UNDERSTAND THE CONTENTS OF THIS STATEMENT WHICH WAS SWORN TO BEFORE ME AT FAIRLAND ON THE 06 DAY OF APRIL 2019, WITH THE SIGNATURE OF THE DEPONENT PLACED THERON IN MY PRECENCE. THE DEPONENT HAS FURTHERBACKNOWLEDGED THAT HE HAS NO OBJECTION TO TAKING THE PRESCRIBED OATH AND CONSIDERS THE PRESCRIBED OATH TO BE BINDING ON MY CONSCIENCE

COMMISSIONER OF OATH

 NARE JONAS TAUATSWALA.

FULL NAMES NARE JONAS TAUATSWALA

CAPACITY POLICE OFFICER NO. 05461294

ADDRES 165 MEYER STREET GERMISTON

772

Affidavit as requested relating to the Security upgrade at Mr Desmond Nair's House

Affidavit by: Doothiakumar Baijoo (Deuts)

ID: 6262085001085

Date: 2019-08-16

Cell: 0837890103

Sir/Mam

I worked for GTS as the Project/Operations Manager in the Gauteng region. I managed the daily operations of the security system at the Gauteng courts and the Pretoria magistrates court were Mr. Desmond Nair was the Chief Magistrate.

I was introduced to Mr. Desmond Nair by the Court Manager during the planning of the security upgrade in 2010. This is where Mr. Mathenjwas had made contact with Mr. Nair during our security approval meeting with the court in 2010. I do not know when Richard Le Roux made first contact with Mr. Nair.

During the security upgrade installation, we experienced a fire to the heritage building which had to be closed off. I was later involved with the security design of the burnt building with the electrical consultants and the court manager and the Chief Magistrate on a few occasions.

Mr. Mathenjwa requested me to assist Richard Le Roux with the assessment of the security system installed at Mr. Nair's house at the beginning of 2014. I made contact with Richard Le Roux to arrange a site visit and requested Mr. Nair to arrange with the security at his house, to allow us access onto his property.

When we arrived at the premises of Mr. Nair, the Fidelity Security Guards at the gate did not grant me access into his premises, due to me driving a branded opposition company vehicle and company branded uniform (shirt). After some time, they did allow me onto the property. Richard Le Roux did not have a problem as he had an unbranded vehicle and corporate clothing. Richard Le Roux mentioned that he was not from GTS and was from a private company and then only did we enter the property.

I assisted Richard with the assessment of the current security system that was installed. We then drafted a design to upgrade the system that would cover the house and the perimeter with cameras and other security equipment. We proposed the design to Mr. Nair who was present at the house at the time of the site visit and he indicated that we were the professionals on security systems and had no problem with our proposal. Richard Le Roux and I departed from the site in different directions and that was the last time that I went to Mr. Nair's house.



A handwritten signature in black ink, appearing to be a stylized 'S' or 'D' followed by a flourish.

78

From this point, I had no involvement with regards to the security project upgrade at Mr. Nair's residence. I know that Richard Le Roux had been in consultation with Mr. Agrizzi and with Mr. Mathenjwa with regards to the project. I had no idea if the project had a name or not. I was not involved in any of the procurement processes, approvals, documentations and installation.

It was normal as the company rule, that none of us had to know or interfere with any projects that the Special Project's Team were busy with. Richard Le Roux did not discuss with me the challenges he experienced on the project and I did not know when the work was completed.

D Baijoo
D Baijoo

2019/08/16
Date.

I hereby declare that the above information is true and correct to the best of my knowledge and belief. I have signed this statement in the presence of the undersigned, who has sworn to affirm before me and upon this signature/thumbprint was placed thereon in my presence.

Fairland on 2019/08/16 at 12.4
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(HANTTEKENING) KOMMISSARIS VAN EDE
(SIGNATURE) COMMISSIONER OF OATHS

Kunene Th. L. L. L.
VOLLE VOORNAME EN VAN IN DRUKSKRIEF
FULL FIRST NAMES AND SURNAME IN BLOCK LETTERS

87 Sophia St. Fairland
BESIGHEIDSADRES (STRAATADRES)
BUSINESS ADDRESS (STREET ADDRESS)

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RANG/RANK

SA POLISIEDIENS
SA POLICE SERVICE

SOUTH AFRICAN POLICE SERVICE

HUMAN RESOURCE

2019 -08- 16

MENSLIKE HULPBRONNE
FAIRLAND

SUID-AFRIKAANSE POLISIEDIENS

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

AFFIDAVIT

I, the undersigned,

SAROM SMANGALISO TREVOR MATHENJWA

do hereby make oath and say that:

1. I am an adult male of full legal capacity. I depose to this affidavit pursuant to a direction issued by Deputy Chief Justice Raymond Zondo, acting in his capacity as the Chairperson of the Judicial Inquiry into allegations of State Capture and Fraud in the Public Sector including organs of state ("the State Capture Commission"), in terms of Regulation 10(6) of the Regulations of the State Capture Commission that I, as an implicated person, respond to allegations made in affidavits delivered by Messrs Angelo Agrizzi, Richard le Roux and Doothlakkumar Baijoo (collectively, "the Affidavits").
2. In deposing to this affidavit it must not be construed as an acceptance that the State Capture Commission has followed its own rules and regulations in its proceedings in relation to the manner in which it has sought to lead



evidence regarding the affairs of the African Global Group of Companies ("the Group") or that implicated persons have been given a fair opportunity to protect and exercise their rights under the Constitution of the Republic of South Africa, 1996 and the Promotion of Administrative Justice Act, 2000. My rights, including that of judicial review, arising from the foregoing have previously been reserved and they remain so reserved.

3. I was formerly a director of Global Technology Solutions Proprietary Limited ("GTS"), which was previously known as Sondolo IT. GTS was a large company. Its operations covered all nine provinces. Mr Agrizzi, as the Chief Operating Officer of the Group ("COO") took a decision to divide GTS' operations into a Northern and Southern Region. The Northern Region comprised of Gauteng, North West, Limpopo and Mpumalanga. The Southern Region comprised of Kwa-Zulu Natal, the Eastern Cape, the Western Cape, the Northern Cape and the Free State. Each province was led by Regional Operations Coordinator (or ROC) with a number of technicians under each of them. Although there were reporting structures within GTS, it was standard protocol within the Group (including GTS) that the final decision on any work implementation (i.e. operations) was subject to the approval and authorisation of Mr Agrizzi as the COO.
4. In my ad seriatim response which follows, I deal only with paragraphs where I have been implicated in supposedly corrupt or otherwise unlawful activities. I have also been called upon by the State Capture Commission to respond to paragraphs which it highlighted in the annexures to the Directives. That said, the absence of any response to allegations levelled at

other directors, officers and/or employees of the Group or the Group itself must not be construed as an admission by me of the correctness thereof.

A. AFFIDAVIT OF MR LE ROUX (ANNEXURE A)

5. Ad paragraphs 5 and 6

I deny that Mr le Roux reported to me or that he was obliged to do so in terms of his channels of authority. Ultimately, work falling under his responsibility would have been subject to the approval and authorisation of Mr Agrizzi as the COO. As stated by Mr Le Roux himself, he returned from the United Kingdom to work for the Group as a result of an approach from Mr Agrizzi and always worked closely with Mr Agrizzi.

6. Ad paragraph 8

I did not give instructions to any employee to wear unbranded clothing and make use of unbranded vehicles. I can only assume that if there was such an instruction it would ordinarily have been taken and communicated by Mr Agrizzi, as the COO for reasons known to him.

7. Ad Paragraphs 19 and 20

To my knowledge there was no business unit designated as "Special Projects" within the Group although I do agree that new projects undertaken by GTS were subject to the final approval of Mr Agrizzi.

8. Ad paragraphs 31 - 33

- 8.1 I deny having given Mr Le Roux any instructions to "*attend to the Richards-bay residence of Ms. Dudu Myeni*" and I have no knowledge whether the now late Mr Gavin Watson did so.
- 8.2 Mr Le Roux and myself were requested by Mr Agrizzi to travel to the Richard's Bay residence of Ms Dudu Myeni to survey her security system which was apparently not fully operational. Mr Agrizzi gave as his reason for me accompanying Mr Le Roux the fact that my mother tongue is isiZulu and neither Mr Le Roux nor his technicians were conversant in the language.
- 8.3 I certainly did not give any instructions regarding the installation of an electrical fence or, for that matter, what was required at the residence in relation to any aspect of the security system. Any action plan would involve some sort of agreement, cost determination for doing the work, payment arrangements and the type of solutions appropriate to address the problem at the residence. All of this fell outside of my mandate, authority and to some degree my competence.
- 8.4 The survey was undertaken and it was Mr Le Roux's responsibility to report the findings of the survey to Mr Agrizzi. I assume he did so as work was subsequently executed at the residence but I do not have knowledge of the scope of the work or the cost thereof. I also assumed, as was the case with all work undertaken by GTS, that it would have been in terms of an agreement, approved by Mr Agrizzi, with the

customer. I had no reason to doubt that this was the case in the instance of the work executed as Ms. Myeni's residence.

9. Ad paragraph 34

On the morning after the visit (not in the evening as stated by Mr Le Roux), I received a call from Ms Myeni, regarding a burglary which had apparently occurred the previous night.

10. Ad paragraph 35

We went back to Ms Myeni residence before we flew back to Johannesburg because Mr Le Roux and I were apparently the last people to visit the residence prior the incident.

11. Ad paragraph 36

11.1 I deny that I gave Mr Le Roux instructions that he was to return to Richards Bay, whether on that day or at all, with his technicians to undertake any work at Ms Myeni's residence. As already mentioned, I did not have the authority or mandate from the Board of GTS or Mr Agrizzi to do so.

