

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

03 SEPTEMBER 2020

DAY 260



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Recording & Transcriptions

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TRANSCRIBERS:

B KLINE; Y KLIEM; V FAASEN; D STANIFORTH



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PROCEEDINGS RESUME ON 03 SEPTEMBER 2020

CHAIRPERSON: Good morning Mr Notshe, good morning everybody.

ADV NOTSHE SC: Good morning Chair.

CHAIRPERSON: Are we ready?

ADV NOTSHE SC: Chair we are ready to start and today's proceedings is Ms Mokonyane as the Chair would know she – she is testifying in respect of the BOSASA strain. She had testified before and she is here today for further
10 testimony. I understand from her legal representative that they want to make some few remarks before we start.

CHAIRPERSON: Okay that is fine. Good morning.

ADV HODES SC: Good morning Mr Chairperson.

CHAIRPERSON: Yes.

ADV HODES SC: May I address you shortly Mr Chairperson just to put the following facts on record?

CHAIRPERSON: Yes.

ADV HODES SC: I act for Ms Mokonyane and my instructions are as follows:

20 That on Sunday the 5 July 2020 with her consent there was an inspection in loco at her home and that is then followed as you are well aware by her appearance before you.

CHAIRPERSON: Hm.

ADV HODES SC: In this commission on Monday the 20 July 2020.

CHAIRPERSON: Hm.

ADV HODES SC: Subsequent to her appearance here and testimony we were told and given a copy of a statement from Frederick Hendrick Coetzee it was dated the 22 July 2020 two days after her testimony.

CHAIRPERSON: Hm.

ADV HODES SC: That was then followed by a letter that we received from the City Press on the 25 July 2020 where they asked us to comment or they asked Ms Mokonyane to
10 comment on the testimony of Mr Coetzee that had not been presented as yet.

We then sent now attorneys of record sent a letter it was copied to the commission explaining that once again there had been a security breach on that the number the 28 July 2020 my attorneys received the official Rule 3.3 Notice of Mr Coetzee's testimony. That was followed if we can go forward then to August. On the 11 August 2020 Mr Gina Pieters made a statement.

We then received a letter from the commission
20 concerning the undertaking that you were given by the witness to provide information concerning the security upgrades on the 17 August 2020 and that was followed by another Rule 3.3 Notice on the 19 August 2020 containing Ms Gina Pieters' testimony that she would be giving. On the 28 August 2020 we obtained the SAPS threat and risk

assessment from Ms Mokonyane's home that was conducted in April 2009.

There was then also a request and made available the office bearers benefit in line with Ministerial handbook dated 29 August 2014. I believe that was provided to us by Mr Nickson the investigator. He also had and made available a SAPS security audit for Ms Mokonyane's home that was dated September 2010 and then as you are well aware Mr Chairperson on the 1 September 2020 Ms Sandra
10 Thomas that is my client's former assistant testified here and then recently on the 2 September Gina Pieters testified.

CHAIRPERSON: Hm.

ADV HODES SC: The reason why I am sketching this background Mr Chairperson is my client has cooperated. She has come back.

CHAIRPERSON: Hm.

ADV HODES SC: She has very serious health concerns with comorbidities. This room is not conducive to her
20 condition and then what happens is each time she testifies there is a subsequent character assassination of her in the media and there are leaks by the journalists.

CHAIRPERSON: Hm.

ADV HODES SC: So the request from my client is twofold.

CHAIRPERSON: Hm.

ADV HODES SC: Firstly, to have some finality as she has cooperated – will cooperate but she wishes to reach some finality on this matter and if need will provide other documentation whether thus is required but would ask to be excused after her testimony today.

CHAIRPERSON: Hm.

ADV HODES SC: The second aspect Mr Chairperson is that there is a request on behalf of my client in terms of Rule 3.3.6.3 to apply to cross-examine Mr Agrizzi.

10 **CHAIRPERSON:** Hm.

ADV HODES SC: We are aware that the rules say that there must be notification that within two weeks of such notice we must apply in writing.

CHAIRPERSON: Hm.

ADV HODES SC: And that you Mr Chairperson have the discretion whether to grant or refuse that application.

CHAIRPERSON: Hm.

20 **ADV HODES SC:** We will submit the written application and do so. I have omitted to mention and I apologise in the chronology that I was referring you to a security report was compiled and it was found as a fact that my client Ms Mokonyane's IP Address had been hacked on the 29 and 30 August from Pretoria. So there is a positive report of a hacking. So there is a security threat that she wants recorded in this regard and that is why with respect and

she asks for finality as to her appearing here.

CHAIRPERSON: Hm.

ADV HODES SC: Should further documentation that she may have be requested she will provide it but she asks to be excused after today if she may Mr Chairperson.

CHAIRPERSON: Hm.

ADV HODES SC: Thank you Mr Chairperson and I assure this commission that we will be applying in writing.

CHAIRPERSON: Yes.

10 **ADV HODES SC:** The commission to cross –examine Mr Agrizzi.

CHAIRPERSON: Yes.

ADV HODES SC: Thank you Sir.

CHAIRPERSON: Okay no thank you. I just want to say one or two – or say something on one or two things. One is the – one is to the leaks of affidavits submitted to the commission to the media.

20 This has been a problem for a long time for the commission. It happened soon after the commission had started. I directed that some investigation be conducted by our investigation team which they did and they submitted a report to me which if I recall correctly could not pin down anybody within the commission who could have leaked those affidavits to the media.

As some of you may know I have spoken very

strongly, publicly against the media.

1. Action in breach of the regulations publishing matters that they are not allowed to publish without seeking my permission.

There was a time when they seemed to have listened, I think some time last year for quite some time and then at a certain stage – excuse me – at a certain stage some newspapers began or went back to this habit. I must say that as far as I know a number of newspapers seem to
10 respect the regulation and seem to have taken note of what I said and – but I think there are just specific newspapers and I think it is just one or two or maybe three – I always – I know which they are which do this.

We have been considering what to do apart from laying criminal charges you know. One of the things we have been considering is to withdraw their accreditation for – because for them to come to the venue of the hearing and be able to record and so on they needed to be accredited and we accredited a number of them in 2018.
20 But it seems that if we withdrew their accreditation that would not really be anything because they could still have access to everything that is happening to – in the commission so it might not help much. So there has been difficulty with about 1, 2 or three newspapers.

A lot of others I do not want to brush all of them

with the same brush because my impression is that a lot of other newspapers respect the law and they support this commission and they – they have taken note of what I have said in the past. So when there was a leak with regard to Mr Coetzee's affidavit that was very unacceptable.

So I just want you to know and your client to know that it is a matter we are very concerned about. It is unacceptable but we just have two or three newspapers that continue to act in breach of the law. Yes we have not
10 laid charges but we have spoken very strongly and there just seems to be a problem.

I am not saying that we will not lay charges so far, we have not because we have been hoping that they will come to their senses and – and stop this habit. So I just wanted to say that about that. And with regard to your client wishing to be excused I have no reason to believe as I speak now that she would be needed to come back after today.

Obviously because investigations are continuing
20 one cannot give a guarantee but I think that everything would be done to make sure that she does not have to come back unless there is really something serious but also in terms of her health situation what could be tried in the future in case she is needed is to have her give evidence via a video link so that she does not have to

come to the venue. I have allowed that in regard to at least one witness who had a concern relating to Covid-19 and her age – his age and his health conditions on certain conditions I could – we could do the same. That is should it become necessary that she makes herself available.

But as things stand and the legal team and the investigation team might have a different view because they are much closer to the investigation than I am. I get things much later.

10 As far as I am concerned, we would do everything we can to avoid her having to come back unless it is really necessary but in that event, consideration will be given to have video links so that she would not have to come to the venue.

ADV HODES SC: I thank you Mr Chairperson. In relation to the pursuit of the – of the press.

CHAIRPERSON: Hm.

ADV HODES SC: I know I agree with you with respect Mr Chairperson in the beginning there were two or three that
20 were not abiding but of late there has been a blatant disregard by one particular that I have already referred to and my attorney and my client will be pursuing them.

CHAIRPERSON: Yes.

ADV HODES SC: Because there is no doubt that they knew that they were not entitled to the [00:14:06].

CHAIRPERSON: Yes.

ADV HODES SC: That I thank you for everything that you have said thank you.

CHAIRPERSON: Yes no thank you very much. Let – please administer the oath or affirmation again. Thank you, Ms Mokonyane, for coming back to the commission. Thank you.

REGISTRAR: Please state your full names for the record.

MS MOKONYANE: My name is Nomvula Paula Mokonyane.

10 **REGISTRAR:** Do you have any objection to taking the prescribed oath?

MS MOKONYANE: No I do not have.

REGISTRAR: Do you consider the oath to be binding on your conscience?

MS MOKONYANE: Yes I do.

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

20 **MS MOKONYANE:** So help me God.

CHAIRPERSON: Thank you.

ADV NOTSHE SC: Chair it seems as if...

CHAIRPERSON: If the transcribers did not hear the record will reflect that we did hear that she was properly sworn in. Okay.

ADV NOTSHE SC: Chair just before we start and just one housekeeping exercise. Chair must – you have in front of you BOSASA Bundle 1.

CHAIRPERSON: Yes.

ADV NOTSHE SC: Chair if I can take you to page 56 of that bundle. Chair and you will notice after page 56 we have added about 34 pages of the transcript of the testimony of Mr Agrizzi. The reason for that Chair is that the – before that they were – there was a transcript which
10 was in very small font so we have just added 34 pages which are nothing other than what is already in that bundle. I mentioning it just to put on record what is in this bundle now.

