

**COMMISSION OF INQUIRY INTO STATE CAPTURE**  
**HELD AT**  
**CITY OF JOHANNESBURG OLD COUNCIL CHAMBER**  
**158 CIVIC BOULEVARD, BRAAMFONTEIN**

**15 JULY 2020**

**DAY 232**



**Gauteng Transcribers**  
Recording & Transcriptions

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TRANSCRIBERS:

B KLINE; Y KLIEM; V FAASEN; D STANIFORTH



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**PROCEEDINGS RESUME ON 29 JUNE 2020**

**CHAIRPERSON:** Good morning Ms Hofmeyr, good morning everybody.

**ADV HOFMEYR:** Good morning Chair.

**CHAIRPERSON:** Hm. Yes are we ready to start?

**ADV HOFMEYR:** Indeed Chair. If I may just indicate...

**CHAIRPERSON:** One second.

**ADV HOFMEYR:** Certainly.

**CHAIRPERSON:** Why do I not have any papers here?

10 **ADV HOFMEYR:** Chair that is because I was going to hand them up to you.

**CHAIRPERSON:** Oh okay.

**ADV HOFMEYR:** They only came through as you will be aware last night.

**CHAIRPERSON:** Late – yes. Okay.

**ADV HOFMEYR:** So if I could just introduce what is happening this morning.

**CHAIRPERSON:** Ja.

20 **ADV HOFMEYR:** The commission was scheduled to receive the evidence of Mr Majola this morning. Chair you will recall that Mr Majola was implicated in the evidence of Mr X which was received by the commission in the February hearing. Pursuant to that and in fact in February the schedule of witnesses anticipated that we would here from Mr Majola after Mr X's evidence. But on the eve of Mr Majola's

evidence in February we received an application for a postponement and that application was granted. Today was the next scheduled date for Mr Majola's evidence and late yesterday evening we received a second application for postponement. Chair what we have prepared overnight for you is a copy of that application. I must just explain all that came through to us yesterday was the Notice of Motion and founding affidavit excluding its annexures. I understand from my learned friend and they will address this there was a  
10 difficulty with loadshedding and their ability to get the annexures through yesterday evening. They have brought copies this morning but the consequence of that is that you will get a file as you usually do with the Notice of Motion and affidavit but I have literally just had to insert the annexures in the back because those came through literally a few moment ago. But if I may beg leave to hand that up and then to hand over to my learned friend to move the application if I may? Chair this is my first time in the new venue and in the new world conditions and so I just would  
20 like to get your guidance. Will my learned friend be addressing you from where he is seated or would you prefer him to come to the podium?

**CHAIRPERSON:** I prefer them to come to the podium if – if – unless there is a particular issue but I think if they come to the podium there would need to be somebody who will come

and wipe first. If there is such a – such a person then I think there is – then that would be fine.

**ADV HOFMEYR:** So we will ensure we sanitise it and then I will ask my learned friend.

**CHAIRPERSON:** Yes, yes. Ja. Ja.

**ADV HOFMEYR:** To come up.

**CHAIRPERSON:** Ja.

**ADV HOFMEYR:** Thank you Chair.

**CHAIRPERSON:** Okay. Thank you.

10 **ADV ROETS:** Good morning Chair I think I have already greeted you.

**CHAIRPERSON:** Yes.

**ADV ROETS:** But as ...

**CHAIRPERSON:** Yes. Yes.

**ADV ROETS:** As a courtesy gesture I just wish to say good morning again.

**CHAIRPERSON:** Good morning, good morning, good morning.

20 **ADV ROETS:** May I begin Chair by stating that by way of introduction that I fell off the High Court steps some weeks ago.

**CHAIRPERSON:** Hm.

**ADV ROETS:** And I injured by back rather severely to such an extent that I had to go for an MRI and later had to go for a lumber cerotomy a few weeks ago.

**CHAIRPERSON:** Hm.

**ADV ROETS:** So I am still as I am standing here...

**CHAIRPERSON:** But if it would be more convenient you can address me seated. I did not know about that.

**ADV ROETS:** I will – I will beg your indulgence.

**CHAIRPERSON:** Yes, No, no.

**ADV ROETS:** If I cannot stand anymore.

**CHAIRPERSON:** By all means, by all means, yes.

**ADV ROETS:** It so happens perhaps it is Murphy's Law that  
10 the gentleman who brought us to the venue also dropped us  
about 500 metres and we had to walk.