11.2 I further dispute that I instructed Mr Le Roux to deal with an electronic security supplier in Durban. I have no knowledge as to who are the reputable suppliers in this field in Durban. It appears from documentation attached to his second affidavit, that Mr Le Roux did not buy all of the supplies for the works from suppliers in Durban as he talks

about some or other misunderstanding with Ms Myeni about goods purchased or to be purchased in Richards Bay.

12. Ad paragraph 37

12.1 Mr Le Roux called me to advise that he had been contacted by the investigator. Apparently, the investigator had visited the residence whilst Ms Myeni was not at home and he wanted to know why Mr Le Roux had been there on the day of the burglary. I undertook to contact Ms Myeni to ask her to explain the purpose of the visit and why Mr Le Roux had been at her residence prior the incident. I duly did so and, to the best of my knowledge, a suspect was arrested. Save for that, I have no knowledge regarding the outcome of the investigation.

12.2 GTS was an independent contractor, and as its employees we were undertaking an assessment of the security system at Ms Myeni's residence. However, I deny both having mentioned anything about us being 'independent investigators' and also the insinuation that I told him not to disclose the identity of GTS or that it is part of the Group.

13. Ad paragraph 38

I have no knowledge of any instruction given to Mr Le Roux not to disclose the identity of the Group.



14. Ad paragraph 39

I have no knowledge of Mr Le Roux's conversation with Mr Agrizzi. Mr Le Roux certainly never mentioned to me that there had been a threat to arrest him.

15. Ad paragraph 40

I deny that I received a call from Mr Agrizzi following upon a conversation with Mr Le Roux or that he ever told me to "sort it out".

16. Ad paragraphs 52 and 53

16.1 All of the affidavits seek to implicate me in the installation of a security system during or about 2016 at the home of Mr Desmond Nair who was at the time the Chief Magistrate of Pretoria ("the Nair installation").

16.2 The Nair installation was previously the subject matter of an inquiry conducted by the Magistrates' Commission (6/5/5/2-01/2019). I provided that Commission with the following statement:

- "1. I am a major male and a senior executive of Global Technology Solutions Proprietary Limited ("**GTS**"), previously known as Sondolo IT, a member of the African Global Operations Proprietary Limited group of companies ("**AGO**").
- "2. I am informed that the Magistrates' Commission is investigating allegations made by a Mr Richard Le Roux in an affidavit deposed to during the course of the Judicial Commission of Enquiry into State Capture, Corruption and Fraud in the Public Sector including Organs of State ("**the State Capture Commission**"). I do not have direct knowledge of the allegations.
3. GTS held a contract for the maintenance of security at Magistrates' Courts in Pretoria.

4. I attended meetings with officials in the Department of Justice, including from time to time, the Chief Magistrate of Pretoria, Mr Dennis Nair, to discuss operational matters pertaining to the agreement under which GTS had been contracted by the Department of Justice.
5. In passing, and at one such meeting the precise date of which I cannot recall, one of the GTS manager's, Mr Baijoo, brought to my attention that the Chief Magistrate had concerns for his safety and was unhappy with the performance of the security system then installed at his private home.
6. Upon the request of Mr Baijoo, I agreed to an evaluation of the existing security system by GTS. Save for agreeing to the aforesaid evaluation, I had no involvement in or knowledge of the installation of a security system at the private home of Mr Nair (whether by GTS or anyone else).
7. The first time I learnt of any such installation having apparently been undertaken by GTS was when disclosures to that effect were made during the course of the State Capture Commission.
8. I deny the hearsay allegation of Mr Le Roux that I instructed Mr Agrizzi to do anything with regard to the security installation at the private home of Mr Nair. In passing I point out that, Mr Agrizzi as the chief operating officer of AGO rarely, if ever, took instructions from executives within AGO and certainly he would not have done so from me."

16.3 I confirm the correctness of the above statement. Allegations in the Affidavits which are contrary to or inconsistent with what I said therein are denied.

16.4 It was common practice for me to report back to Mr Agrizzi as the COO on the outcome of operational meetings I attended. The meeting at the office of Mr Nair was no different. I gave Mr Agrizzi feedback on the meeting and, in doing so, drew to his attention the concerns raised regarding the security system at Mr Nair's residence. I told him that Mr Nair had a problem with the security system; it is was apparently always (faulty and set off false alarms and he was seeking a second opinion (GTS was not his service provider) about the status of the security system. Mr Agrizzi said he did not foresee a problem in evaluating the system and that he would take the matter further.

16.5 I deny that I gave, or could give, Mr Agrizzi any instructions. For that matter, Mr Agrizzi as the COO would not have accepted such an instruction had it been given (which it was not).

16.6 I am not aware of Mr Agrizzi's state of mind. At no stage did Mr Agrizzi confront me regarding the clothing Mr Baijoo was wearing.

17. Ad paragraphs 56 -59

I deny that Mr Le Roux acted under my instructions whether in relation to the issues raised herein or at all. I have no knowledge of an instruction to remove the serial numbers from equipment or how payment for work performed was processed.

B. AD AFFIDAVIT OF MR LE ROUX (ANNEXURE B)

18. Ad paragraph 30

I refer to what I have said elsewhere regarding the survey of the security installation at Ms Myeni's residence and deny allegations which are contrary to or inconsistent therewith

C. AD AFFIDAVIT OF MR BAIJOO

19. Ad paragraph 4

I deny that Mr Baijoo reported to me. He was a regional project manager reporting to the national project manager, Mr Carel Coetzee.

20. Ad paragraph 6

Certain aspects of the project installations were sub contracted to emerging contractors as part of the GTS' empowerment programme. However, the IP and software installations were carried out by GTS. GTS' responsibility included project management, commissioning, training and handover of the project to the client.

21. Ad paragraphs 10 and 11

I have no knowledge as to how Mr Baijoo became aware of Mr Nair's needs or concerns. The only time when the matter of security concerns was raised with me was during the operational meeting mentioned above which had taken place at the office of Mr Nair.

22. A paragraph 16

I deny that I was updated by Mr Baijoo regarding his assessment and refer to the statement made for the purposes of the Magistrates' Commission regarding my limited involvement in the Nair installation.

23. Ad paragraph 17

I repeat that I have no knowledge of a Special Projects unit within the Group and I do not know what Mr Baijoo means by the Board of Directors of Bosasa. In any event, it does not make sense. The Group is made up of a number of affiliates each with its own Board. Work performed by GTS was

subject to the final approval and authorisation of Mr Agrizzi in his capacity as COO of the Group.

24. Ad paragraphs 18 and 19

24.1 I refer to my statement to the Magistrates' Commission. The content of this paragraph contradicts what Mr Baijoo says in paragraphs 10 and 11 of his affidavits where he says Mr Nair first raised his concerns regarding the security at his residence with Mr Baijoo and that it was Mr Baijoo who brought this to my attention. He did this at the operational meeting held at Mr Nair's office with Mr Nair in attendance. I agreed that Mr Baijoo could conduct an assessment and subsequently reported as much to Mr Agrizzi.

24.2 I deny:

24.2.1 saying to Mr Baijoo that he must leave the matter to me and that I would sort it out; and

24.2.2 that I had any further conversations with either of Messrs Le Roux or Baijoo on the security at Mr Nair's residence.

25. Ad paragraphs 22 - 26

I have no knowledge as to when the evaluation took place or what transpired during the evaluation. I certainly do not know what Mr Baijoo was wearing and I did not speak to him after the evaluation or express any views to either him or anybody else on what he had worn when doing the evaluation. I never

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questioned nor scolded him about his apparel nor would I have done so had I been aware of what he was wearing.

26. Ad paragraph 29

Mr Baijoo's assumption that further discussions regarding the installation of additional security must have been with, amongst others, myself, is wrong. I deny having participated in any such discussions or that I was otherwise involved in the matter after having agreed to the evaluation.

27. Ad paragraph 31

Mr Baijoo's assumptions in this paragraph are wrong. Budget and costs (and the payment thereof) were never my area of responsibility nor did I get involved in any budget determination. Mr Agrizzi as the COO had the final say on the approval of budgets or the costs of any project to be undertaken by GTS.

28. Ad paragraphs 36 (including sub-paragraphs 33.1 -33.6 [sic]).

The differing versions are for the deponents to the affidavits to explain. Suffice to say, I deny both versions regarding my supposed unhappiness regarding the clothing worn by Mr Baijoo and refer to what I have said elsewhere.



D. THE AFFIDAVIT OF MR VAN DER MERWE

29. Much of the affidavit is a repetition of what has been said in the other Affidavits regarding the supposed Special Projects unit, the various channels of authority and the Nair installation. I have made my position clear with regard thereto and refer to what I have said elsewhere in this affidavit on those matters. Allegations which are contrary to or inconsistent therewith must be taken as having been denied.

30. Ad paragraph 10

I deny that Mr Van Merwe reported to me.

31. Ad paragraph 21

I deny having had any communication with Mr Van Der Merwe or having instructed him to assist Mr Baijoo in conducting the evaluation of the security system at Mr Nair's residence.

32. Ad paragraph 23

I refer to what I have said above regarding the clothing that was apparently worn by Mr Baijoo. I deny having instructed Mr van der Merwe at any stage that he was not to wear clothing which would identify him as an employee of GTS or that he should only use unbranded motor vehicles when providing services. As I did not instruct him to assist Mr Baijoo, I obviously deny having reiterated any standing instruction (which I had in any event not given)

SSD

regarding clothing apparel when he was apparently going to assist Mr Baijoo.

E. THE AFFIDAVIT OF MR AGRIZZI

32.1 Mr Nxele

32.1.1 I do not have any knowledge about any financial arrangements or discussions with Mr Nxele surrounding any such payments. I deny ever having been given the responsibility of handling Mr Nxele or that I was involved in paying him any money whether in a grey bag or otherwise.