CHAIRPERSON: You must – you must tell me from what page to what page?

ADV NOTSHE SC: It is – after page...

CHAIRPERSON: Hang on – hang on – hang on. You must tell me from what page to what page the wrong pages as it were are to be found and where the correct pages with the
20 right font are to be found.

ADV NOTSHE SC: The small font...

CHAIRPERSON: [inaudible].

ADV NOTSHE SC: Are from page 48 to page 56.

CHAIRPERSON: Yes.

ADV NOTSHE SC: And then the...

CHAIRPERSON: And the right ones.

ADV NOTSHE SC: The right ones are on 56.1 to 56.34.

CHAIRPERSON: To 56.?

ADV NOTSHE SC: 34.

CHAIRPERSON: Okay. So pages 56.1 to 56.34 are basically a legible version of pages 48 to page 56.

ADV NOTSHE SC: Yes.

CHAIRPERSON: Yes okay alright.

ADV NOTSHE SC: Thank you. And then Chair you
10 remember that Ms Mokonyane when she testified her evidence – her evidence and affidavits were contained in what was called Bundle B Exhibit T20. What now the – we have done we have now put her affidavit on T20.1 and this is the affidavit she...

CHAIRPERSON: On Bundle T.

ADV NOTSHE SC: No it is Exhibit T.

CHAIRPERSON: What is the name of the bundle?

ADV NOTSHE SC: Chair this is – my – it is – this should
20 be continued as part of Bundle B. Remember Bundle B is the bundle which contained her earlier testimony. This is the bundle just referred Bundle B.

CHAIRPERSON: Yes but two files cannot be the same bundle.

ADV NOTSHE SC: Then Chair then this is the bundle that follows – that follows Bundle 1 wherein we had a number of

affidavits. Then this should be then Bundle 2 if I understand how the bundle is done.

CHAIRPERSON: Let me see.

ADV NOTSHE SC: Remember Chair the – the last hearing on the BOSASA stream the bundle we have was Bundle 01.

CHAIRPERSON: Okay before we do that, I have been given what is marked Bundle B which is supposed to have Exhibit T20 inside.

ADV NOTSHE SC: Yes that is the – the – that contains the
10 affidavit of Ms Mokonyane and other affidavits – and other exhibits that went with that. That is the bundle we used in her last testimony.

CHAIRPERSON: Yes okay. Is there anything you need to tell me about it or not really?

ADV NOTSHE SC: No, not really.

CHAIRPERSON: Okay. Which one do you want to tell me something about?

ADV NOTSHE SC: Yes this Exhibit T20.1. The only reason Chair I am referring you to that is...

20 **CHAIRPERSON:** Well remember the exhibit will be an affidavit or document and the file will be bundle something.

ADV NOTSHE SC: Yes. Chair because of the fact that the previous – the previous exhibits the latest exhibits on our stream they were contained in Bundle – BOSASA Bundle 1. My suggestion then is that this should be then BOSASA

Bundle 2.

CHAIRPERSON: Which one is that?

ADV NOTSHE SC: Which – there is one which contains Exhibit T20.1.

CHAIRPERSON: The one that is written on the spine Exhibit T20.1?

ADV NOTSHE SC: Yes.

CHAIRPERSON: You propose that it should be called Bundle what?

10 **ADV NOTSHE SC:** Bundle 02. BOSASA Bundle 02.

CHAIRPERSON: Okay.

ADV NOTSHE SC: Then Chair I will – I will then refer to that bundle but before I even get there just as an opening remark. In Bundle 1 there is T26 which contains the affidavit of Mr Coetzee.

CHAIRPERSON: Exhibit T26 is actually the affidavit is it not?

ADV NOTSHE SC: Yes it is the affidavit of Mr Coetzee.

CHAIRPERSON: Ja.

20 **ADV NOTSHE SC:** And then in Bundle 2 the bundle we have just marked and then on what I will ask to be admitted is Exhibit 20.1 is the affidavit of Ms Mokonyane wherein she responds to T26.

CHAIRPERSON: Ja but we will deal with that after she has confirmed it is it not?

ADV NOTSHE SC: Yes. I am merely orientating you Chair on the documents that we have with us.

CHAIRPERSON: Ja okay. So those are the bundles we will be using?

ADV NOTSHE SC: Those are the bundles that – those are the bundles we will be using but...

CHAIRPERSON: Has somebody explained to the witness the different bundles? Has somebody explained to the witness which bundle is what?

10 **ADV NOTSHE SC:** I did not Chair.

CHAIRPERSON: Ja.

ADV NOTSHE SC: I assumed that the lawyers will explain to you but what I will do because they are small bundles when we deal with them, I will take the witness through them.

CHAIRPERSON: But they should be marked before we can start just like mine.

ADV NOTSHE SC: The only way the only marking that needs to be...

20 **CHAIRPERSON:** But BOSASA Bundle 2 must be marked.

ADV NOTSHE SC: Edwina will help.

CHAIRPERSON: So that if we say BOSASA Bundle 2 she knows which one. Somebody will just come and assist you Ms Mokonyane. Okay alright.

ADV NOTSHE SC: Thank you. Ms Mokonyane whilst you

are on the – the bundle that has just been opened can you turn to that bundle?

MS MOKONYANE: Bundle.

CHAIRPERSON: Which bundle has just been opened to Ms Mokonyane?

ADV NOTSHE SC: Bundle B.

MS MOKONYANE: Bundle?

ADV NOTSHE SC: Sorry Bundle 02.

CHAIRPERSON: BOSASA Bundle 02?

10 **ADV NOTSHE SC:** Yes. The one that has just been marked.

MS MOKONYANE: Okay.

ADV NOTSHE SC: If you can turn to item 1 of that bundle? There is a document starting from page 1 to page 7. You see they are marked at the top and then – then that document on page 7 there is a signature above the word deponent. Is that your signature?

MS MOKONYANE: Yes it is. Yes it is.

20 **ADV NOTSHE SC:** Now do you confirm that this is your affidavit?

MS MOKONYANE: Yes it is.

ADV NOTSHE SC: Chair can this affidavit be admitted as Exhibit T20.1?

CHAIRPERSON: Oh, I thought it was just a statement and not an affidavit. But I see that it is an affidavit. The

affidavit of Ms Nomvula Paula Mokonyane appearing at page 1 of Bundle BOSASA Bundle 02 will be admitted and will be marked as Exhibit – what exhibit?

ADV NOTSHE SC: T20.1.

CHAIRPERSON: Exhibit T20.1. Okay.

ADV NOTSHE SC: Now Ms Mokonyane whilst you are on that affidavit am I correct that the affidavit is in response to the affidavit of Mr Coetzee?

MS MOKONYANE: Yes it is. It is also on the basis of
10 some [00:26:59].

ADV NOTSHE SC: Yes. And is also –

MS MOKONYANE: And what was on ...

CHAIRPERSON: Sorry Ms Mokonyane.

MS MOKONYANE: Sorry.

CHAIRPERSON: Please face me. If you can.

MS MOKONYANE: Ja. It is better that way, yes.

CHAIRPERSON: Sorry.

MS MOKONYANE: No I am saying I was using ..

CHAIRPERSON: Oh okay, okay no that is fine. Are you
20 comfortable?

MS MOKONYANE: [Not audible].

CHAIRPERSON: Okay alright. Yes Mr Notshe continue.

ADV NOTSHE SC: So you confirm that this was in response to the affidavit of Mr Coetzee?

MS MOKONYANE: [Not audible].

ADV NOTSHE SC: And ...

CHAIRPERSON: I am sorry. And to something about 702.

MS MOKONYANE: Yes. [not audible].

CHAIRPERSON: Oh okay. Okay.

ADV NOTSHE SC: And your affidavit – the gist of your affidavit is that – or firstly before I get there Chair. You read the affidavit of Mr Coetzee?

MS MOKONYANE: [not audible].

ADV NOTSHE SC: And you noticed that Mr Coetzee is the
10 person; the owner of Victoria Guest House?

MS MOKONYANE: [not audible].

ADV NOTSHE SC: Sorry Chair apparently there is a problem. It seems as if we might have to move. They cannot hear with that – on that microphone.

CHAIRPERSON: Is that so?

MS MOKONYANE: This one.

CHAIRPERSON: Yes okay. Yes please.

ADV NOTSHE SC: I think in order for me – move to the chair ja so that...

20 **MS MOKONYANE:** You mean this chair.

CHAIRPERSON: Yes.

ADV NOTSHE SC: Yes.

MS MOKONYANE: There that is better.

CHAIRPERSON: Okay alright. Okay thank you.

ADV NOTSHE SC: You – you confirmed that you read the

affidavit of Mr Coetzee?

MS MOKONYANE: Yes I did read the affidavit of Mr Coetzee.

ADV NOTSHE SC: And you confirm that you read that he is the owner of the Victorian Guesthouse. That is at A1 Tom Muller Street in West Village in Krugersdorp.

MS MOKONYANE: Yes, I read that.

ADV NOTSHE SC: And read your affidavit... and before that. You confirm that Mr Coetzee says there was a birthday party held in your honour at that guesthouse?

MS MOKONYANE: I can confirm that as I have said in my previous testimony here, that there have been several parties at that place and various meetings and upon reading Mr Coetzee statement, I can then confirm that I went for a private dinner and not to celebrate a birthday party that was said by Mr Agrizzi.

ADV NOTSHE SC: And in your statement you do confirm that the party that Mr Coetzee refers to did occur but it was arranged by your husband. Is that correct?

20 **MS MOKONYANE:** I can confirm that there was that gala dinner. There was a dinner. It is was not a party as it was said by Mr Agrizzi. And as I have said, it was a surprise thing that happened at the venue and it was not a 50th birthday.