**CHAIRPERSON:** Oh yes.

**ADV ROETS:** And I limped here. Fortunately, my instructing attorney ...

**CHAIRPERSON:** Yes.

**ADV ROETS:** Carried my briefcase.

**CHAIRPERSON:** Yes.

**ADV ROETS:** But we made any every effort to see to it that we comply with our obligations towards this commission.

20 **CHAIRPERSON:** Yes. Yes.

**ADV ROETS:** And see to it that we are here.

**CHAIRPERSON:** Yes.

**ADV ROETS:** So thank you for allowing me.

**CHAIRPERSON:** Yes.

**ADV ROETS:** To address you on this as introduction.

**CHAIRPERSON:** Yes. No, no thank you.

**ADV ROETS:** Thank you.

**CHAIRPERSON:** And for maybe once you are back at your seat from where you think I think it would be more convenient for you to address me you could just for the sake of the record just place the names on record yourself – the instruction attorney and of course who you represent.

**ADV ROETS:** Indeed Chairman.

**CHAIRPERSON:** Just for the record. Ja.

10 **ADV ROETS:** Thank you, thank you so much Chair. In view of what you said to me for record purposes I am Advocate Francois Roets Counsel representing Mr Majola on instructions of Sarlie and Ismail Incorporated from Bez Valley, Johannesburg.

**CHAIRPERSON:** Thank you. Thank you.

**ADV ROETS:** Thank you. My Lord this is an application and we have filed a Notice of Motion. I know my instructing attorney of record made concerted efforts to endeavour to see to it that the necessary papers with the supporting  
20 affidavits and annexures thereto are presented to all the relevant parties as a matter of extreme urgency. In fact late yesterday afternoon I incessantly tried to get hold him saying that I need the papers, I need the papers, I need the papers and I could not get through to him and I later around about six o'clock only got through to him and he had loadshedding

and loadshedding brought about that he could not operate whatsoever and making calls and printing etcetera, etcetera that goes along with it. And he also bumped his head. But be that as it may this is an application.

**CHAIRPERSON:** Yes.

**ADV ROETS:** To – to have the...

**CHAIRPERSON:** Did you ultimately choose to address me standing because I did allow you to be seated.

**ADV ROETS:** Yes thank you so much. I will – I will...

10 **CHAIRPERSON:** Yes.

**ADV ROETS:** Beg your indulgence to sit in the event that I cannot I cannot stand anymore.

**CHAIRPERSON:** Okay. Okay. Alright thank you.

**ADV ROETS:** This is an indeed then, as I have said Mr Chair an application that the Chair considers that the matter that was enrolled for today.

**CHAIRPERSON:** Hm.

20 **ADV ROETS:** In respect of Mr Majola be deferred and that it be entertained on a later occasion. In the Notice of Motion which is supported by the affidavit of my instructing attorney Mr Sarlie he comprehensively deals with the efforts that have been made to procure the necessary information from Mr Majola. I think it is clear from reading of the papers and I will take you through it if you had not had the opportunity to read through it.



**CHAIRPERSON:** I have had the opportunity to look at it. Ms Hofmeyr was kind enough to make sure that after she received the Notice of Motion and affidavits last night.

**ADV ROETS:** Ja.

**CHAIRPERSON:** She sent it through. But you can obviously emphasise the important features of the application.

**ADV ROETS:** I think we can expect nothing less of her especially being who she is. The – the affidavit highlights the fact that concerted efforts were made to get hold of Mr  
10 Majola. Sorry may I just interpolate at this stage and see I have got a bottle with me and no glasses.

**CHAIRPERSON:** Yes.

**ADV ROETS:** May I drink from the bottle.

**CHAIRPERSON:** Yes, yes that is fine, that is fine. Ja.

**ADV ROETS:** And despite Mr Sarlie having drafted whatever he could on what he had on the occasions that he could have spoken to Mr Majola it still appears that Doctor Pillay holds the view that Mr Majola is not well and perhaps it is Murphey's Law the doctor himself – a psychiatrist attracted  
20 Covid-19 and was indisposed himself for a number of days. So we were at pains to see to it that we are right and ready. We are fully aware of the importance of this commission and...

**CHAIRPERSON:** Maybe you might...

**ADV ROETS:** And what the court has to do.

**CHAIRPERSON:** You might wish to put your bottle where it is flat ja.

**ADV ROETS:** And what the commission and what the Chair has to decide and the barrage and the plethora of information that you have to receive and you cannot succumb to the whims of – of legal representatives or clients who are not seriously – who try and play games or do not really want to be serious in their presentation or not of their evidence.