32.1.2 I was asked by Mr Agrizzi to join him in Durban as he was going to have a meeting with a difficult client. He told me that there is a challenge in KZN. Apparently, there was some concern over the use of emerging contractors on the Department of Correctional Services projects in that province which needed to be resolved. I did not have a working relationship with that department and, although it puzzled me at the time (and still does to this day) why he wanted me to be part of this discussion, I nevertheless went with him as it was his prerogative as the COO to decide who should attend meetings regarding the affairs of the Group from time to time.

32.1.3 Mr Agrizzi informed that the meeting would be at the Beverley Hills Hotel and upon arrival we took up seating available in the foyer area of the hotel to await the arrival of Mr Nxele. Mr Agrizzi mentioned

that before turning to the issue of emerging contractors, he had other business to discuss with Mr Nxele but he did not disclose the nature of that business to me. At a point, but before Mr Nxele's arrival, I excused myself to go to the bathroom.

32.1.4 During my absence, Mr Nxele must have arrived as upon my return it was clear that the two of them had already been in discussion. It was plain from their body language that they had had a disagreement of sorts. Nevertheless, Mr Agrizzi introduced me to Mr Nxele. Neither of them made any attempt to draw me into the discussion which was out of earshot. I took up a seat some distance from the two of them as I assumed they wished to carry-on with the other business which Mr Agrizzi had said he needed to discuss with Mr Nxele and I did not want to intrude as the Department of Corrections was not part of my responsibility. The discussion appeared to come to an abrupt end and Mr Nxele stood up and left the hotel.

32.1.5 I deny that Mr Nxele left any grey bag with me or that Mr Nxele contacted me later to make arrangements for the collection of the of the grey bag.

32.1.6 I asked Mr Agrizzi what had happened and his response was that Mr Nxele was being stubborn, or something like that, but asked me to call Mr Nxele to see if he would resume his discussion with Mr Agrizzi. I did so but there was no immediate answer. Mr Nxele

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returned my call a while later during which he seemed angry with Mr Agrizzi as he told me not to bring a 'white man' to KZN to undermine him. He would not speak to Mr Agrizzi and the conversation ended.

32.1.7 I was confused as I had not arranged the meeting and asked Mr Agrizzi what Mr Nxele meant by his statement. I was told not to worry about the matter and that he, Mr Agrizzi, would 'handle it'. I left it at that and we parted ways as Mr Agrizzi was staying over in Durban and I needed to return to Johannesburg.

32.1.8 I had no further dealings with Mr Nxele after my brief introduction at the the meeting at Beverley Hills Hotel between Mr Agrizzi and Mr Nxele.

32.2 Ms Myeni

I deny that I had frequent meetings with Ms Myeni. I was not involved in, nor was I aware of, any discussions involving Messrs Agrizzi and Watson regarding the NPA or the "prosecution of Bosasa" (whatever that may mean).

F. THE SUPPLEMENTARY AFFIDAVIT OF MR AGRIZZI

33. Ad paragraphs 168 - 173

- 33.1 I deny that I employed a technician called Mr Bheki Gina or that I approached Mr Agrizzi to solicit work from the Department of Education in the Northern Cape or to make any bribe in that regard.
- 33.2 I refer to what I have said above regarding Mr Agrizzi's decision to divide GTS into two main regions.
- 33.3 The coordinators of the Southern Region and Northern Region together with their provincial coordinator and group HR personnel were responsible for recruiting personnel. Mr Gina was highly recommended by the Coordinator of the Southern Region, Mr Dean Cook, because he had worked with Mr Gina when the latter was working for one of GTS' sub-contractors. Mr Gina was appointed to work in the Northern Cape and reported directly to the ROC of the Northern Cape (Charles Reineken). Later on Mr Gina was promoted to replace the ROC of the Northern Cape.
- 33.4 To the best of my knowledge, Mr Gina does not have a sister who works at the Department of Education. When I heard this claim in the media, I checked with Mr Gina and he denied this to be the case.
- 33.5 I am not aware of any contract with an organ state which was awarded to GTS without proper procurement process as claimed by Mr. Agrizzi.

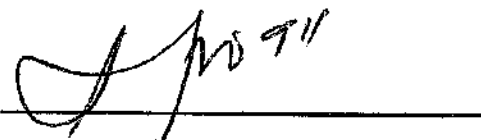
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I annex, marked **A**, a copy of the advertisement published by the Department of Education, Province of the Northern Cape in 2013 calling for tenders for the appointment of a qualified vendor specialising in integrated security systems to design, deliver and install an independent security network, access management and surveillance management system with ancillary equipment. I deny Mr Agrizzi's claim that there was no tender process for the work undertaken by GTS for the Department of Education, Northern Cape or that Mr Agrizzi queried why there was no procurement process. I did not inform him that the contract was awarded without following a procurement process because of an "emergency".

- 33.6 It was standard practice within the Group that before responding to any tender invitation it needed to be approved by Mr Agrizzi. He determined the viability of the bid and teams that would be involved in preparing, approving (including the costing) and the submission of the bid. I was not involved in the preparation of tenders and my powers as the director of GTS did not extend to overriding any decision of Mr Agrizzi.
- 33.7 I deny that I ever mentioned a possible benefit to Sunworx and refer to what I have said above regarding the fact that Mr Gina did not, and does not, have a sister employed by the Department of Education.
- 33.8 I have no knowledge of alleged payments being approved for Mr Gina's sister or that I managed any project of the Department of Education. I refer to my statements elsewhere in this affidavit regarding the

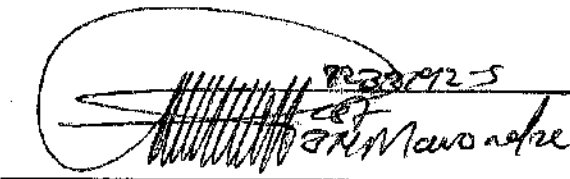
structures within GTS and that it never fell to me to manage a project, as a director or otherwise, of GTS.

33.9 I have no knowledge of Mr Agrizzi having been excluded from any discussions regarding the extension of the contracts in the Northern Cape. I deny being involved in such discussions.

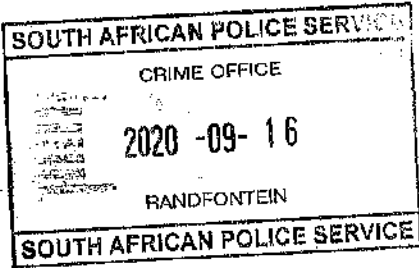


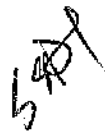
SAROM SMANGALISO TREVOR MATHENJWA

I CERTIFY that the Deponent has acknowledged that he knows and understands the contents of this Affidavit which was signed and sworn to before me at Randfontein on this 16 day of Sept 2020. In administering the oath, the requirements of Regulation R2477 dated 16 November 1984, as amended, have been fulfilled.



COMMISSIONER OF OATHS





❖ BID NUMBER: NC/DE/0002/2013-2014 CLOSING DATE: 01 NOVEMBER 2013 AT : 11:00

APPOINTMENT OF A QUALIFIED VENDOR SPECIALISING IN AN INTEGRATED SECURITY SYSTEMS TO DESIGN, DELIVER AND INSTALL AN INDEPENDENT SECURITY NETWORK, ACCESS MANAGEMENT AND SURVEILLANCE MANAGEMENT SYSTEM WITH ANCILLARY EQUIPMENT FOR THE NORTHERN CAPE DEPARTMENT OF EDUCATION

REQUIRED BY: DEPARTMENT OF EDUCATION: NORTHERN CAPE PROVINCIAL ADMINISTRATION

❖ BIDS MUST BE POSTED OR DELIVERED TO:

IK NKOANE EDUCATION HOUSE
Department of Education
Private Bag X5029
KIMBERLEY
8300

❖ Street address: IK NKOANE EDUCATION HOUSE (Perseverance College) Cnr. Barkly Road and St Pauls, Homestead, Block A, 1st Floor, Room 30 & 40, Kimberley

OR

must be deposited in the Bid Box at the entrance , at the Security Office (Perseverance College) Kimberley.

❖ Bids closes at: IK KEVIN NKOANE EDUCATION HOUSE
Department of Education
Old Perseverance College
Private Bag X5029
KIMBERLEY
8300

Contact person/s: Mr N Mertenton
Tel. (053) 839-6574
Fax. (053) 839-6576 OR 0866400175

PLEASE NOTE

1. THE TAX CLEARANCE CERTIFICATE AS INDICATED IN NCP2 MUST BE SUBMITTED IN ORIGINAL AT THE TIME AND CLOSURE OF BID.
2. THIS BID WILL BE ADJUDICATED IN TERMS OF THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT.

23/11

RESPONSE TO REQUEST BY THE HONOURABLE CHAIRPERSON TO
SUPPLEMENT ORAL EVIDENCE WITH REFERENCE TO AFFIDAVITS OF
OTHER WITNESSES THAT WERE MENTIONED DURING TESTIMONY ON 5
JULY 2021.

AFFIDAVIT

I, the undersigned,

DESMOND NAIR

do hereby state under oath:

1. I am an adult male, currently employed as the Chief Magistrate of Tshwane.
2. I have been requested by the Chairperson of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector Including Organs of State (herein after referred to as "the Commission"), to deliver an affidavit setting out and annexing the 6 further affidavits deposed to by Mr Le Roux which are not in the possession of the Honourable Chair.
3. Mr Le Roux has given evidence on 9 occasions (of which I am aware of)

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either by way of statements under oath, wherein he has referred to me.