It was in my previous session. I said that I never had a

40th... a 50th birthday at that particular venue because that was the accession by Mr Agrizzi who later went out to change it in the public.

And then also we read about the statement when it was out there in the public that in actual fact, they were referring to the 40th.

CHAIRPERSON: But I would like Mr Notshe... Mr Notshe, I am sorry. I would like Ms Mokonyane to tell me her reaction to this version by Mr Coetzee about this gala dinner. Just in
10 your own words, tell me how it came about as you understand it, as you set out in your affidavit. And then Mr Notshe can then follow up after that. I would like you to just say, this is how it came about as you state in your affidavit, in your own words.

MS MOKONYANE: Yes. Thank you very much, Chairperson. I live in Krugersdorp. And that venue is one of the venues that are closer to where we live and... but as I have said in my previous testimony here, that it has been
20 used for several other activities.

On this matter that was earlier on referred to as my 50th birthday that I contracted. The plan was to have a private dinner with the family.

And indeed, we left home with an understanding that I am going for a private dinner. Something that we normally do with our birthdays when you would want space to have

our own space.

And we arrived at Victorian. They provide dinner. They do provide the restaurant there. And so upon arrival, then there were people but interestingly I could not... with the people that were around there, some of my friends that were there. I could not identify Mr Agrizzi there.

I mean, he is white. I would have seen him. He would have been outstanding in the crowd. And it was a sit down dinner. There were, I think if I am not mistaken, it is over a
10 decade, Chair.

CHAIRPERSON: H'm. About eighteen years or so ago.

MS MOKONYANE: Yes.

CHAIRPERSON: H'm.

MS MOKONYANE: And there were people who spoke. And there was no speaker from BOSASA. There was no Agrizzi who spoke. And I then stood up. Then I thanked everybody. I thanked my family.

I did also say did was indeed a surprise. I never even knew anyone who has made any contributions. And that was
20 it and I left. And that is it.

And hence I did not deny that there had been parties there. My accession to this has been on break-your-leg 50th party which I have never had. My 50th party was about the journey-of-my-life.

CHAIRPERSON: The number of people who were there on

the day of the gala dinner. There have been... I think Mr Coetzee has said ultimately it was about 180 or 174 people although initially it was planned that it should be 80 people but then it moved up to 120.

Is that number, does it sound more or less correct to you? You might have not counted the people but if you hear that number, does it... could it be that number?

MS MOKONYANE: Firstly... sorry, Chairperson.

CHAIRPERSON: Ja?

10 **MS MOKONYANE:** Firstly, Chair. I got in there. There were people already. And when the light was switched on, then people started singing happy birthday and... it was like I am saying a sit down dinner. And then from there, that was it. I did not even count.

CHAIRPERSON: Ja, you... you...

MS MOKONYANE: Yes. I would not even know the size of the venue.

CHAIRPERSON: Yes, yes, yes.

MS MOKONYANE: If the venue could take so many people.
20 And in many instances when you go for our ANC or other parties and stuff, even there I have never been the organiser. So if had organised and I was asked who to invite, I would have known the number.

CHAIRPERSON: Yes, yes.

MS MOKONYANE: But I went out to go and have a dinner.

CHAIRPERSON: Yes, but you would not take issue with that kind of number or...?

MS MOKONYANE: I think... I do not understand what would be the reason behind the number.

CHAIRPERSON: Yes.

MS MOKONYANE: But looking at what Mr Coetzee had written, I think there is also a bit of confusing and an exaggeration on his submissions. And it is up to the Commission, Chair to really cross-examine him.

10 I mean, I saw some of his receipts and I saw the dates when the tables were supposed to be picked up. The additional drinks and all those things. I really think there is a bit of exaggeration.

I... if it was a party, it would have been a different kind of a thing organised by Nomvula or with my knowledge. But in this instance, I think the onus is upon him. And all I can say Chair is, I really think some of his figures are just an exaggeration.

CHAIRPERSON: But you are able to admit that there was...
20 there were many people but the number you cannot say?

MS MOKONYANE: Twenty is many for that venue.

CHAIRPERSON: Yes.

MS MOKONYANE: Twenty, thirty for that venue, depending on the seating arrangements.

CHAIRPERSON: Yes.

MS MOKONYANE: It has different size.

CHAIRPERSON: Yes.

MS MOKONYANE: So.

CHAIRPERSON: Okay.

MS MOKONYANE: That is it.

CHAIRPERSON: Mr Notshe.

ADV NOTSHE SC: If I start, just to check your evidence at the very end. You are saying, the venue could not contain more than 20. Is that your evidence?

10 **MS MOKONYANE:** I am saying the venue has the capacity to take 20. It can take more than 20. And it has different sizes.

ADV NOTSHE SC: Yes.

MS MOKONYANE: It is in different rooms and stuff.

ADV NOTSHE SC: And you would confirm that Mr Coetzee, it was in his interest to count the number of guests because he was going to charge you for that.

MS MOKONYANE: He was not going to charge me, remember?

20 **ADV NOTSHE SC:** Yes.

MS MOKONYANE: So you cannot say he was meant to charge me. He was going to charge the organisers. So I would not know and it is up to the host to deal with his clients and make sure that they pay him for what was actually spent.

ADV NOTSHE SC: Sorry, I think you misunderstood me. I said it was in the interest of Mr Coetzee to count the people because he was going to charge for how many people that came.

MS MOKONYANE: Yes. Anyone. Even the person who says bread, counts how many loafs of bread and you must get your money back.

ADV NOTSHE SC: Ja, you are so right.

MS MOKONYANE: Ja.

10 **ADV NOTSHE SC:** And therefore, you cannot dispute Mr Coetzee's evidence that there were 174 people who came, can you?

MS MOKONYANE: I can count myself and those that were in my immediate. And I cannot dispute what he had said, yes.

ADV NOTSHE SC: Yes. And also, you cannot dispute that Mr Coetzee says your 40th birthday was held there? You cannot dispute it? You have just admitted it.

20 **MS MOKONYANE:** I am saying the 40th dinner was held at the Victorian as opposed to what Mr Agrizzi said it was my 50th and there was no such theme as break-your-leg. There was... there is hardly a stage, there is a hardly a dance floor there that one could have danced to break a leg.

CHAIRPERSON: On a lighter note. Ms Mokonyane, when I heard about that theme, I thought well maybe it was

[vernacular]

MS MOKONYANE: Yes! Yes, Chairperson. I do not think it was [vernacular]. I remember in some instances where we had danced and I could see you actually doing the [vernacular] dance. That is now part of the [vernacular], Chair.

CHAIRPERSON: [laughs] Yes, okay alright.

ADV NOTSHE SC: And actually, Mr Coetzee confirmed that no one actually broke a leg that night on your 40th birthday.

10 **CHAIRPERSON**: [laughs]

ADV NOTSHE SC: Now, Ms Mokonyane ...[intervenes]

MS MOKONYANE: Come again?

ADV NOTSHE SC: I say, Mr Coetzee did confirm that no one broke a leg.

CHAIRPERSON: [laughs]

MS MOKONYANE: No one broke a leg on your 40th birthday at Victorian House. So he confirms that the party was not a break-a-leg because no one broke a leg.

MS MOKONYANE: Okay, okay.

20 **CHAIRPERSON**: It is only on a lighter note.

MS MOKONYANE: Yes, but all I can confirm is that it was a sitting arrangement. It was... because hence I can... I will keep saying, I have gone to parties to dance and have sung there. This was a dinner I was taken to. A surprise dinner and it was a sitting arrangement.

CHAIRPERSON: H'm. H'm.

ADV NOTSHE SC: And you say this was a surprise dinner and you do not know who paid for this, do you?

MS MOKONYANE: No, I would not know who paid for it because as I have said it was a surprise.

ADV NOTSHE SC: So you cannot dispute Mr Coetzee's evidence that this was paid for by BOSASA?

MS MOKONYANE: I cannot dispute who paid because if people organise the party for you, you never actually to get
10 to probe further. You appreciate. Like I am saying, the strange things that... there was no person who was on the programme who came out.

In fact, we did not even had many people who were speaking. It was about eating because I was taken out to go and out have a dinner for my birthday.

CHAIRPERSON: I may be mistaken but maybe Mr Coetzee did not say how many speakers there were, but I do recall that he said the speeches took quite long and that enabled them, that was kind of a blessing in disguise because they
20 had planned for, I think, 120 people or 124?

ADV NOTSHE SC: 120, Chair.

CHAIRPERSON: Ja, 120 people but on the day, 174 people, I think he said, arrived. So suddenly they had this catering challenge. What are we going to do? And he said they only managed to deal with the situation because the

speeches went for about three hours. That is what he said.

MS MOKONYANE: Hey, I do not know that. I think... remember, I was not part of the preparation.

CHAIRPERSON: Ja.

MS MOKONYANE: So I would not know what was the situation behind the scene.

CHAIRPERSON: Yes, yes. No, no. That is fine.

ADV NOTSHE SC: And you also will not dispute that the liquor, the intoxicating liquor was sponsored by some liquor
10 store in Krugersdorp. You cannot dispute that?

MS MOKONYANE: I do not know.

CHAIRPERSON: Well, I do not know if that is what... that was not my understanding of Mr Agrizzi's or Mr Coetzee's evidence Mr Notshe. I may be wrong.

ADV NOTSHE SC: Chair, it was ...[intervenes]

CHAIRPERSON: I was under the impression that he said it is BOSASA who paid for the liquor but BOSASA bought it from liquor store.