10           But I submit that it is clear firstly that we are not in a position despite concerted efforts to – to present to this commission and to you Chair the comprehensive affidavit which entails all that we have to say and in answer to the evidence that we received. But we can only do so if we are content and you know much better than I do that we always have to act in the best interest of our client.

          That we have to have the okay of the psychiatrist stating that Mr Majola is in such a position of health that he is able to elude to and advance a sensible, a well informed  
20 and a proper statement and facts to us with a view to enabling us as a matter of extreme urgency to present the documentation we are obliged to do and we intend to do.

          So on that score I will pray that you consider postponing this applica – the matter today to a date suitable to – to you Chair.

**CHAIRPERSON:** No thank you. The – the matter that is of some concern to me which I think you would have suspected would be of concern to me is that I think it is the ad time if I am not mistaken when the commission has fixed a date for Mr Majola to come and appear and he – he is unable to do so and it would seem if I read the papers correctly it would seem that – it seems to always happen just before the hearing – the date of his appearance.

**ADV ROETS:** Ys.

10 **CHAIRPERSON:** I may be misreading something but that is the impression I get and that is a little bit of concern to me.

**ADV ROETS:** I understand that Chair. I in fact not only as a member of the High Court but as Counsel appearing specifically dealt with this and with Mr Sarlie and I told him that under no circumstances must the impression be created that we are engaging delaying tactics or every time just before he has to testify there is some or other reason for him not to – to decide what to do.

20 As I say – as I understand we do not need to file an affidavit beforehand but we will indeed consider doing so. But I am sure that you can rest assured that we have made it abundantly clear and I am sure Mr – Mr Sarlie took much effort in alerting all parties that this will not be tolerated especially by this commission and I under the circumstances I am bound by the instructions that I have.

I also initially when I read these papers had the same thoughts that you had and the last thing ever is that I want the Chair to ever get the impression that we are playing games or embarking in delaying tactics or whatsoever. We know it is extremely expensive to have this commission sit. We have the Depute Chief Justice chairing and we have no obligations first and foremost our allegiance is towards you Mr Chair and then towards our client.

10 So we will do everything and I give you this as an undertaking as Counsel that we will do everything in our – which is possible to ensure that we as a matter of extreme urgency obtain the – the information that we need. Take a well-informed decision and advise the parties accordingly.

But I am unfortunately bound by the documents that I have. I think my subject of belief whether it is right or wrong is irrelevant. I am bound by this and I share your concern in this regard.

**CHAIRPERSON:** No, no that is fine. I will hear what Ms Hofmeyr has to say. I – I am encouraged by the assurance  
20 you have given me as Counsel.

**ADV ROETS:** Thank you.

**CHAIRPERSON:** That you will do everything in your power together with your instructing attorney.

**ADV ROETS:** Thank you so much Chair.

**CHAIRPERSON:** To make sure that there is proper

cooperation from Mr Majola.

**ADV ROETS:** Thank you.

**CHAIRPERSON:** So as you know you know the role of Counsel and attorneys in matters such as this can go a long way.

**ADV ROETS:** Yes.

**CHAIRPERSON:** To ensuring that there is proper cooperation from Clients.

**CHAIRPERSON:** My Lord for what – ag Chair for what it is  
10 worth in all the years of practice and I have been practicing  
for many, many years I have had the privilege of being on  
the bench myself for ten years as a Regional Magistrate and  
I do not think it can ever, ever be said that I ever  
deliberately or delayed any procedure whatsoever. I believe  
in that justice must be done, it must be done swift and we  
must get over with. Thank you so much.

**CHAIRPERSON:** No, no thank you very much. Thank you.

**ADV ROETS:** Thank you. Thank you Mr Chair.

**CHAIRPERSON:** Thank you.

20 **ADV ROETS:** I profusely apologise.

**CHAIRPERSON:** Yes.

**ADV ROETS:** There was one aspect that slipped my mind  
and that is I will beg the indulgence of the Chair direct that  
his medical condition that of Mr Majola be kept confidential.