These are the following instances as listed hereunder:

- 3.1 The Zondo Commission on the 28th January 2019 (affidavit); and
- 3.2 on the 31st of January 2019 (oral testimony);
- 3.3 the Zondo Commission on the 2nd of April 2019 (oral testimony);
- 3.4 on the 31st of March 2019 (affidavit);
- 3.5 a statement made to the SAPS on the 6th of March 2019 (attached as annexure **A**);
- 3.6 a statement made to the SAPS on the 15th May 2019 (attached as annexure **B**);
- 3.7 a statement made to the SAPS on the 15th of August 2019 (attached as annexure **C**);
- 3.8 a statement made to the Zondo Commission on the 30th of June 2020; and
- 3.9 a further statement made to the Zondo Commission 4th August

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2020.

4. Apart from the aforementioned, Mr Le Roux also deposed to affidavits in 2017 and 2018 wherein he sets out all the projects done under the banner of so-called "special projects". These affidavits can be found attached to Mr Aggrizzi's statement (Part 3) as annexures thereto from pages 795 onwards. In both these affidavits, no mention is made of me whatsoever. Yet he mentions all the other special projects by name. These are attached hereto marked annexures **D** and **E**.
5. I set out hereunder the issues relevant to the affidavits which I expatiated upon during my evidence on the 5th of July 2021.

STATEMENT DATED 6 MARCH 2019

6. To contextualise the statement dated 6th March 2019 it is prudent to refer to Mr Le Roux's evidence before the Chair on the 31st January 2019. See Transcript evidence before Zondo 31 January 2019, Page 43, line 13 where he states as follows :

"My specific functions entailed that I got the quotes, done the surveys, got the technicians together. We would go to the site. I would be at every single site with the technicians. We would start the project, finish the project and hand the project over."

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7. In his statement dated 6th March 2019 made to the Hawks, Le Roux states that he was unaware exactly where the alarm system was installed and further that he was only part of this project.

"The alarm system was installed in the main bedroom by the other guys, but I am not sure where exactly was installed. I was part of this project, yet I was not there all the time..."

8. In his statement made to the Hawks on 15 August 2019 Le Roux also admits that he did not start the project.

"The reason I never gave a name to the project was because it was started by Mr Baijoo and I was instructed to take over."

11. See statement by Le Roux to the SAPS, date stamped, 15 August 2019, page 2, paragraph 710. In his affidavit dated 4 August 2020, made to the investigators, Mr Le Roux states that he was co-opted onto the project. See paragraph 10.12 on page 9 of the statement dated 4th August 2020.

12. Le Roux states in the affidavit dated 6 March 2019 that the special team that was used at my home comprised of the following individuals: Tsepho Huma, Johannes Fourie, Michael Ndou and Raymond Qwale. At paragraph 22 of the statement dated 6th March 2019 he states as follows:

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"After I received the cash I went to pay Regal Suppliers for the stock. I went together with Tsepho Huma, Johannes Fourie, Michael Ndou and Raymond Qwale. Since I already knew the place we then proceeded to do the installations."

See affidavit to Hawks dated 6th March 2019 at paragraph 22.

13. In his affidavit to the Zondo Commission dated 30th June 2020 he states:

"I personally attended the installation together with another 7 technicians which took us a minimum of 14 days to complete."

See affidavit to Zondo Commission dated 30 June 2020 at paragraph 106.

14. According to Themba Mlambo, an investigator at the Zondo Commission, Le Roux mentioned the names of all the members of his special projects team. These are according to Mlambo,

"He further informed me that the Special Projects team consisted of the following members: Messieurs Johan Fourie, Raymond (surname forgotten), Michael Ndho, Tshepo Huma, Nicola Du Toit and Eugene Bredenkamp."

See statement by Themba Patrick Mlambo dated 4 February 2019.

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15. According to Le Roux, he determined the date of the installation and the relevant invoices to be the 27th September 2016, based on the affidavit and information provided to him by one Riaan Van Der Merwe. Invoice 2472475 reflects that these items were collected on the 27th September 2016. Invoice 472614 reflects that these items were collected on the 17th October 2016.
16. According to Themba Mlambo, he visited various sites with Mr Le Roux in order for Mr Le Roux to identify the equipment installed at the various residences. He attaches invoices to his affidavit for accommodation in respect of Mr Le Roux and his special projects team. The invoices reflect that from the 25th to the 27th of September 2016, Mr Le Roux and Mr Michael Ndou were in East London. Mr Le Roux confirms this fact when he testified for the second time before Judge Zondo on the 2nd April 2019.

“Adv Molefe : Yes and on the page following page 25 is an invoice in relation to you also dated the 25th September 2016 and you say this would have been for Minister Mantashe’s property? That is correct and it would have also been for maintenance.

“yes and page 26 the name there Michael Ndo appears, who is he? That is correct. He was also part of Special Projects, technician. Yes. And would he have accompanied you. The date there is 25th

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September 2016. That is correct."

See Le Roux transcript to Zondo Commission dated 2 April 2019 at pages 101/102 lines 6 -21

17. Attached to the statement of Themba Mlambo, an investigator for the Zondo Commission are invoices for Blakes Travel which confirm that from the 25th to the 27th of September 2016 both Le Roux and Michael Ndou were booked in at a lodge in East London. There are invoices also for a Mr Paul Sedumo and Mr Bredenkamp as part of the team for that period. The invoices attached to Le Roux's May 2019 statement reflect time of collection of the equipment as 11.21 on the 27th September 2016. The Blakes Travel invoices are attached as annexure **F** and **G**.

18. In a further affidavit above, he states that 4 vehicles were used. This is the first time that Mr Le Roux indicates that there were 4 vehicles used.

See affidavit to Zondo Commission, 30th June 2020 at par 107.2

19. In his last statement to the Zondo Commission in August 2020, Le Roux states that he did not complete the work himself nor did he personally hand over the project.

"From the time the job at the premises was taken over as instructed.

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N.P.M.

My team of technicians had completed the work and the site was handed over to the persons at the house."

See Le Roux statement to Zondo investigators dated 4 August 2020 at paragraph 8.1.6.3, page 5.

"I am not sure who completed the work on this job as it was handed over to at the premises despite being completed."

See *supra*-affidavit 4 August 2020 at page 5 paragraph 8.1.6.6

STATEMENT DATED THE 15 MAY 2019

20. Le Roux signed an affidavit on the of 15th May 2019 wherein a typed list of items appears but without any reference to the handwritten serial numbers that feature on the invoice 2472475(3519609) that are referred to in the bundle of evidence in front of the Commission. If the handwritten numbers were indeed on the original invoice, it does not follow why he would not have included them in his statement dated 15 May 2019.
21. The only explanation for the omission of these serial numbers from his itemised affidavit on the 15 May 2019, is because he only had sight of the actual serial numbers after the photographs of the cameras were taken at my premises, during the search conducted by the SAPS in August 2019.

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This explains why the serial numbers and reference to cameras features in his statement on the 4 August 2020 at page 8 paragraph 10.8.1 -10.8.8.

22. In paragraph 5 of the statement dated 15 May 2019, Le Roux refers to invoice 2472475 as “ the invoice for the stuff used with the installation of the electric fence. There are no serial numbers to link these items with anything at my home except those which are handwritten. Invoice 2472475 appears to be one from Regal Distributors in Roodepoort.

23. In his statement made to the investigators on the 30 June 2020 at page 22 paragraph 110 Le Roux states as follows ;

“The above excludes the cost of equipment for the electric fence and monitoring screens purchased from “Nemtek” in Randburg”, although I am not able to approximate the cost of the items offhand.”

24. Unlike other invoices such as that on page T21-RLR-069, there is no mention of the description of the item in respect of each serial number. If it was indeed intended to be in respect of cameras, there would be such detailed description as appears in respect of the camera on on page T21-RLR-069.

25. It is also clear from the two invoices that the recipient of the stock was neither Mr Le Roux nor Mr Fourie who have signed for the stock in all the

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other invoices in your bundle.

26. Mr Le Roux adds that he was able to determine the invoices for the equipment purchased for the Nair residence from the date of Van der Merwe's site visit. Mr Van Der Merwe first disclosed his visit to both Mr Le Roux and the investigators in March 2020. This suggests an absence of an independent recollection of the exact date of the installation which he allegedly did himself.
27. In his statement made to the investigators on the 30th June 2020 Le Roux, for the first time, alludes to a Mr Riaan Van Der Merwe as also having attended the Nair residence without his knowledge.

"Subsequent to my testimony, Mr Riaan Van Der Merwe, another Sondolo IT employee informed me that he went with Bejoo to a residence matching the description of Mr Nair on 27th August 2016 and did a design of the security required. Using the aforementioned date and the description on the Regal Security invoices. I am able to state that the following invoices were for work at Mr Nair's residence."

28. See Statement to the Zondo Commission investigators dated 30th June 2020 at page 21 paragraphs 102 and 103

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29. At paragraph 7 of the 15 May 2019 statement, Mr Le Roux presents a diametrically opposed position than his evidence before the Chair on the 31 January 2019, wherein he states at page 103 line 17. that there was no name given to the project at all. He now states at paragraph 7 that the name of the project was "DESMOND NAIR." In his statement dated 15th August 2019 Le Roux then changes the version once more at paragraph 7 page 2 that the reason he *"never gave a name to the project was because it had been started by Mr Bejoo"* and he was instructed to take it over.

STATEMENT DATED 15 AUGUST 2019

30. Mr Le Roux is not certain about dates in respect of the installation at Mr Nair's residence. In response to a question from the evidence leader before the Chair, Mr Le Roux puts the date to be in early 2016 or somewhere in 2016.

"Molefe: Can you recall when you attended to the property? I cannot recall."

Transcript of evidence before Commission on 31 January 2019 at page 104 line 7.

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"Molefe: And can you recall over what period this ongoing maintenance took place: I cannot recall. Can you recall the year or month? It would have been one of the recent ones so I presume it would have been somewhere in maybe 2016, early 2016 somewhere around there."

Transcript before Zondo Commission 31 January 2019 at page 106 line 9.