ADV NOTSHE SC: Yes, he said in his evidence that it was
20 sponsored and supplied by the liquor store at the behest of BOSASA.

CHAIRPERSON: Yes. Well, I will have a look. My understanding ...[intervenes]

ADV NOTSHE SC: It is paragraph 14, Chair.

CHAIRPERSON: No, that is fine. You can put as you

understand the position. My understanding was that he made an... BOSASA requested that they should bring their own liquor and he agreed to that and he said... or they agreed to that because I think at that stage, he was still running the place with his mom, with his late mom.

And he said they agreed. And it was the first... for the first time in that guesthouse that they agreed that the client should bring something from outside. And my understanding was that BOSASA went and bought the liquor and brought it.

10 **ADV NOTSHE SC:** Chair, you are correct in the sense that the liquor was not provided by the guesthouse. It was provided by the bottle store in Krugersdorp. And it was sponsored and supplied by the bottle store but at the request of BOSASA.

CHAIRPERSON: H'm. Okay put it as you understand it. I have not looked at recently but that was my understanding.

ADV NOTSHE SC: But Ms Mokonyane, you would not dispute that about the liquor from the bottle store?

20 **MS MOKONYANE:** I would not even know whether there was or what has been spent.

ADV NOTSHE SC: And he said also, the liquor... there was so much liquor that it filled his entire garage at the guesthouse. You will not dispute that?

MS MOKONYANE: I never went to the garage. I did not see anything. I was the birthday girl. I was sitting on my

table.

ADV NOTSHE SC: Yes. And he was also, according to his evidence, taken to your table and introduced to you.

MS MOKONYANE: I only saw... is it Mr Coetzee?

ADV NOTSHE SC: Yes, Mr Coetzee.

MS MOKONYANE: Yes. I only saw Mr Coetzee when he was sitting on this chair.

ADV NOTSHE SC: He says he was introduced to you on the night. He was taken to your table.

10 **MS MOKONYANE:** I do not remember that.

ADV NOTSHE SC: And he confirms that Mr Agrizzi was at the venue, at the party.

MS MOKONYANE: I do not remember seeing Agrizzi there.

ADV NOTSHE SC: Look, remember in the time “I do not remember”, it is a tricky one.

MS MOKONYANE: Yes.

ADV NOTSHE SC: Because when you say you do not remember, you are saying he could have been there but I have forgotten or ...[intervenes]

20 **MS MOKONYANE:** He could have been in another room. He could have been somewhere else. He could have been number 174. I do not know.

ADV NOTSHE SC: So the high-water mark of your evidence today is that Mr Coetzee(sic) could have attended but you cannot remember. Mr Agrizzi could have attended the party.

MS MOKONYANE: I would not want to assert that. It should not be my burden to confirm that Agrizzi came to the party. Honestly, Chair.

CHAIRPERSON: Yes, yes, yes. Ja-no, all you need to say is what you do not know, you do not know. It is what he says.

MS MOKONYANE: Yes.

CHAIRPERSON: If you know then you say: Yes, I know that. That is how and that is what happened. If you do not
10 know, say you do not know.

MS MOKONYANE: Yes, yes.

ADV NOTSHE SC: All I am putting to you. You are saying today, you do not deny that he was there but you say you cannot remember. Is that your evidence?

MS MOKONYANE: I do not remember seeing him.

ADV NOTSHE SC: But you do not deny that he could have been there?

MS MOKONYANE: I would not want to commit myself and say he was there.

20 **ADV NOTSHE SC:** Yes.

MS MOKONYANE: Surely, there would be ...[intervenes]

CHAIRPERSON: Ja.

MS MOKONYANE: But I do not want to commit myself. And by the way, I have no personal relationship with Agrizzi.

CHAIRPERSON: H'm. H'm.

ADV NOTSHE SC: Now...[intervenes]

CHAIRPERSON: Well, I... Mr Notshe, I think you are referring to Mr Coetzee's affidavit?

ADV NOTSHE SC: Yes, Chair.

CHAIRPERSON: Where it says:

“All beers, hard liquor and soft drinks for the event was sponsored and supplied from a liquor store...”

Nothing that say from brought and buy a liquor store on Cecille Road Krugersdorp.

10 **ADV NOTSHE SC:** Okay.

CHAIRPERSON: I do not know if you said buy but I understood... the impression I got was as if they provided it at their own expense.

ADV NOTSHE SC: No, Chair. That is...[intervenes]

CHAIRPERSON: That is not here.

ADV NOTSHE SC: Hence I said at the behest of ...[intervenes]

CHAIRPERSON: Yes.

ADV NOTSHE SC: ...of BOSASA.

20 **CHAIRPERSON:** Yes, okay alright.

ADV NOTSHE SC: No, Chair I do not want... Ms Mokonyane, I am not saying the liquor store who were the people who did it freely. It is BOSASA who brought the liquor to the party. You cannot dispute that?

MS MOKONYANE: I do not know.

ADV NOTSHE SC: Now in your evidence, the last time when you testified, we have dealt with this issue and you said your birthday was never held at this place. You said no birthday party of yours was held at this place. Why did you say that?

MS MOKONYANE: I said that... as I have said, Chair. It is over a decade ago and what attracted my attention was the accessions made by Mr Agrizzi about a 50th birthday with a theme “Break-your-leg” held at the Victorian Guesthouse.

10 I am sure and I want to submit here that hence Mr Agrizzi it was a 40th because you can see as the statement goes further down, I did say there has been many parties.

I have never disputed not knowing that place. And the main issue on my side, that was my own focus, was the issue of my 50th birthday.

So I... and hence in my affidavit now that Mr Notshe has and you have Chair, I do say this is what I recall as one of those dinners that I actually had which was a surprise private dinner. Supposed to be a surprise private dinner and
20 it ended up being a matter of this now.

ADV NOTSHE SC: Now, what jogged your memory about your birthday at that venue?

MS MOKONYANE: What made me to recall it was when after this testimony here that now the story was by Agrizzi outside in the media or whoever had did, now no longer

about the 50th but about the 40th. So that made me to sit back and to reflect.

ADV NOTSHE SC: I see. Now remember when you testified, you said your 50th birthday was not held at that place. You remember that?

MS MOKONYANE: Yes, the 50th.

ADV NOTSHE SC: Yes.

MS MOKONYANE: Yes.

ADV NOTSHE SC: And then we asked whether any of your
10 birthday parties were held at that place and you said no.

MS MOKONYANE: Yes, Chair. I think, as I have said, I was reaffirming the issue about the 50th birthday. And hence when I now got to hear about the 40th, I then had to recall that in fact there was a gala dinner. There was a dinner hosted at the Victorian Hotel.

ADV NOTSHE SC: Look, Ms Mokonyane I do not want to be unfair to you. Let us not talk about... behind you there is a volume called Exhibit T.

MS MOKONYANE: Yes.

20 **ADV NOTSHE SC:** You can take that out. TA.

MS MOKONYANE: [No audible reply]

ADV NOTSHE SC: You will see that it is separated numbers. Go to where it is separated with 3.

MS MOKONYANE: To 3?

ADV NOTSHE SC: Yes, please. And then there in 3, go to

page... this is... just to orientate you. This is the transcript of your evidence when you testified on the 20th of July.

MS MOKONYANE: Yes.

ADV NOTSHE SC: Now can you turn to page 283?

MS MOKONYANE: Where?

ADV NOTSHE SC: 283. Look at the red... there is a red...

MS MOKONYANE: Not this one?

ADV NOTSHE SC: Ja, look at the red pagination.

MS MOKONYANE: [No audible reply]

10 **ADV NOTSHE SC**: Are you there?

MS MOKONYANE: Yes. Yes, I am.

CHAIRPERSON: I will not be able to follow. I have got too many files already here.

ADV NOTSHE SC: Oh, no fine Chair.

CHAIRPERSON: Ja.

ADV NOTSHE SC: Now Ms Mokonyane on... if you look... there is not... let us just start at... if you look at line 8 where it says Chairperson. You see the number 10 on the side?

MS MOKONYANE: Yes, I can see that.

20 **ADV NOTSHE SC**: Just go two lines up “Chairperson”. Do you see that?

MS MOKONYANE: “Chairperson ...[intervenes]”?

ADV NOTSHE SC: Yes.

MS MOKONYANE: Ja.

ADV NOTSHE SC: It says:

“One second. Before you... that is not the venue where your birthday party was held?”

And then you say no. Then Chairperson says... are you following?

MS MOKONYANE: Yes, I am.

ADV NOTSHE SC: Then the Chairperson says this:

“Yes. The venue was at Silverstar and it is a known place, appears on the road on N14...”

The Chairperson says: Yes. Okay, thank you.”

10 And then Notshe says... he says:

“But is there a party that was ever held at Victorian Guesthouse?”

And then you say:

“There has been many parties at that place.”

And then Notshe says... I then say:

“I mean your parties.”

You say no.

And then I said:

“You have never had a party there?”

20 You said no.

And then I said:

“You have never had a party called “Break-a-leg”?”

You said:

“I have had a birthday at Silverstar but “break-a-leg”, no.”

And then, let us go and I do not want to waste your time. Let us just go down to line 20, down the page on 284. And then I say:

“So I just want...”

This is what I am reading.

“So I just want you to confirm that you said there was no 50th birthday at Victorian Guesthouse and you say that there was never your birthday at Victorian Guesthouse?”

10 And you say no. And then over the page at 384.

“Is that your evidence?”

And then you say:

“There had been other parties but not my birthday at that place, no.”

“And I also want to confirm that at that place at Victorian Guesthouse there was never your birthday paid by BOSASA?”