**CHAIRPERSON:** Okay. Okay.

**ADV ROETS:** Thank you.

**CHAIRPERSON:** Thank you.

**ADV HOFMEYR:** Thank you Chair.

**CHAIRPERSON:** Yes Ms Hofmeyr.

**ADV HOFMEYR:** Chair as you indicated in your exchange with my learned friend Mr Roets this is Mr Majola's second formal postponement application. The first was received in February on the eve of his evidence. The second is the one moved today again received on the eve of his evidence. And  
10 between those two applications when he was scheduled to attend in May when we were unduly optimistic that the commission might be able to convene then we also received confirmation that in advance of that evidence scheduling he had again been admitted to hospital and was unavailable.

So Chair your recollection that on three occasions anticipated evidence giving by Mr Majola at this commission has been preceded by admissions to hospital is not incorrect. Those are the facts. That is what we sit with today as you consider this application.

20 Chair that is an unfortunate state of affairs I submit because the evidence of Mr X who did give evidence and testified before this commission implicated Mr Majola in large scale looting of public funds while he was program manager at the Mhlathuze Water Board.

According to Mr X's evidence Mr Majola coordinated

this scheme of looting and he involved various established engineering firms in that scheme and it was a scheme in which Mr X was a participant by his own admission.

The scheme Chair took money from the public purse that was intended for important projects – water projects in the area and diverted it to private hands.

Chair Mr X's allegations against Mr Majola are very serious and if true they indicate nothing less than criminal conduct on the part of Mr Majola.

10           There is I therefore submit an intense public interest in this commission receiving the version of Mr Majola in response to Mr X

Mr Majola has been repeatedly invited since Mr X's evidence in February to provide this commission with his version on affidavit. Despite those numerous invitations and the almost five months since Mr X's evidence no affidavit has been forthcoming.

20           Chair it is not the case that in that five month period at least from the facts that are disclosed in the affidavit that Mr Majola has been indisposed or in hospital. He has been for periods as we understand the facts but not consistently for that period.

And although some effort has been made in the affidavit before you to describe the efforts that his legal team has taken to prepare that affidavit it is so that lawyers

all around the country under Covid circumstances and otherwise have managed to take instructions from clients, to prepare affidavits, to convene virtual meetings and indeed to run cases before courts.

It is therefore in our submission inexplicable in fact how the commission could be almost five months from the evidence of Mr X and not have Mr Majola's version even on affidavit before it.

Chair in the light of those – that situation it is our  
10 submission that the postponement application should be addressed in the following terms.

Chair we submit first that as a practical matter Mr Majola is not present today. As a practical matter we simply cannot proceed with his evidence. He remains in Durban as I understand it waiting for a bed at a hospital at which he has been admitted by his physician.

Here is as a consequence no way in which we can practically proceed today and so to the extent that that is not feasible we submit the application should be granted.

20 But Chair we would like to submit to you that it should not be granted without something more. And the something more Chair is that we stipulate and you in your ruling do so the requirement that Mr Majola does provide his affidavit, his version to this commission

I propose a reasonable amount of time. I do not have



a sense of the details but something of the order of four weeks I was going to submit to you might be reasonable. On my count that would take us to the 12 August 2020.

Chair my learned friend in his submissions to you earlier said he understood that affidavits were voluntary not necessarily compelled. Well of course Chair you have the power and the regulations to issue a directive – a 10/6 directive which not only makes it obligatory to provide an affidavit but the person who fails to provide the affidavit now  
10 because of the amendment to the regs commits a criminal offence in fact.

We submit in any ruling you give today you should simply stipulate that the affidavit is required. That it should deal in details and comprehensively with the evidence of Mr X both in the affidavit version he presented to the commission but also the transcripts of his oral evidence and that that should be provided I submit a reasonable time might be in the order of four weeks.

And Chair once the commission has received that  
20 affidavit of course it can be considered and further steps can be taken including summoning Mr Majola if that is necessary.

Chair those are our submissions in relation to the application.

**CHAIRPERSON:** Are there – are there specific questions

that have been even to Mr Majola to address in an affidavit form?

**ADV HOFMEYR:** Chair there were in advance of Mr X's evidence.

**CHAIRPERSON:** Yes.

**ADV HOFMEYR:** Because there were engagements with Mr Majola and Mr X in advance of the February evidence.

**CHAIRPERSON:** Hm.

**ADV HOFMEYR:** At that point Mr Majola refused to engage  
10 with the commission and did not provide answers to those questions. Since Mr X's evidence itself and his comprehensive affidavit there has not been a follow up with additional questions.