31. In his statement made on the 6th of March 2019, Le Roux puts the date of the call from Aggrizzi to attend Mr Nair's residence as 2015 or 2016.

"During 2015 or 2016, I received a phone call from Angelo Aggrizzi, he told me that..."

See statement made on the 6th of March 2019 at paragraph 20.

32. In his statement made to the police and commissioned on the 15th August 2019, Le Roux amplifies that he did not know that Mr Nair was a Magistrate by profession or that he was the Chief Magistrate and further that he would be able to identify serial numbers with invoices for the equipment used. He makes no mention of any date at all.

33. Of importance is that Le Roux, in the August 2019 statement states that

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he can, if necessary, identify the serial numbers for the equipment purchased after having already done so in May 2019. The serial numbers would have been available in the photographs that the police took at Mr Nair's house in August 2019. It is from these photos that I suspect that Le Roux, or someone else, caused the serial numbers to be handwritten on the invoices which are in my possession and were attached to the May 2019 statement.

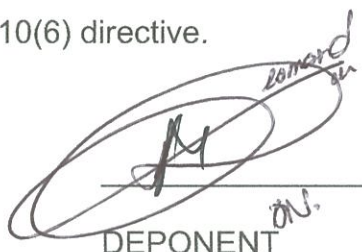
See Le Roux statement to SAPS commissioned on the 15th of August 2019.

34. In a further statement dated 30th June 2020 Le Roux, for the first time, alludes to September 2016 as the month during which the installation occurred. This was as a result of discussions with Mr Riaan Van Der Merwe and not from his own personal recollection or records.

"subsequent to my testimony, Mr Riaan Van Der Merwe, another Sondolo IT employee, informed me that he went with Mr Baijoo to a residence matching the description of Mr Nair on the 27th August 2016 and did a design of the security required....Using the aforementioned date and the description on the Regal Security invoices, I am able to state that the following invoices were for work at Mr Nair's residence...."

DN. *re:DN*

35. See statement made to the Zondo investigators dated 30th June 2020 at page 21 paragraphs 102 and 103.
36. I humbly request that the contents of this affidavit be read with and incorporated into the submissions made by me on the 26th August 2019 in pursuance of the Regulation 10(6) directive.


DEPONENT

THUS SIGNED AND SWORN TO before me at Pretoria on this the 16th day of July 2021 by the deponent who acknowledges that the deponent knows and understands the contents of this affidavit; that it is the truth to the best of the deponent's knowledge and belief and that the deponent has no objection to taking the prescribed oath and regards the same as binding on the deponent's conscience and the administration of the oath complied with the Regulations contained in Government Gazette No. R1258 of 21 July 1972, as amended.


COMMISSIONER OF OATHS

EX OFFICIO:

FULL NAMES:

PHYSICAL ADDRESS:

DESIGNATION:

NTHAPELENG MALALE
PRACTISING ATTORNEY
Ex Officio - Commissioner Of Oaths
Office 0404, Olivetti House
237 Sophie De Bruyn Street, 0002
Cell: +27 72 417 0880 | Fax: +27 86 439 8263
Email: nthapeleng@mainattorneys.co.za

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SILVERIOS LAS 12/10/2012
AFFIDAVIT OF MR LE ROUX:

I, Richard Le Roux States under oath as follow:

1.

I am an adult male aged 47 years old, with ID711004 5382082, residing at Plot 162 Road 5 Hillside, Randfontein (Residential address), Tel N/A and employed at Global Technology Systems, situated at Number 1 Windsor Road Luipaardsvlei Krugersdorp, Tel (w)(011) 662 - 6000 Cell number 071 481 8938.

2.

The facts contained herein fall within my own personal knowledge, unless the contrary appears from the contents thereof, and to the best of my belief are both true and correct.

3.

I have been employed by the company Sondolo IT, which was a subsidiary company to Bosasa Group of Companies, since March 2002 until I resigned in 2006 and went to the United Kingdom where I got employment at a completely different company. During my stay in the United Kingdom I had maintained contact with Angelo Agrizzi, who was my former colleague at Bosasa, but I was not reporting to him.

4.

Whilst in the United Kingdom, during my communication with Angelo Agrizzi, he indicated and requested me to come back to the Republic and recommence my duties as Regional Technical Co-ordinator at Sondolo IT Company.

5.

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LW 12/01/2017

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AFFIDAVIT OF MR LE ROUX:

I, Richard Le Roux States under oath as follow:

In February 2008 I resigned from my workplace in the United Kingdom and came back to the Republic where I assumed my responsibilities again as a Regional Technical Coordinator at Sondolo IT Company on the 1st March 2008.

6.

Sondolo IT Company was getting business instructions from the holding company, which was Bosasa. Bosasa later changed the name to African Global Operations and Sondolo IT also changed its name to Global Technology Systems. In fact all the subsidiary companies changed their names except the youth centres which were also part of Bosasa. The name changes occurred in the year 2016 or 2017.

7.

My duties at Sondolo IT were the maintenance of a wide range of security installations for the Company. I had other employees that were reporting under me. Basically I was the Supervisor of Gauteng Region.

8.

The Chief Executive Officer of Bosasa was Mr Gavin Watson and the Chief Operations Officer was Mr Angelo Agrizzi and there were also several Directors. In this affidavit I will refer to the Directors who were responsible for giving me instructions with regard to the Special Projects.

9.

The Special Projects operation was established within the Bosasa during 2011 or 2012. Its main purpose was to look after the houses of the Directors in terms of security maintenance as well as the Youth Centres and Lindela Repatriation Centre for illegal immigrants.

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AFFIDAVIT OF MR LE ROUX:

I, Richard Le Roux States under oath as follow:

10.

When the Special Projects started, I was specifically instructed by Mr Gavin Watson that the brandings on the vehicles which we were using must be removed. I in turn gave the same instructions to my other two colleagues, whom I cannot recollect who were they on that specific occasion, and we took the vehicles to the branding department inside the Bosasa Business Park and indeed the brandings were removed. The brandings were removed after the person I found and spoke to, confirmed with Mr Gavin Watson who confirmed the instructions. I cannot recall who that person was.

11.

In 2013 the project escalated to also cater for high profile people outside Bosasa's normal jobs. The Special Projects dealt mainly with the purchase and installation of Closed Circuit Television systems (CCTV), Security systems, and other security related issues.

12.

My team was allocated three specific vehicles to use in the Special Projects and normal duties for the Company, which was a Toyota Avanza with Registration number DY97RBGP, A Toyota Avanza and a Chevrolet Bakkie whose registration numbers I cannot remember.

13.

The Toyota Avanza with Registration number DY97RBGP was mainly used by me and the other two were being utilised by my other colleagues. But we could interchange the usage of the said vehicles when necessary. All these vehicles were previously branded with the Company logos but were later removed and looked like any other vehicle for private use by the public.

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J. Le Roux UAS 12/02/2019
AFFIDAVIT OF MR LE ROUX: A 1/4

I, Richard Le Roux States under oath as follow:

14.

The other two vehicles were mainly used by the technicians who were reporting under me, which are Tshepo Huma, Raymond Qwale, Michael Ndou and Johannes Fourie. According to my knowledge, all the vehicles of the Company were fitted with Tracker vehicle location devices. We were also utilising logbooks as a form of control of the vehicles' usage. We were using the Wesbank Auto petrol/fuel cards for refuelling and oil top ups and no cash transactions were allowed.

15.

The procedure to do the special projects was as follows:

Firstly, I would do the site survey to determine what was required on the site.

A quote would be done with a project or code name, for, example for Vincent Smith; I gave his project the code name of Project Jones. I would then take the quotation and present it to Mr Angelo Agrizzi for signature and approval. After the approval, I would take the approved document to Mr Jacques Van Zyl, who was in the Accounts department for the collection of the cash to purchase the required equipment. After I have procured the required equipment, I would then go and do the installation at the relevant premises. When the project was completed, I would take all the information related to the project, for example, quotes, Internet Protocol (IP) addresses of the equipment on site, the invoices, the Username and passwords for login, and put them in an envelope and deliver them to Mr Angelo Agrizzi.

16.

I was clearly instructed by Mr Gavin Watson that any project that I undertake must first be authorised by Mr Angelo Agrizzi, because if Mr Angelo Agrizzi's signature is not on the quotation, I would not get the necessary funds for that particular project.

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AFFIDAVIT OF MR LE ROUX:

I, Richard Le Roux States under oath as follow:

17.

There were cash accounts opened at Regal Distributors, SA (Pty) Ltd, situated in the West Rand at 191 Ontdekkers Road, Horizon view, Roodepoort, Elvey Security Technologies in Roodepoort and TPA Security Distributors in Krugersdorp and Nemtek Electric Fencing Products in Randburg. This cash accounts were opened in the name of Mr Angelo Agrizzi.

18.

The cash accounts were used to purchase the required equipment so that the purchases do not reflect on any subsidiary company of Bosasa or Bosasa Group of Companies herself.

19.

I was also issued with a company credit card which was issued by First National Bank, with a limit of R10 000.00. But, if and when the funds ran out therefrom, they will immediately top it up. Mr Gavin Watson and/or Mr Angelo Agrizzi would always require that I must first inform them before making any purchases of the equipment with the said credit card, the instruction which I strictly complied with at all times. But they did not have any issue with me using it for food when travelling.

20.

During 2015 or 2016, I received a phone call from Angelo Agrizzi, he told me that, he was instructed by Trevor Mathenjwa that I must attend to residence in Pretoria of Mr Desmond Nair to do a full evaluation of the security that needs to be done at Mr Desmond Nair's house. I still recall that Angelo Agrizzi was furious over the phone. He was very cross with Trevor Mathenjwa because Trevor Mathenjwa had already sent a project manager by the name of Duets Bajoo with contact number (083 789 0103) to

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SILVERADO JRS 12/02/2014 A.1/6
AFFIDAVIT OF MR LE ROUX:

I, Richard Le Roux States under oath as follow:

do a full evaluation of the security. When Duets Bajoo arrived at the site of Desmond Nair he was wearing a Sondolo uniform and that had raised question with the security company that was guarding Mr Nair's house and if I recall well it was Fidelity Security Company.