“No, there was never that they paid...”

And then an indistinct.

20 “And also, there was no birthday party called “Break-your-leg” and this?”

“No, not to my knowledge. Not my birthday party. Not Nomvula’s birthday party. Not Nomvula’s 50th birthday party.”

MS MOKONYANE: Yes.

ADV NOTSHE SC: So you said ...[indistinct] [shuffling of papers] you never had a birthday party there.

MS MOKONYANE: Yes. Chairperson, I am saying, when we were dealing with this evidence, as you can see the accessions that I have made there, with your permission, I think it is on 285, that there was never a “break-your-leg” party. I want to still agree.

And that there was no 50th birthday party. I still want to agree. And in the accessions that... on page 283, I did say
10 that there had been many parties at that place.

I do concede that there had been many parties. And precisely because of the pressure and the insistence about my 50th birthday being at the Victorian Guesthouse, all I could said it was not my birthday because I had not planned it.

I could recall this 50th because I had planned it. And this one I had gone there for a dinner and it turned out to be a dinner with many other people.

So that is why then post Mr Coetzee’s submissions, we
20 had to depose to the clarity around the issue of the guesthouse.

CHAIRPERSON: H’m.

ADV NOTSHE SC: Now when you testified here before, have you forgotten about your 40th birthday party?

MS MOKONYANE: When I testified, I was preoccupied by

my 50th birthday because it was the one that was placed everywhere. I have just had my other birthday before I came to the Zondo Commission.

Now recently, I have had many other birthdays and I did not even focus on them.

I cannot even think about them because my preparation, and I want to state here humbly, that my preoccupation was about the 50th birthday that was framed as “break-your-leg” having happened at the Victorian Guesthouse. And I want to
10 formally indicate that....yes.

ADV NOTSHE SC: I do understand. But also, your preoccupation was about a party held at the Victorian Guesthouse. Am I right?

MS MOKONYANE: My preoccupation, yes was about other parties at the Victorian Guesthouse. And hence I said I deem to and there has been many other parties there at the Victorian Guesthouse. That was the accession I had.

ADV NOTSHE SC: Then how could ...[intervenes]

MS MOKONYANE: And...[intervenes]

20 **CHAIRPERSON:** Oh, let her finish.

MS MOKONYANE: And the issue of my 40th birthday. In fact, Chair, I know other people take their 40th birthday as one of the main parties ...[intervenes]

CHAIRPERSON: I was about to say ...[intervenes]

MS MOKONYANE: But for my ...[intervenes]

CHAIRPERSON: ...for many people, a 40th birthday party is quite important.

MS MOKONYANE: But for me... that is why I can accept so much on the 50th because it had a particular reason why it had to become my important birthday.

CHAIRPERSON: Mr Notshe.

ADV NOTSHE SC: Then on... but you will remember that on that day when you testified, you remember that there were other parties held at the Victorian Guesthouse. Am I right?

10 **MS MOKONYANE:** I just said there were many other parties.

ADV NOTSHE SC: Held at the Victorian Guesthouse?

MS MOKONYANE: Yes, I did.

ADV NOTSHE SC: Yes.

MS MOKONYANE: I did say there were many other parties that were held. And now when the newspapers actually said Agrizzi actually now said: You made a mistake. It was not the 50th.

20 I had to also like myself... I know he had come in with many statements to come and correct himself. I had to sit back and to reflect and say which of the parties I am referring to that had happened at the Victorian Guesthouse. And my memory then came in and I remembered that it was the 40th and not the 50th.

ADV NOTSHE SC: Then just tell the Commission. Did you

have other birthday parties at the Victorian Guesthouse other than the 40th?

MS MOKONYANE: My birthday party?

ADV NOTSHE SC: Yes.

MS MOKONYANE: Not to my recollection, no.

ADV NOTSHE SC: I see. Now can you just tell the Commission this? You remember that there were other parties held at the Victorian Guesthouse?

MS MOKONYANE: Yes, I remember that. Krugersdorp is a
10 small town and there are very few venues to those parties and stuff and other than your private home and otherwise you have to go out of Krugersdorp to Johannesburg or just outside of Johannesburg. So Victorian Guest House is a known place that hosts parties.

ADV NOTSHE SC: And so there were other parties and you remembered when you testified that there were other parties held at Victorian Guest House.

MS MOKONYANE: I remembered and hence I am saying one of those then will be the 40th and not the 50th as per
20 what the assertion by Mr Agrizzi was talking about and hence upon the submission, I then had to sit back and think which other thing happened at the Victorian Guest House and again, Chair, because I am now all – I have to even get reminded by other people to say look, there was this thing in that place and there was this other event in

that place, I have attended baby showers, I have attended activities there, I have attended birthday parties there, I have attended political meetings there.

ADV NOTSHE SC: So then again can I just get this clear. On the day you testified you remembered that the other parties held at the Victoria Guesthouse but you forgot that your birthday was there.

CHAIRPERSON: For your 40th.

ADV NOTSHE SC: Your 40th birthday party was there.

10 **MS MOKONYANE:** I remember that there were parties there and precisely because, Chairperson, on that very night, that very afternoon, I was going out for a private dinner, hence I must say because it was never planned to be Nomvula going to a party. And until today, I cannot attest how it ended up being a party because there was a plan to say we are going out for dinner, we are going to have a few people joining us for dinner and then we are coming back home and it turned out to be the opposite because then there were more people and it was – as I
20 said, as I came in, then everybody then said surprise, surprise.

CHAIRPERSON: Mr Notshe?

ADV NOTSHE SC: Now, when you were – after the party, you must have ...[intervenes]

CHAIRPERSON: Maybe before that because you are now

going after – to the period after the party and it does sound strange, Ms Mokonyane, that when there is discussion of your 50th birthday party, which you remember was no held at that guesthouse and you were asked whether there were any other birthday parties of yours that were held there, you do remember that there were certain parties but not birthday parties and yet you do not remember such an important birthday party for many people. You might say for me, the 40th was not important, 10 you do not remember that. So I think that is part of the point that Mr Notshe wanted to make.

MS MOKONYANE: In fact, Chair ...[intervenes]

CHAIRPERSON: It does sound strange, one would have thought that if you talking about birthdays, your 40th and your 50th birthday parties, must be quite important and in terms of where they were held. If you do recall that other parties were held there you would remember that oh, my 40th birthday party was there.

MS MOKONYANE: You know, Chair, because that one was 20 planned to be a private dinner. I did have a party with my friends thereafter which I know that it was organised in ...[intervenes]

CHAIRPERSON: In the same venue?

MS MOKONYANE: No.

CHAIRPERSON: Or somewhere else?

MS MOKONYANE: Yes, I do not think – sure to be small, we had a party in Rosebank with my friends and that is where we partied, we had fun. And that is the memorable day I know, was my 40th.

CHAIRPERSON: Of course, well the other ...[intervenes]

MS MOKONYANE: I think I have had – I even had a mass dedicated to my turning 40, so...

CHAIRPERSON: Yes, yes.

MS MOKONYANE: And that is why I am saying the one
10 that I know and I was aware of it, is the one that was held in Rosebank sometime after that particular party.

CHAIRPERSON: Well, also it does sound strange that Mr Coetzee could remember your 40th birthday party at his guesthouse 18 years ago but you cannot remember your 40th birthday party.

MS MOKONYANE: It can sound strange because honestly speaking, that was not a party that I knew was going to happen.

CHAIRPERSON: H'm. H'm.

20 **MS MOKONYANE:** I was looking forward to my Saturday evening party with my friends in Rosebank and my family, very small intimate and that is it. And hence a bit of my memory, Chairperson, reminded me that there have been party, so that on its own helped to unpack which other parties have actually been held there and I want to agree

that - therefore my submission after Mr Coetzee, actually confirmed that along – if you read it, it was something that I did not know and I was not looking forward to having a party and the Break Your Leg kind of wow that was actually being said.

CHAIRPERSON: What do you say to the proposition that precisely because you had been told about a private dinner, family dinner, that that is what you were going to, precisely because of that, when you found out, upon arrival
10 at the venue, that this was something much bigger than just a family dinner, it was such a surprise, that is a factor that should make it easy for you to remember to say you know, that party, I went there thinking it was just a private dinner and my family surprised me with a big dinner and that that actually should make you remember that place for that surprise. Actually, it is the opposite.

So I wish I was well-prepared for those crowds and I wish – I would have preferred a better place. I am sure you saw even the decorations, black table cloth and funny
20 vases and stuff. But then if people have organised, [speaking African language] and that was it and I was looking forward to my weekend partying with my friends and I appreciated the efforts that were made and that was my response. If you ask me about what I remember about my 40th ...[intervenes]

CHAIRPERSON: I think you do not like surprises.

MS MOKONYANE: I do not like surprises because they lead to this, sometimes. They lead to these kind of things but in life, there are. I have been surprised so many times. I have had a husband who would always go and do extraordinary things to surprise me. I have had friends – I have got a friend that I grownup with from the age of 13 until today. You know my age because everything about me is now public. She just decided to wake up and come
10 and join me here today.

CHAIRPERSON: Yes.

MS MOKONYANE: And that is the reality of me. There are those surprises I cannot avoid, I do get surprise activities organised in my name and I also do organise surprise things for my own friends.

CHAIRPERSON: Okay, alright. Mr Notshe, I will let you continue but I think we should take the tea break now or do you want to follow up for five minutes?

ADV NOTSHE SC: Just to follow up about this issue.

20 **CHAIRPERSON:** Okay.