**CHAIRPERSON:** Hm.

**ADV HOFMEYR:** But that is something that we could certainly facilitate.

**CHAIRPERSON:** I am – I am thinking that Counsel here and his instructing attorney would probably make it very clear to Mr Majola that he should provide an affidavit and should  
20 answer those questions.

**ADV HOFMEYR:** Hm.

**CHAIRPERSON:** I – I believe that they would play that role. So I – I would be inclined to include in the order an order that he should furnish an affidavit giving his version and specifically answering the questions that have been put to

him by a certain date.

As you stand there are you satisfied that those questions that has – were previously sent to him are still fine there is no need for any amendments because obviously he has possession of those and – so I can just make an order that – that – those questions are still valid so to speak.

**ADV HOFMEYR**: Chair let me – let me correct one aspect?

**CHAIRPERSON**: Hm.

**ADV HOFMEYR**: We – we never actually sent questions.

10 **CHAIRPERSON**: Oh okay.

**ADV HOFMEYR**: Per se.

**CHAIRPERSON**: Yes.

**ADV HOFMEYR**: So it would just be around characterisation.

**CHAIRPERSON**: Its topics ja.

**ADV HOFMEYR**: Its topics indeed.

**CHAIRPERSON**: It is topics ja.

**ADV HOFMEYR**: So from the first engagement the general topics have been canvassed.

20 **CHAIRPERSON**: Yes to say give your version on these topics.

**ADV HOFMEYR**: On these events or...

**CHAIRPERSON**: Yes okay.

**ADV HOFMEYR**: Events or topics.

**CHAIRPERSON**: No that is good enough.

**ADV HOFMEYR:** Etcetera.

**CHAIRPERSON:** That is good enough.

**ADV HOFMEYR:** Having said that though that happened early on in the investigation.

**CHAIRPERSON:** Hm.

**ADV HOFMEYR:** And certainly, by the time of Mr X's evidence Mr X's account of events had filled out quite substantially.

**CHAIRPERSON:** Yes.

10 **ADV HOFMEYR:** There was not then a further return to Mr Majola to say...

**CHAIRPERSON:** Yes.

**ADV HOFMEYR:** Well now there is a fuller version because the fuller version then came in Mr X's affidavit.

**CHAIRPERSON:** Yes.

**ADV HOFMEYR:** And in his testimony.

**CHAIRPERSON:** Yes.

**ADV HOFMEYR:** So as I stand here today, I would suggest the original topics remain valid.

20 **CHAIRPERSON:** Yes.

**ADV HOFMEYR:** But what is most critical is that the affidavit that is produced by Mr Majola addresses all the respects in which Ms X's evidence implicates him.

**CHAIRPERSON:** Yes.

**ADV HOFMEYR:** Refers to him. He can give whatever

background and context he needs to give.

**CHAIRPERSON:** Yes.

**ADV HOFMEYR:** His version fully.

**CHAIRPERSON:** Yes.

**ADV HOFMEYR:** But the focus I submit should be on Mr X's evidence because that is the latest iteration of the investigation.

**CHAIRPERSON:** Yes. Yes.

**ADV HOFMEYR:** And would offer Mr Majola I submit the –  
10 the fullest opportunity to make sure that nothing is left  
unanswered in this latest version.

**CHAIRPERSON:** And does he have the transcript of Mr X's evidence or does he only have the affidavit?

**ADV HOFMEYR:** He certainly has the affidavit. The transcripts is available on the website.

**CHAIRPERSON:** On the website. Yes.

**ADV HOFMEYR:** So it is just a matter of a click and I would be happy to provide the link later today.

**CHAIRPERSON:** Yes.

20 **ADV HOFMEYR:** To my learned friend.

**CHAIRPERSON:** Yes. Okay. Alright. Thank you.

**ADV HOFMEYR:** Thank you Chair.

**CHAIRPERSON:** Thank you. Counsel you can address me from there if – if you wish but if you want to go to the – to the podium that is fine.

**ADV ROETS:** Mr Chair I totally align myself with the submissions advanced by my learned friend behind me.

**CHAIRPERSON:** Ms Hofmeyr yes.

**ADV ROETS:** And the court at the risk of being repetitive repeat that we will do our utmost.

**CHAIRPERSON:** Yes.

**ADV ROETS:** And see to it.

**CHAIRPERSON:** Yes.

**ADV ROETS:** That those questions be answered.

10 **CHAIRPERSON:** Yes.