21.

I then attended the site evaluation and on my arrival at Mr Nairs house which is situated in Pretoria, I was confronted by the security at the premises asking me why Sondolo was coming here to do a security survey. I told him that I am not from Sondolo however I was the independent contractor. I did the site survey and after that I departed back to the office. I then started obtaining the quotes, after receiving the quotes I took those quotes to Angelo Agrizzi for signature he said to me I needed to wait because he wanted to discuss the quotes with Gavin Watson and Trever Mathenjwa. I can't remember how long I waited but it was few days. I just received the call to say come and collect the quotes from Angelo Agrizzi and they were signed by Angelo. I then took the quotes to Jacques Van Zyl to collect the cash for the job.

22.

After I received the cash I went to pay Regal Suppliers for the stock. After few days waiting for the stock Mr Chris De Beer phoned me to come and collect the stock. I went together with Tsephe Huma, Johannes Fourie, Michael Ndou and Raymond Qwale. Since I already knew the place we then proceeded to do the installations. The equipment that we procured for Mr Nair's house is as follows: Full electric fence, full alarm system, Perimeter Beams and full IP Based CCTV system.

23.

The layout of Mr Nair's house is simple as follows, when you approach his house there's a see through gate meaning that you can see inside the yard, when you inside

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Declaration VHS 12/10/2017
 AFFIDAVIT OF MR LE ROUX:

I, Richard Le Roux States under oath as follow:

the premises you go up the driveway, going up to the garage there is a granny flat on top of the garage and the entrance to the granny flat is on the side of the garage. When you go into the garage there is a room to the right hand side with see through bricks. In that room was where the equipment is installed. The alarm system was installed in the main bedroom by other guys but I am not sure where exactly was installed. I was part of this project yet I was not there all the time because of the confrontation with the security guy that was already there.

24.

I know and understand the contents of this statement.

I have no objection to taking the prescribed oath.

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

Richard Le Roux

THE DEPONENT

I CERTIFY THAT THE DEPONENT HAS AKNOWLEDGED THAT HE KNOWS AND UNDERSTAND THE CONTENTS OF THIS STATEMENT WHICH WAS SWORN TO BEFORE ME AT GERMISTON ON THE 06 DAY OF MARCH 2019, WITH THE SIGNATURE OF THE DEPONENT PLACED THERON IN MY PRECENCE. THE DEPONENT HAS FURTHERBACKNOWLEDGED THAT HE HAS NO OBJECTION TO TAKING THE PRESCRIBED OATH AND CONSIDERS THE PRESCRIBED OATH TO BE BINDING ON MY CONSCIENCE

COMMISSIONER OF OATH 'S SIGNATURE... *N.J. Tauatswala*

FULL NAMES: NARE JONAS TAUTSWALA

CAPACITY: POLICE OFFICER

DN. *N.D.M.*

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AFFIDAVIT OF MR LE ROUX:

I, Richard Le Roux States under oath as follow:

[Signature]
N.J. Tawadawa.

ADDRES: 165 MEYER STREET, GERMISTON.

RANK: *w/o*

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SILVERTON CAS 121/02/2019

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1.

I, Richard LE ROUX state under oath in English as follows:

2.

I'm an adult male aged 47 years old, with ID 71004 5382 082, residing at Plot 162 Road 5 Hillside, Randfontein, employed at Global Technology Systems, number 1 Windsor Road, Luipaardsvlei Krugersdorp, tel 011 662-6000, cell number 071 418 8938.

3.

I hereby state that on Tuesday 2019-05-14 I received a call from Capt Plaatjie to avail myself the following day to identify some invoices from Regal Distribution that they had with them.

4.

On Wednesday 2019-05-15 I went to the offices of the Hawks and on arrival I went through a couple of invoices.

5.

The first invoice I checked was an invoice with number 1023/02472475, and it was an invoice for the stuff used with the installation of the electric fence. The items on this particular invoice were as follows:

- UPS -2KVA
- 9U 400+ 200mm Collar Swing Frame Wall Box incl. Fans and Power
- Enclosure - 100x 100x 50mm Plastic
- Paradox MG5050 (REM2) 32 Z LCD Keypad PA9290
- Armed Status LED Indicator Flexible Blue
- PIP Takex Outdoor Dual Pet 190 degree MS-12FE
- Mag Contact MC White
- Switch 24 Port Managed GB PoC+ 4 Port CB TP/S/P 440 Watt Planet
- Switch 8 Port 10/100 Mbps PoC + 1 Port TP Uplink 100Mbps
- HDMI Splitter 1 4 Channel 20m
- HIK 32 Channel Embedded NVR no POE with 2TB HDD, DS-7732NI-I4 with serial nr: 576351186
- HIK 2MP WDF IR Bullet PoE 20m IR 4mm Lens
- I hereby attach this invoice on this statement as per annexure RL1

6.

The second invoice that I checked had invoice number 1023/02472614 and the items on this particular invoice were as follows:

- HIK 2MP WDR IR Dome PoE 20m IR Lens DS-2CD2122PWD-IS
- Monitor 18,5" Wide LED L366X768 With Serial number 604NTV515191

I hereby attach this invoice on this statement as per annexure RL2.

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SILVERTON CAS 121/02/2019

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7.

The name of the project that was named "DESMOND NAIR"

8.

I know and understand the contents of this statement

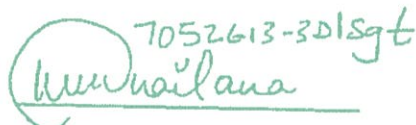
I have no objection in taking the prescribed oath

I consider the prescribed oath to be binding on my conscience

I swear that the above statement is true. "SO HELP ME GOD"



I CERTIFY THAT THE ABOVE STATEMENT WAS TAKEN BY ME AND THAT THE DEPONENT HAS ACKNOWLEDGED THAT HE KNOWS AND UNDERSTANDS THE CONTENTS THEREOF. THIS STATEMENT WAS SWORN TO BEFORE ME AND THE DEPONENT'S SIGNATURE WAS PLACED THEREON IN MY PRESENCE AT GERMISTON ON 2019-05-15 AT 13H30.



TLOU MARTIN NAILANA

165 MEYER STREET

GERMISTON

D/SGT: S A POLICE SERVICE

7.m

DN.
M.Dm


25

125

HY

COPY TAX INVOICE

REGAL DISTRIBUTORS SA (PTY) LTD
T/A REGAL WEST191 Oudekloof Rd
Horizon Park
PretoriaTel: 011 760 1149
Fax: 011 760 1529
Created by: Chris de Bree
Last operator: Brenda Poodshoorn
Customer Address:-
MR A AGRIZZI
T/A AGRIZZI
1 WINDSOR RD
LUIPERS VLEZ
KRUIGERSDORPInv No: 102300470475
Your contact:

Invoice Address:-

MR A AGRIZZI
T/A AGRIZZI
1 WINDSOR RD
LUIPERS VLEZ
KRUIGERSDORP

RE 3519609

BANKING DETAILS:
Regal Distributors SA (Pty) Ltd.
The Standard Bank of SA Ltd.
Account No.: 001007083
Branch Code: 004306
Current Account

1720177280

VAT Reg No:

A/A

B-1 SHIPMENT

DATE:

COUNTRY:

QUANTITY:

UNIT PRICE:

TOTAL:

MRARO:1

20/09/2016 11:21

richard

Delivered

CB01

350488

2

INVOICE TOTAL

BT 50000000

TAX:

TOTAL:

TOTAL:

PS63-2

CA102

CA21-2

SERIAL NR:

UPS - 2YR

90 400 x 200mm Collar Swing Frame Wall

But incl Fans and Power

ENCLOSURE - 100 x 100 x 50mm Plastic

613904587

613904598

590725163

590725285

613904536

613904769

613904641

613904664

613904589

590724953

590725486

1 EA

1 EA

20 EA

1363.00EA

1920.00EA

52.30EA

1963.00

1920.00

1058.00

GOODS REMAIN THE PROPERTY OF REGAL UNTIL FULLY PAID FOR. ALL GOODS SOLD ARE SUBJECT TO OUR STANDARD
TERMS AND CONDITIONS OF SALE. (see reverse)

PRINT NAME IN FULL:

DATE: 27/09/16

SIGNATURE:

I/WE ACKNOWLEDGE RECEIPT OF GOODS AS DETAILED AND ACCEPT STANDARD TERMS & CONDITIONS OF SALE.

SUB TOTAL

VAT

5182.40

744.52

TAP

6625.92

DN.

M.D.M.