ADV NOTSHE SC: Ms Mokonyane, is that not so that this is exactly why this should have remained in your memory, that it was a surprise dinner. Whether, as you say, you were disappointed by the venue, that would have stuck out in your memory that my 40th birthday was a surprise but it

was a venue I would not have chosen. Is that not so?

MS MOKONYANE: I was looking forward to my 40th party with my friends in Rosebank and I appreciated the efforts that were made on that particular day.

ADV NOTSHE SC: And the problem also we have is this, you would have mentioned that there were parties at – not just parties at Victorian Guest House. You said there were parties at Victorian Guest House.

MS MOKONYANE: Yes.

10 **ADV NOTSHE SC:** But not your party. How could you ...[intervenes]

MS MOKONYANE: I said there were parties and my assertion, Chair, with humility, was based around what was splashed all over and my preoccupation was on my 50th birthday.

ADV NOTSHE SC: But you will agree, and you have read the evidence, that we moved from your 50th and we asked for any other birthday party and ...[intervenes]

20 **MS MOKONYANE:** I do feel that it is in the script, Chair, but I am saying in my mind and in my focus I was contesting what was asserted as a fact, the Break Your Leg 50th birthday and hence I have been able to then come in and say there was a dinner that I was supposed to attend, it came across as a dinner, I went and in that dinner there were other people there and there were people who stood

up and spoke. I do not know whether they were part of the sponsors and everything because those are friends and people I have grown up with in the township.

ADV NOTSHE SC: Do you agree with me that the evidence you gave that day where you denied that there was a party at guest house was misleading?

MS MOKONYANE: It was not misleading, never was it my intention. Never has it been and hence I have come and I made the submissions having read first, before even
10 getting the evidence from the Commission, having read what was in the newspapers and also having gone back home to collect, what happened when I turned 40, who was there, how did things happen, it was not only the Rosebank party that I knew and we had planned for it, there was also this event that was done together with the community of Kagiso, by the way, and [indistinct – dropping voice]

ADV NOTSHE SC: You only came out to correct this when the evidence of Mr Coetzee came out confirming that there was a party and it was ...[intervenes]

20 **MS MOKONYANE:** It was ...[intervenes]

ADV NOTSHE SC: Sorry, I am sorry.

MS MOKONYANE: Okay.

ADV NOTSHE SC: And you only confirmed – you only corrected this when the evidence of Mr Coetzee came out confirming that there was a party at that Victorian Guest

House and it was your 40th birthday party.

MS MOKONYANE: I went home, I reflected on these matters and I recall that there was this and upon reading what was in the media and verifying, I made this particular submission, yes.

ADV NOTSHE SC: And what you read, what you read was that the owner of the guesthouse confirmed that there was a party at your place.

MS MOKONYANE: Yes.

10 **ADV NOTSHE SC:** And will leave this issue – before I leave the issue, when you went home after the party.

MS MOKONYANE: After my party?

ADV NOTSHE SC: After the 40th birthday party, this party, you must have thanked your husband, you must have thanked him, thanks for the surprise.

MS MOKONYANE: I thanked everybody, not just upon arrival at home. I thanked my family, I thanked my friends, I thanked the community and everyone who was part of organising this, something that I was supposed to just have
20 as a very private thing and that was it. I never thanked BOSASA because I never knew that BOSASA was part of it.

ADV NOTSHE SC: Did you ask your husband who had paid for this, for the party, for this 40th birthday party?

MS MOKONYANE: No, a simply thing, it is not even about who paid, how did this thing get organised and the simple

thing was when guys organise it and people felt they need to organise this thing for you around this area so that they can come and celebrate with you.

ADV NOTSHE SC: Is that what she said to you?

MS MOKONYANE: Yes.

ADV NOTSHE SC: And did you ask who the guys were?

CHAIRPERSON: You said she, you mean he?

ADV NOTSHE SC: Oh, sorry. You know my faults, sorry.

MS MOKONYANE: I know your faults including mentioning
10 my home address every time.

ADV NOTSHE SC: This is an [inaudible – speaking simultaneously]

CHAIRPERSON: On that note let us take the tea break.
Let us take the tea break.

ADV NOTSHE SC: Thank you.

CHAIRPERSON: We will resume at twenty five to twelve.
We adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

20 **[audio commences mid-sentence]**

MS MOKANYANE: ...and was tongue-tied about he and she, the question was did you ask your husband as to who had arranged and paid for the party?

CHAIRPERSON: Okay, maybe, I am sorry again Mr Notshe I am interrupting you. Let me hear, I think she

wants to be assisted with something. Let me hear what you have to say to this proposition Ms Mokonyane. Somebody who has been listening to the evidence relating to Mr Agrizzi's evidence, Mr Coetzee's evidence and your evidence, might say it cannot be true that you would remember that other parties were held at that venue, but you do not remember – you did not remember when you were giving evidence that your fortieth birthday party was also held there.

10 Somebody might say it was not convenient for you to admit that your fortieth birthday party was held there because that would give credence to Mr Agrizzi's version that BOSASA had paid for your birthday party of course he said fiftieth but as I understand it he was mistakenly; it was your fortieth.

 So somebody might say it was not convenient for you to make that admission because it would give credence to Mr Agrizzi's evidence that there was a special relationship between yourself and BOSASA or yourself and
20 Mr Gavin Watson and which he says and I accept that you deny that which he says since you have been meant for BOSASA to get some protection from investigations and prosecutions. And that you did not think that something that happened eighteen years ago would be unearthed by the Commission investigators. But when the investigators

went to the venue, got the owner who remembered this and produced invoices you were caught out and that is why you had to now say now I remember. What do you say to somebody who says that?

MS MOKONYANE: I would want to add the third to say I walked into these chambers, the whole world was focusing on my fiftieth birthday with a theme called break your leg and that was my preoccupation. And in my assertion intentionally and correctly so I had to actually say there
10 was no fiftieth birthday called break your leg.

I have never heard a party called break your leg which was my fiftieth birthday. So I think for me Chair that is where I am because Mr Agrizzi has been to this Commission on several occasions unearthing witnesses upon witnesses and evidence upon evidence and this was part of his last submissions which I thought was based on his own convictions and the truth of what he put before this Commission.

That it was my fiftieth birthday and the truth be told
20 that is my third version to say I was preoccupied by this one and I felt it would be important and hence I never denied ever being to that place and I will never deny. The thing that I denied was my fiftieth birthday party hosted at the Victorian Guest House.

CHAIRPERSON: What do you say when somebody says

anyone who listens to Mr Notshe asking you those questions and anyone who reads the transcripts you know the parts to which Mr Notshe referred you earlier where he moved from asking about the fiftieth birthday party, to asking about any other party and asking about any other birthday party.

What do you say to somebody who says but that was so clear there is no way Ms Mokonyane would not have heard that now Mr Notshe is not talking about the
10 fiftieth birthday party he has moved, he is talking about another party and any other birthday party.

When she responded and said no in regard to another birthday party and yes to other parties. She knew that her birthday party, fortieth birthday party was being included in terms of the question that says any other birthday party in that venue.

MS MOKONYANE: At that point Chairperson that is why I said I know that there has been many other parties and many other functions but not my fiftieth party and that was
20 my assertion.

CHAIRPERSON: Okay, Mr Notshe.

ADV NOTSHE SC: Can you confirm do you say my fiftieth – there was not a party there it was my fortieth not my fiftieth?

MS MOKONYANE: You never asked me about my fortieth.

ADV NOTSHE SC: But I am saying you never said my fiftieth was not there it was my fortieth, you did not say that.

MS MOKONYANE: No, I was not asked about which other party, I said I have not had my fiftieth it was another venue and as I said Chair the assertion in everybody including today. The latest is a journalist from newsroom who has sent questions just two days ago. He is still asking me about Mr Agrizzi and Mr Coetzee testimony about my
10 fiftieth birthday being at the Victorian Guest House.

So the preoccupation everything and I think even in my own mind I was sitting here Chair refuting what was asserted and hence I have never said I have never been to that place, I have never said there has never been a party and I have never said I do not know the Victorian Guest House.

I was speaking in terms of clarifying that my fiftieth party was never organised there but also the issue of who paid and what happened I think it is not something that I
20 was quite interested in precisely because I have also been part of organised news, surprised parties for other people and you do not actually have to be telling everybody that so and so bought a bottle of water, so and so bought a bottle of. You just say friends we are your friends we are organising your sixtieth birthday and that is it.

CHAIRPERSON: Mr Notshe.

ADV NOTSHE SC: I see, you say in your evidence today that BOSASA was not at your fortieth birthday, how do you know that?

MS MOKONYANE: I did not see anything branded BOSASA and BOSASA is an institution so I did not see...[intervene]

CHAIRPERSON: Anybody from BOSASA.

MS MOKONYANE: A representative of BOSASA because
10 in the program there was nobody speaking on behalf of BOSASA.

ADV NOTSHE SC: I see, so as you sit today cannot say BOSASA was not there all you can say is you did not see a branding and no one spoke on behalf of BOSASA. Is that correct?

MS MOKONYANE: Nobody spoke on behalf of BOSASA and nobody came to me and said I am here on behalf BOSASA and nobody actually spoke or even arranged anything as if it is coming from...[intervene]

20 **CHAIRPERSON:** Well let me put this to you and Mr Notshe who maybe was planning to do so but maybe it is appropriate. I asked Mr Coetzee quite specially when he gave evidence here. I asked him the question was Mr Agrizzi there or I think I did ask him but he said certainly Mr Agrizzi was there and I even had to ask was Ms

Mokonyane there because I wanted to make sure that what he is talking about was your birthday party because it could not be your birthday party without you being there and he said, yes. She was there and I was introduced to her personally but he also said Mr Agrizzi was there and you said you did not see Mr Agrizzi.