**ADV ROETS:** In the fullest extent that we are able to.

**CHAIRPERSON:** Yes.

**ADV ROETS:** And moreover, I just want to place on record that my instructing attorney advised me that he has in fact received the evidence of Mr X.

**CHAIRPERSON:** Yes the affidavit.

**ADV ROETS:** The affidavit.

**CHAIRPERSON:** Oh no, no the transcript.

**ADV ROETS:** The evidence.

20 **CHAIRPERSON:** The transcript.

**ADV ROETS:** The transcripts of the evidence of Mr X.

**CHAIRPERSON:** Yes oh that is good ja.

**ADV ROETS:** Thank you Mr Chair.

**CHAIRPERSON:** That is good. In terms of timeframe for the affidavit I think the doctor said he might be in hospital that is

Mr Majola might be in hospital for a few weeks or what or two weeks in terms of the timeframe for the filing of that affidavit? What do you – I mean obviously Mr – Mr X has had ample time in the past five months to do so but while he is in hospital, he cannot do anything.

**ADV ROETS**: Chair we will have to get the guidance of course of the doctor who treats him but we will truly tell the doctor how urgent this matter is and what your sentiments are in this regard.

10 **CHAIRPERSON**: Yes. Yes.

**ADV ROETS**: And there is no time to be wasted.

**CHAIRPERSON**: Yes.

**ADV ROETS**: Even if we have to burn the candle at both ends.

**CHAIRPERSON**: Yes.

**ADV ROETS**: So...

**CHAIRPERSON**: So maybe I could – we could look at the 15 August I do not know what day of the week it is?

**ADV ROETS**: 15 August – 15 August.

20 **CHAIRPERSON**: On or before 15 August and if for some reason through unforeseen circumstances there is a real difficulty then you can apply for an extension but obviously you understand very clearly what my ...

**ADV ROETS**: Your attitude is Chair.

**CHAIRPERSON**: Ja. Ja.

**ADV ROETS:** Thank you so much.

**CHAIRPERSON:** Okay no thank you very much. Thank you very much.

**ADV HOFMEYR:** Thank you Chair just one point of correction.

**CHAIRPERSON:** Yes.

**ADV HOFMEYR:** Might have been my inaudibility with the mask.

**CHAIRPERSON:** Yes.

10 **ADV HOFMEYR:** But the 15 August is in fact a Saturday so I think the four weeks...

**CHAIRPERSON:** No I do not think it is your fault I think you said 12.

**ADV HOFMEYR:** Yes. I did.

**CHAIRPERSON:** Oh but I – but I thought we are on 15 July.

**ADV HOFMEYR:** Yes so we just added the month to that.

**CHAIRPERSON:** So one month 15<sup>th</sup> ja.

**ADV HOFMEYR:** Exactly. Well Chair the 12<sup>th</sup> is the Wednesday.

20 **CHAIRPERSON:** Yes.

**ADV HOFMEYR:** After which is exactly four weeks from today but if we were to make it the Friday the 14<sup>th</sup> it is flimsy material to me.

**CHAIRPERSON:** Ja. I think... think...

**ADV HOFMEYR:** Just the 15<sup>th</sup> is a Saturday.



**CHAIRPERSON:** No, no that is fine.

**ADV HOFMEYR:** Thank you.

**CHAIRPERSON:** Actually 30 days would expire on the 14<sup>th</sup>.

**ADV HOFMEYR:** Indeed.

**CHAIRPERSON:** Ja.

**ADV HOFMEYR:** Indeed.

**CHAIRPERSON:** Okay. Okay thank you.

**ADV HOFMEYR:** Thank you Chair.

**CHAIRPERSON:** The application for the postponement of Mr  
10 Majola's – or

1. The postponement of the hearing of Mr Majola's evidence is postponed sine adhere.

2. Mr Majola is directed to deliver an affidavit on or before the 14 August 2020 in which he deals with the topics that have previously been furnished to him and gives his full version on those topics with regard to the evidence given by Mr X before this commission earlier this year.

I think this – that covers everything I think.

20 **ADV HOFMEYR:** Indeed thank you Chair.

**CHAIRPERSON:** Okay thank you very much and thank you to Counsel and his instructing attorney for their determination to try and make sure that Mr Majola will cooperate in making sure that we – we do not have these further postponements in the future if at all possible.

We adjourn.

**REGISTRAR:** All rise.