26

(H) J. WEDD (AS 12/09/2016)
RL1

COPY TAX INVOICE

REGAL DISTRIBUTORS SA (PTY) LTD
T/A REGAL WEST



191 Ontdekkers Road
Horizon Park
Roodepoort

Tel: 011 760 1149
Fax: 011 760 1529
Created by: Chris de Beer
Last operator: Brenda Rawalala

In No: 1023'00472475
Your contact:

Invoice Address:-

MR A ABIZZI
T/A ABIZZI
1 WINDSOR RD
LUIPERS VLEZ
FRUGERSDOP

Customer Address:-

MR A ABIZZI
T/A ABIZZI
1 WINDSOR RD
LUIPERS VLEZ
FRUGERSDOP

RE 3519608

BANKING DETAILS:

Regal Distributors SA (Pty) Ltd
The Standard Bank of SA Ltd
Account No: 081807003
Branch Code: 084305
Current Account

1720177280

COT Reg No:

A/A

INVOICE NO	DATE	BY	TO	STATUS	AMOUNT	TAX
NR0001	20/09/2016 11:21	richard	Delivered	C901	35468	1

ITEM NO	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
CP124-8	Paradox MG5050 (REM2) 32 Z LED Hespel	1	EA	2300.00EA	2300.00
WLS2	Armed Status LED Indicator Flexible	2	EA	70.50EA	141.00
BD125-1	DJP Talc Outdoor Dual Pet 150 Degree	6	EA	1700.00EA	10200.00
MS-10TE	MS-10TE	1	EA	9.60EA	9.60
MC08	Max Contact IC White	1	EA	8500.00EA	8500.00
PM114-5	SWITCH 24 Port Managed 80 PoE 4 Port	1	EA	1100.00EA	1100.00
AK90186600037	OS TP/STP 450 Watt P13net	1	EA	1189.00EA	1189.00
NH110-2	SWITCH 8 Port 10/100 Mbps PoE 1 Port	1	EA	7726.00EA	7726.00
CC64-5	TP-Link 100Mbps	1	EA		
CC78-1	HDMI Splitter 1 (4 Channel) 20m	1	EA		
	HIK 32 Channel Embedded HVR No PoE with				
	3TB HDD 5763S1186				
	DS-732NI-I4				
	SERIAL NP:				
CC409	HIK 2MP HDR IR Bullet PoE 20m IR 4mm	11	EA	1219.00EA	13409.00

GOODS REMAIN THE PROPERTY OF REGAL UNTIL FULLY PAID FOR. ALL GOODS SOLD ARE SUBJECT TO OUR STANDARD TERMS AND CONDITIONS OF SALE. (see website)

SUB TOTAL

VAT

PRINT NAME IN FULL: ...

DATE: 27/09/16 SIGNATURE: ...

I/WE ACKNOWLEDGE RECEIPT OF GOODS AS DETAILED AND ACCEPT STANDARD TERMS & CONDITIONS OF SALE.

Continued...

DN.
A.D.M.

27

SILVERTON CAS 12/10/2019 12:06
 PL 2 COPY TAX INVOICE

REGAL DISTRIBUTORS SA (PTY) LTD
 T/A REGAL WEST

131 Oudekopers Road
 Hatfield, Pretoria
 0001

Tel: 011 760 1149
 Fax: 011 760 1129
 Created by: Chris de Beer
 Last operator: Brenda Pasmahulu

Inv No: 100302472614
 Your contact:

Invoice Address:-

MR A AGPITZI
 T/A AGPITZI
 1 WINDSOR RD
 LUIPEPS VLEZ
 KRUGERSDOP

Customer Address:-

MR A AGPITZI
 T/A AGPITZI
 1 WINDSOR RD
 LUIPEPS VLEZ
 KRUGERSDOP

RE 3519751

BANKING DETAILS:

Regal Distributors SA (Pty) Ltd.
 The Standard Bank of SA Ltd.
 Account No.: 591867063
 Branch Code: 504306
 Current Account

REGAL D.O. No.

1720177290

NET Payable:

R 0

ORDER NO	DATE	ORDERED BY	DELIVERED BY	DELIVERED DATE	DELIVERED TIME	DELIVERED STATUS
NR0001	21/09/2016 14:05	richard	Delivered			

ITEM NO	ITEM DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
001	4PK 40W MR IP Bulb P/E 20W TR 10m Len	1	1295.00	1295.00
002	DS 2002120W IS 5725 P/E 100W/5000K/2000H	1	1155.00	1155.00
003	1 x 1.5m 17.5" Wide LED 1200x700	1		
004	60470515191			
Additional information: collecting				

Richard
 12/10/16

GOODS REMAIN THE PROPERTY OF REGAL UNTIL FULLY PAID FOR. ALL GOODS SOLD ARE SUBJECT TO OUR STANDARD TERMS AND CONDITIONS OF SALE. (see reverse)

PRINT NAME IN FULL:

DATE: 17/10/2016

SIGNATURE:

WE ACKNOWLEDGE RECEIPT OF GOODS AS DETAILED AND ACCEPT STANDARD TERMS & CONDITIONS OF SALE

SUB TOTAL

VAT

GRAND TOTAL

RAF

5012.00

746.02

5749.02

AN. C
 M.D.M.

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C

AFFIDAVIT

I, the undersigned,

RICHARD LE ROUX

do hereby make oath and say as follows:

1. I have previously deposed to an affidavit to the Commission of Inquiry into State Capture commission the 28th of January 2019 and I testified before the commission on the 31st of January 2019 .
2. I confirm the contents of both my testimony and previous affidavit.
3. I have further been taken by both the Investigators of the Commission of Inquiry into State Capture to the said addresses including the address in Pretoria where I did the security installation at the residence of Mr. D. Nair.
4. I recall the position relating to this secret project installation as Mr. Agrizzi was upset and angry with Mr. Mathenjwa of Bosasa as it had been brought to his attention that Mr Duets Bejoo had been at the residence before me dressed in Sondolo IT clothing and the security company that was looking after Mr. D. Nair had apparently raised questions about the security.
5. I together with my technicians did the installation at the said residence.

DN.
NDM

(140)

29

Page 2

6. I confirm I installed a full electric fence at the property, a full alarm system and a CCTV IP based system. I have also pointed out to the investigators the property where I did the said installations.
7. The reason I never gave a name to the project was because it had been started by Mr. Bejoo and I was instructed to take it over.
8. The paperwork and invoices for the installation is with the Anti-Corruption Unit of the Hawks based in Germiston and is being dealt with by Brigadier Lewele and a captain Plaatjies (0714813147).
9. Should it be necessary, I can identify the and confirm the invoices with the serial numbers of the equipment that was installed at the residence.
10. The actual costing of the installation can be obtained from Bosasa as there has to be travelling and labour and costs of software and licencing for the equipment there is also the costs involved in the cabling and trunking and installation of the equipment at the residence. The approximate amount was R200 000.00
11. I met with Mr. D Nair at his residence on one or two occasions. I had never met him before but I understood he and Mr. Bajoo knew each other. He was very polite to me when I met him at his residence where I had been instructed to do the security survey and then do the installation of the security equipment.

DN.
M.D.M

(141)

30

Page 3

12. I did not know Mr. D Nair was a Magistrate by profession nor that he was the Chief Magistrate of Pretoria. I only heard at a much later stage that Mr D. Nair was in fact a magistrate.

**RICHARD LE ROUX**

THUS DONE AND SIGNED BEFORE ME AT JOHANNESBURG THIS ____ DAY OF AUGUST 2019 THE DEPONENT HAVING ACKNOWLEDGED THAT HE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS DECLARATION AND CONSIDERS IT BINDING ON HIS CONSCIENCE, THE REGULATIONS CONTAINED IN GOVERNMENT NOTICE NUMBER 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

G. S. MATHAPU

118 Commissioner St.
KlondorpM.D.M.
DN.

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32

AA-806

Affidavit

Richard Le Roux

4

Part of my duties are the implementation of what was called "Special Projects" these projects included the purchase and installation of Closed Circuit Tele Vision systems CCTV systems for high profile associates of Gavin Watson as well as the Directorate.

5

My family members work at Bosasa / African Global Operations in various positions and are well thought of.

6

My family resides at the Company owned premises since 2012, after Gavin Watson insisted I vacate the smallholding I was residing at and move to the office park accommodation as it suited him for me to attend to the wildlife, and to keep an eye on the park. I was entrusted to open and close the offices on a daily basis.

7

On the 7th or 8th November 2017, Gavin Watson called me and asked me where my loyalties were, he threatened me that my family worked at Bosasa and I needed to be careful, I asked him what I did wrong, he didn't say, he just re-iterated that I should watch where my loyalties were. I reiterated that I was loyal to the group, Johan Abrie the Human Resources manager then called me to reiterate what Gavin Watson had to say. This all had to do with a Facebook comment I had made on Angelo Agrizzi's page in innocence.

8

Last night the 20th November 2017, at exactly 18:18, Gavin Watson called me and instructed me to go to Lindsay Watson first thing in the morning and do an affidavit stating that Angelo Agrizzi instructed me to do the Special Project that has been done to date, that everything was done under his instruction.

I said I don't want to get in between arguments and it would be incorrect and untruthful to say that Angelo Agrizzi had instructed

2



DN INITIAL NAM

Affidavit

Richard Le Roux

me to do the special projects. This was not the truth, I had been primarily instructed by Gavin Watson and other Directorate to attend to them as follows.

At 19:14 I received a missed call from Lindsay Watson as per the phone records attached hereto. I tried to return a call.

On the 21st November 2017, at 06:36 I called Lindsay Watson the call was not answered.

At 06:45, I called her again and she answered, she said I have to come see her to do an affidavit.

8

I said to Lindsay Watson I am not comfortable doing an affidavit on the premise that it was an instruction from Angelo Agrizzi, wherein fact the instructions where from Gavin Watson and others directly and indirectly. Lindsay Watson stated that Bosasa and Gavin pays my salary, and I had to comply.

9

I explained that I couldn't lie in an affidavit, and would be consulting legal advice, she told me to get someone good, the choice is mine.

10

The facts of the matter are as follows:

- In 2013, Gavin Watson asked that I attend to the premises of Ms. Nomvula Mokonyane, whilst Angelo Agrizzi and Gavin Watson were at the premises. I was instructed by Gavin Watson to sort out the Electric Fence, the Generator, the CCTV systems, gate motor and other incidentals such as the pool, the distribution of electricity and lighting on the premises. I also attended to a garden clean up. Since 2013 we have continued services at Bosasa expense, these expenses would be paid for in cash, authorized by Joe Gumede and paid by Jacques Van Zyl in cash. Gavin Watson was fully aware as he was the person who wanted the work done.