MS MOKONYANE: No, I do not remember if he is mentioning those hundreds of names of people not names.

CHAIRPERSON: Yes, yes.

10 **MS MOKONYANE:** Of people.

CHAIRPERSON: Ja, it would be easy not to see everybody.

MS MOKONYANE: Yes, and remember that facility is run by a white family and Chair it use to be run by a lady, the lady who use to run that facility.

CHAIRPERSON: Ja, maybe it was her Mum.

MS MOKONYANE: I do not know.

CHAIRPERSON: Because first he was co-owning it with her Mum until 2018 I think when her Mum passed away now
20 he owns it alone.

MS MOKONYANE: Okay yes I do not know.

CHAIRPERSON: Yes.

MS MOKONYANE: So it is between him and Agrizzi whether Agrizzi was there.

CHAIRPERSON: Okay.

ADV NOTSHE SC: And you – and Mr Agrizzi said that Mr Watson was also there.

MS MOKONYANE: Gavin was a family friend.

CHAIRPERSON: I mean you would have seen Mr Watson.

MS MOKONYANE: Yes.

CHAIRPERSON: He is your friend or he was your friend is it not?

MS MOKONYANE: Yes.

10 **CHAIRPERSON:** I know you said not Agrizzi.

MS MOKONYANE: Yes, so I still believe spiritually he is a friend.

CHAIRPERSON: Yes, so but are you saying he was not there, there is no way that you would have not seen him.

MS MOKONYANE: No, Gavin was not at the party.

CHAIRPERSON: Are you sure?

MS MOKONYANE: Chair not to my memory, no.

ADV NOTSHE SC: But can you recall it more than 120 people and he did not come to your table perhaps?

20 **MS MOKONYANE:** Maybe perhaps I do not know. The only person who will know who was there will be what you call...[intervene]

CHAIRPERSON: Mr Coetzee.

MS MOKONYANE: Mr Coetzee because he knew that he is he is working with...[intervene]

CHAIRPERSON: Mr Agrizzi.

MS MOKONYANE: With Mr Agrizzi.

ADV NOTSHE SC: And Mr Agrizzi will also know because he works with Mr Gavin Coetzee and Watson.

MS MOKONYANE: Yes.

CHAIRPERSON: But going back to the numbers Mr Coetzee has said ultimately there was a 170 I think people. You earlier on you were mentioning 20 but you were not saying that there were only 20 people.

10 **MS MOKONYANE:** No, I was saying...[intervene]

CHAIRPERSON: Yes, but what I want to establish is whether you had any issue about there have been so many people. Is that something that is an issue for you? Are you saying that there could not have been that many people or are you saying look if he is saying there were 170 people that is what he says, I do not know, I did not count the number of people.

MS MOKONYANE: That is his assertion Chair.

CHAIRPERSON: Yes.

20 **MS MOKONYANE:** That is his assertion and if I planned an event I know that I am planning for so many people, I have invited so many people and I will have a particular number that I will keep as a possibility of you know the unexpected and so on.

CHAIRPERSON: Yes.

MS MOKONYANE: So I was never near the planning of anything that happened there.

CHAIRPERSON: Yes.

MS MOKONYANE: So I do not know how I can actually now say it is like that. I am saying that place can take from 20 people you can have a function there and I do not know how they had planned for this because I was not part of their planning so that is it. I do not know the numbers
Chair.

10 **CHAIRPERSON:** And I think you did say earlier on but you must tell me if I misunderstood you when Mr Notshe asked you, you did say that you were not saying that that place could not take as many people as 170 people.

MS MOKONYANE: No it can take because it has a garden...[intervene]

CHAIRPERSON: Yes, okay.

MS MOKONYANE: It has the rooms, it has the little rooms that were the breakaways and stuff.

CHAIRPERSON: Yes, okay.

20 **MS MOKONYANE:** So I do not know.

CHAIRPERSON: Okay, alright Mr Notshe.

ADV NOTSHE SC: And you do confirm that at that time 2003 Mr Watson was already your family as you said, he was already a good friend and a friend of the family?

MS MOKONYANE: Mr Watson as I have said has been a

friend before, ja before 1990.

ADV NOTSHE SC: I see, now – and therefore you would have played a part in it, it would not be strange for him to attend such a party?

MS MOKONYANE: It would not be if he was invited, I did not invite anybody. I was invited and made to attend and appear. I did not even see the guest list.

ADV NOTSHE SC: Now you are saying your fiftieth now was in 2013. Am I right?

10 **MS MOKONYANE:** Yes that is when I turned fifty.

ADV NOTSHE SC: And your fiftieth birthday was 2013?

MS MOKONYANE: Yes.

ADV NOTSHE SC: What were you doing at that time, where were you working?

MS MOKONYANE: I was the Premier of Gauteng at that time.

ADV NOTSHE SC: I see; approximately how much were you earning?

MS MOKONYANE: My payslip is there.

20 **CHAIRPERSON:** I cannot hear you.

MS MOKONYANE: I cannot recall how much I was earning but I was earning a Premier's salary if you need the numbers I can give them to you.

CHAIRPERSON: MEC before you move because I think you moving away from the party, but it is just to round off

on the obvious on the fortieth gala party. Did you say that you do know that the party was organised by your late husband or did you say you do not know who organised it or are you saying as far as you know it was organised by family and friends?

MS MOKONYANE: I left the house being the guest of my family.

CHAIRPERSON: Yes.

MS MOKONYANE: And I arrived at the party and that is
10 dinner and then it came out that it was not just a family dinner and I never actually came to know who and who actually organised it, that was it the individuals who organised it.

CHAIRPERSON: I am concerned about that because if we accept as a fact that BOSASA paid for it and Mr Agrizzi says it was Mr Gavin who instructed that, that BOSASA should organise a party or Agrizzi should coordinate the party for you. I would think that your husband knew that BOSASA were the people who made it happen or Mr Gavin
20 Watson was the person who was responsible for the party.

MS MOKONYANE: Chair, ja I would not want to venture into that space and conclude because organising a party goes beyond stuff what happened inside. I know it is a matter of fact there were people who came with taxis.

CHAIRPERSON: With?

MS MOKONYANE: With a taxi.

CHAIRPERSON: Ja, with taxi's.

MS MOKONYANE: Because not everybody can afford, they took a taxi from Mandlavelle, took a taxi from Kagiso and I know that those were some of the people who were organised and I remember there was a guy who was the leader of the taxi association who also came and part of the reason why he came to talk to me was to say you know what Mama [speaking in vernacular], all because of you
10 [speaking in vernacular]. So I am trying to indicate that I did not ask for that information it was when I spoke to some of the people and say [speaking in vernacular].

CHAIRPERSON: You see my difficulty is I cannot see how what seems to have been a very big birthday party could have been done for you without you and your husband knowing who paid for this party, this big party one of you must have known. And if you say you did not know because it was your birthday, they kept it as a surprise logic says to me then your late husband must have known
20 that it was BOSASA. Is my logic problematic?

MS MOKONYANE: It may not be it may be, he might have also been approached to say listen we organising this thing please secure Mam Vula on that day, make sure that you bring her along. Please bring her along and that was it and then hence from the morning Mogatsi will remember

before the date.

CHAIRPERSON: Yes.

MS MOKONYANE: And that was it.

CHAIRPERSON: You see if one accepts the proposition that at least one of you knew that BOSASA paid for it...[intervene]

MS MOKONYANE: So if he...[intervene]

CHAIRPERSON: Yes, ja.

MS MOKONYANE: Ja, maybe he may know.

10 **CHAIRPERSON:** Yes, yes.

MS MOKONYANE: He might have known; he might have not known.

CHAIRPERSON: Yes.

MS MOKONYANE: All I am saying is I was requested not to, actually I was instructed not to go anywhere.

CHAIRPERSON: Not to go anywhere.

MS MOKONYANE: Exactly I was instructed not to go anywhere and we then drove, and we arrived and...[intervene]

20 **CHAIRPERSON:** Ja, no, no for now I understand your part not knowing for now. What I want to put to you is if your husband knew that BOSASA had been so good to your family they were responsible for this very big party.

It is difficult for me to think that for about what 16, 17 years from 2003 up to the time he passed on he would

not have told you that Gavin Watson or BOSASA had paid for this wonderful party particularly because Mr Gavin was as I understand he was a family friend. So that maybe you could thank him because he had made it possible.

MS MOKONYANE: When somebody says in a party Chair I want to thank everybody who has organised this event and thanks for pulling things together. You thank everyone and that is what I did and that was everyone who has organised and like I am saying the only other thing that I
10 knew was there were people who were transported and Bra Oupa came out and said you know what Mam Vula it is all because of you we doing these things.

So it means they are also part of making this thing to happen. So I had friends and everybody was saying are you happy and I said ja but today you surprised me and that was it. But if it so happens that he knew he would have known and surely, he wanted to keep it as a surprise to me.

CHAIRPERSON: No but I am talking about after I can
20 understand not telling you before the day but I am saying after the party has gone I would have expected that at some stage he would tell you by the way no I did not pay a cent for that party or maybe I paid only a little bit but the real people who made it possible were BOSASA or it was Mr Gavin Watson.

So that you would know that those are the people who were so good to you especially because Mr Gavin was a family friend. I am saying that I would expect that at some stage over the past 17 years or whatever before he passed on.

MS MOKONYANE: No we never ventured into that.

CHAIRPERSON: He did not?

MS MOKONYANE: No we did not.

CHAIRPERSON: Yes, Mr Notshe.