100

INITIAL

N.O.M



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AA-809

Richard Le Roux

14

- Vincent Smith - SCOPA Chairman - Instructed by Gavin Watson - Angelo Agrizzi followed up
 - Roodepoort Residence - Electric Fencing, IP CCTV system
 - Total Value R200,000

15

- Full electric fence, alarm system new, IP CCTV Camera system, Cathexis Server, Offsite Monitoring capabilities
- Total Value R350,000

16

- Syvlon Dhlamini requested that we do a security analysis and installation for a certain Mr. Mbulelo at Randburg, who was heading the procurement for PRASA, we installed the following;
- o Alarm System, as well as a full CCTV IP Based system, with OFF Site Monitoring
 - o Total Value R150,000

17

I can attest hereto that all the aforementioned systems were paid for by the Bosasa Group, accounts would be opened as cash accounts, and I would receive the cash from Jacques Van Zyl and Angelo Agrizzi as the company did not want to reflect it on the books.



INITIA

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36

AA-810

Affidavit

Richard Le Roux

18

The affidavit is as a result of me and my family being threatened by Mr. Watson and the Directorate, and to provide the truth regarding the incidents and the accusations levelled against me are both ludicrous and unsubstantiated.

19

In order to protect my livelihood and for fear of reprisal from the Directorate and Watson, I might be forced to make a statement under duress, I would like this affidavit to supersede the affidavit given to Bosasa as the correct version without duress.

The statement given to Lindsay Watson will be merely to cease the pressure they are putting me and my family under.

1. PROOF OF STATEMENT AS REQUESTED BY WATSONS
2. PROOF OF PHONE CALLS REGISTER
3. PROOF OF CALL GAVIN WATSON
4. REVOKED STATEMENT RICHARD LE ROUX - WITNESSED



DN. 
INITIAL  MDM

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(178)

38E

AA-797

Johan Abrie
Human Resources Manager
African Global

Mogale City

Statement of Richard Le Roux

Mr Abrie

I am once more raising the issue with regards to intimidation of myself.
On numerous occasions, as with other people I've been called in and cross questioned and blamed for things I have not been guilty of.

I am by nature a nervous person, yesterday I was surprised to be called in without being duly informed of a process via the appropriate channels in HR, in fact I felt so degraded, I was totally besides myself.

It isn't company policy to interrogate staff with a external Private Investigator, who threatened to have me arrested, unless I spilled the beans.

As a result of this stress I even admitted to stealing 20 meters of conduit and 25 metres of Bosal which in fact I happened to forget at my house after doing the installation as requested by Papa Leshabane for one of Mr Gwede Mantashe's houses.

You will recall that I've been sent all over the country to resolve all the issues with the DOJ contract.

Therefore im revoking yesterdays statement, the Company may charge me via a disciplinary process, where I will defend myself, but will no longer be subjected by a kangaroo type court.

I will gladly attend to a criminal charge for the sum total of about R350.00 if need be, but will also explain to the court the circumstances.

Therefore please indicate to me the date of the hearing so I can make arrangements with Mr Gideon Du Plessis at Solidariteit.



DN. [Signature] M.D.M.

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39

AA-798

3rd February 2018

Johan Abrie
Human Resources Manager
African Global
Mogale City

Cc
Louis Passano - Complainant
Fez Mzazi – HOD
Directors - African Global
Solidariteit

Emailed and to be delivered by hand

Statement of Richard Le Roux

REASONS WHY I SHOULD NOT BE CHARGED

Mr. Abrie

I SPECIFICALLY REFER TO MY STATEMENT OF NOVEMBER AND MY RECENT LETTER SENT TO YOURSELF

As per your request I should forward you reasons why I shouldn't be charged. I find it somewhat strange that I should do this after the fact, as it was evident that all due procedures were in fact flouted and that Louis Passano has already found me guilty, and openly shouted at me, saying "Richard how could you steal from me" whilst pointing his finger in my face. So, it is quite clear that a decision has been made by the Company.

The following statement may be used by your investigator and the Company in laying criminal charges against myself, with the attached information, as it is a true reflection of the occurrences.

In my previous letter, I previously stated the following:

"I am once more raising the issue with regards to intimidation of myself. On numerous occasions, as with other people I've been called in and cross questioned and blamed for things I have not been guilty of. I am by nature a nervous person, yesterday I was surprised to be called in without being duly informed of a process via the appropriate channels in HR, in fact I felt so degraded, I was totally besides myself" – This it appears was the intention of the "Investigation" to shock me, and it appeared that the external investigator was merely trying to get me to resign, not to get the facts.

Richard Le Roux Statement

1

Initial





In certain instances, the De-commissioning teams left behind the termination boxes and cabling, apparently the equipment will be re-installed.



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Page: 810 of 1250

42

AA-801

private time, on two occasions his wife paid us about R10,000 for work done, I accepted this because they insisted and reported it to my superiors at the time.

IT MUST BE NOTED THAT BEING PUT ON THE SPOT BY AN INVESTIGATOR, I COULD NOT DIVULGE EVERYTHING TO HIM AS I WAS NOT AWARE IT WAS AN INTERNAL AUDIT OR PERHAPS COULD HAVE BEEN FROM THE SIU OR HAWKS, THEREFORE I DID NOT WANT TO REVEAL ALL THE DETAILS TO HIM. NOR WAS I PROPERLY INFORMED BY HUMAN RESOURCES THAT I WOULD BE CROSS QUESTIONED - SO I TRIED TO AVOID DISCLOSING EVERYTHING.

THE CORRECT PROCEDURE WOULD HAVE BEEN FOR HR TO INFORM ME OF THE PROCESS AND HOW THE PERSON WAS MANDATED. ALL THAT HAPPENED WAS I RECEIVED A CALL FROM FEZ TO TELL ME TO BE THERE THE NEXT MORNING FOR A MEETING.

I ALSO MAKE MENTION THAT TO DO THE WORK AND KEEP EVERYTHING COVERED UP I WAS EVEN GIVEN A CREDIT CARD BY THE COMPANY TO PAY FOR ITEMS NEEDED FOR SPECIAL PROJECTS.

8. I found it very strange that the Company would task an investigation on me, and that specifically the investigation was commissioned by the very person Gavin Watson who tasked me to do various of the projects, and told me to do everything possible so that the installations done would not point back at the Company, such as filing off serial numbers, using private clothing and a special unbranded vehicle.
9. It is also strange that the main intent from the investigator as can be seen on the recording was to coerce me into giving him the detailed invoices for each of the Politicians installations, this request was made a few times, as if this was the primary reason for the investigation.



46TPM-25

F



Web: www.intabalodge.co.za
E-mail: intaba@telkomsa.net

A Pieterse t/a Intaba Lodge
Vat nr 4630267286
B-BEE level 4

Phone: 045 - 9311402
E-Fax: 086 - 5422610
Po Box 214, Elliot, 5460

Bank Details

FNB Elliot
Account nr 62497302085
Branch code 210620

Tax invoice

Attention:	<u>Payments</u>
Copy of Invoicer:	17078
Date	27/09/2016
Guest:	Richard Le Roux
Cellphone nr:	071 418 8938
Voucher nr:	AP-00206
Order no:	508400
Company:	Blakes Travel Agency (PTY) LTD
Address:	PO Box 207 Randfontein , 1760
Company Vat no:	4610114501
Email address:	adri@blaketravel.co.za
Telephone:	011 693 3761
Fax nr:	011 693 3765
Date of Arrival:	2016/09/25
Date of Departure	2016/09/27
Total Guests:	1
Total Nights Stay:	2

Invoice Description:

Dinner, Bed and Breakfast R 730.00

Total Due: (INCL) R 1460.00

Please forward the proof of payment to : 086-5422610.

Yours Sincerely,

Lisa and Theo

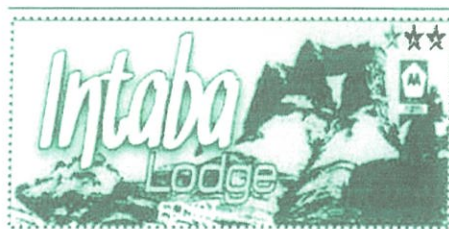
Please note New Account Number

Company Cancellation Policy's:

50% Cancellation fee payable if client cancel 2 days prior to arrival date.
100% Cancellation fee payable if client cancel on arrival day or not at all.
Deposits are non-refundable! Refunds will not be permitted.

DN. M.D.M
M
T.P.W

47TPM-26



Web: www.intabalodge.co.za
E-mail: intaba@telkomsa.net

A Pieterse t/a Intaba Lodge
Vat nr 4630267286
B-BEE level 4

Phone: 045 - 9311402
E-Fax: 086 - 5422610
Po Box 214, Elliot, 5460

Bank Details

FNB Elliot
Account nr 62497302085
Branch code 210620

G

Tax invoice

Attention:	Payments
Copy of Invoicer:	17077
Date	27/09/2016
Guest:	Michael Ndou
Cellphone nr:	079 577 6980
Voucher nr:	AP-00205
Order no:	508402
Company:	Blakes Travel Agency (PTY) LTD
Address:	PO Box 207 Randfontein , 1760
Company Vat no:	4610114501
Email address:	adri@blaketravel.co.za
Telephone:	011 693 3761
Fax nr:	011 693 3765
Date of Arrival:	2016/09/25
Date of Departure	2016/09/27
Total Guests:	1
Total Nights Stay:	2

Invoice Description:

Dinner, Bed and Breakfast R 730.00

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Yours Sincerely,

Lisa and Theo

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50% Cancellation fee payable if client cancel 2 days prior to arrival date.

100% Cancellation fee payable if client cancel on arrival day or not at all.

Deposits are non-refundable! Refunds will not be permitted.

DN, MDM
M
T.P.W