10 **ADV NOTSHE SC:** I think what the Chair is also trying to make it clear from you Ms Mokonyane is that you, your husband or one of you knew that, you knew that you did not pay for the party, you or your husband.

MS MOKONYANE: We both knew that we did not pay for the party because we knew that we did not organise it.

CHAIRPERSON: Sorry just repeat that.

MS MOKONYANE: I am saying we did not organise it. I was told, advised and persuaded to come for a dinner and then we drove and we went to the place and that is it and
20 that is all that I have now, Chair.

CHAIRPERSON: Did you say you both knew that, the two of you did not organise the party or pay for the party?

MS MOKONYANE: No, no I am saying we both – from where I am seated, we both went to the dinner.

CHAIRPERSON: Ja.

MS MOKONYANE: We both attended the dinner, I together with him we have never spoken about who paid for this.

ADV NOTSHE SC: Ms Mokonyane have I heard that you have just said you both knew that you did not pay for the party.

MS MOKONYANE: Yes, the thing that I am saying is we going out, I am taking you out and then we arrive there and then we are told no the guys asked me that I must secure
10 you, we must come to the surprise. That is why when we entered it was said surprise, yes.

ADV NOTSHE SC: So do you confirm that you just said now a few minutes ago that you both knew that you did not pay for the party.

MS MOKONYANE: Yes.

CHAIRPERSON: Yes, she has confirmed. You see it becomes more problematic for me if that is the position because it is difficult for me to think that you could have a party that is as big as what Mr Coetzee told me how big it
20 was and that cost as much as what Mr Coetzee estimated.

I think he estimated that with the liquor that was brought into the guest house the cost may have been about R80 000,00 or R70 000,00 in 2003. That you both would not have wanted to find out who is this person who has done such a good thing such a party for - in his case for

my wife you know. In your case for me that you would have not wanted – it is just difficult to...[intervene]

MS MOKONYANE: It does come across as being very difficult Chair but as I am saying there were organisers behind the scenes and surely there was an arrangement to say you keep it quiet, you do not share [speaking in vernacular]. Like I am saying I came to know about these others because I saw people coming from the township and I asked them how they have come and they said they were
10 sponsored with a taxi from the taxi association.

CHAIRPERSON: Yes, I was under the impression when I read your affidavit...[intervene]

MS MOKONYANE: When my husband actually then said to me I wanted you not to be part of – I wanted you not to stay away from this event. Hence, I pleaded with you that we would have wanted to have come with you as a family and that was the arrangement Chairperson.

CHAIRPERSON: I got the impression when I read your affidavit, the one that is responding to Mr Coetzee's
20 affidavit that you were saying that you were under the impression that your late husband was the one who organised the birthday party and paid for it. You mentioned somewhere on paragraph 17 you say my late husband was a successful businessman who could afford to pay for such an event.

ADV NOTSHE SC: Sorry Chair I think she's trying to ...[intervenes]

CHAIRPERSON: Oh I am sorry.

ADV NOTSHE SC: Can you look at – look at Bundle 2 the small bundle. No not that one. The small one there the small one with your affidavit.

MS MOKONYANE: Okay.

ADV NOTSHE SC: The one with the [00:00:12]. No not that one. You can put that one behind you. Put that big one
10 behind you it is fine. That one.

CHAIRPERSON: Have you got the right one? I am looking at paragraph 17.

MS MOKONYANE: Yes Chair.

CHAIRPERSON: Yes. 17:

“My late husband was a successful businessman who could afford to pay for such an event. I always assumed that he had in fact done so. I was taken aback by this kind gesture. Thanked him for everything that he had done in this regard but never pertinently asked him whether he had paid for
20 everything himself.”

MS MOKONYANE: Yes Chair.

CHAIRPERSON: So you clearly say you never asked him specifically but I understand what you say before that that you assumed that he had been responsible for payment. Is that right?

MS MOKONYANE: That is exactly what I am – I always assumed that he paid.

CHAIRPERSON: Yes. Okay alright.

MS MOKONYANE: Yes.

CHAIRPERSON: Mr Notshe.

ADV NOTSHE SC: Whilst you are in your affidavit you – on page – on paragraph 20 page 6 you say then the revelation that this was paid by – for – by BOSASA is – it – [00:01:47] and it now embarrasses you. Correct?

10 **MS MOKONYANE:** Yes.

ADV NOTSHE SC: And you say it was inappropriate at the time and I am sure it is also inappropriate even now.

MS MOKONYANE: Yes.

CHAIRPERSON: Well it is not being done now Mr Notshe.

ADV NOTSHE SC: All what I am saying is being then now still inappropriate that it was done.

CHAIRPERSON: Oh okay.

20 **ADV NOTSHE SC:** Now Ms Mokonyane if we move away from that and deal with – we are dealing with your 50th Birthday party.

MS MOKONYANE: 50th?

ADV NOTSHE SC: Yes. No I am saying I have moved away from that and dealing now with your 50th birthday party.

MS MOKONYANE: Why?

ADV NOTSHE SC: I am asking – I am saying we are dealing

with that. You are saying it was 2013 you were right. Yes.
Now you were saying at the time you were the Premier right.

MS MOKONYANE: Yes.

ADV NOTSHE SC: And at that time is it correct you were ...

CHAIRPERSON: Are you – are you moving away from the
evidence and allegations made by Mr Agrizzi?

ADV NOTSHE SC: Yes.

CHAIRPERSON: Okay let me – I have something relating to
Agrizzi. You remember there was an allegation by Mr Agrizzi
10 that BOSASA used to purchase groceries and liquor and
meat for your family I think especially during Christmas
period or December you remember that evidence?

MS MOKONYANE: Yes I remember Chair.

CHAIRPERSON: Yes. My recollection is that you denied
that evidence, is that – is my understanding correct?

MS MOKONYANE: It was – I did not deny the acquisition.

CHAIRPERSON: Yes.

MS MOKONYANE: I denied the fact that they – that was
meant for my family.

20 **CHAIRPERSON**: Yes okay. One can always check. My
understanding and it may be incorrect. My understanding
was that you had denied but you are saying as you sit there
you do not deny that there were such groceries but you are
saying they were not for your family.

MS MOKONYANE: No I do not deny Chair.

CHAIRPERSON: Yes. Yes.

MS MOKONYANE: But they were never meant for my family.

CHAIRPERSON: Your PA Ms Thomas said her understanding was that – well she actually also confirmed that groceries were organised and were delivered to your house but she said her understanding was that they were meant for needy people in the community. Is that – is that your understanding – is that your understanding as well?

MS MOKONYANE: Yes.

10 **CHAIRPERSON:** Yes. Now my difficulty at least with partly with that is that when I look at the items that Mr Agrizzi said were bought.

MS MOKONYANE: Hm.

CHAIRPERSON: It – or at least some of them do not appear to me to be the kind of items one would expect to buy and just give to needy people. Mr Notshe where will I find Mr Agrizzi's affidavit where he itemises...

ADV NOTSHE SC: Chair it is on Bundle B - the big bundle. It is the big one Ms Mokonyane. Bundle B at page 08 of
20 Bundle B. Look at – start from the beginning. Look at the red – red marking.

CHAIRPERSON: Maybe your junior could assist the witness Mr Notshe. He itemises the – he gives a list of those items at paragraph 22.3 of his first affidavit at page 8. Have they found it for you?

MS MOKONYANE: Chair I have got it.

CHAIRPERSON: Have they found the page for you?

MS MOKONYANE: Yes.

CHAIRPERSON: Yes okay. He says in paragraph 22.3

“Subsequent thereto...”

ADV NOTSHE SC: Chair [00:07:31].

CHAIRPERSON:

“Subsequent thereto towards the end of every year”

10 In the previous paragraph he refers to the period 2002 and 2003 so when he says subsequent thereto, he must be referring to subsequent to 2002 and 2003. He says:

“Subsequent thereto towards the end of every year I was tasked by Gavin Watson to see to her family’s Christmas needs.”

That is yourself.

“This would include” and he says:

“approximately 22.3.1

22.3.1 120 cases of cold drinks.

20 22.3.2 4 case of high quality whiskey.

22.3.3 40 cases of mixed beer.

22.3.4 8 lambs

22.3.5 12 cases of frozen chicken pieces.

22.3.6 200 kg beef [as well as various braai packs]

22.3.7 Numerous cases of Premium Brandy
and specially alcohol.”

Now I would have thought that he would or BOSASA would have at least included items like rice and mealy meal, sugar, cooking oil and then such stuff which is quite essential. But it – the impression I get and I want you to comment on this. The impression I get is that this does not immediately presents itself as – or at least some of the items you know especially 4 cases of high quality whiskey and numerous
10 cases of Premium Brandy and speciality alcohol is something that one would buy for when one is helping people who really need basic needs. Is my thinking flawed?

MS MOKONYANE: It is very flawed Chair.

CHAIRPERSON: Yes tell me.

MS MOKONYANE: It is flawed because it moves from an assumption that it was only BOSASA that does these things.

CHAIRPERSON: Sorry.

MS MOKONYANE: It moves from an assumption that it is only BOSASA that does these things for communities. And
20 yet there were many other people that would also come to the party and make contributions of your samp, your maize, your rice, even your beef – canned beef and stuff. So it was not – it was not only BOSASA that – and it is still not. As I am talking to you tomorrow I am out dishing out blankets without BOSASA. So it is not. So it – it is a flawed

assumption.

CHAIRPERSON: Hm.

MS MOKONYANE: They- they were contributing what was in their own offering. You know when people say we want to go and give Ubuntu.

CHAIRPERSON: Hm.

MS MOKONYANE: You – I will – you do not choose what they would give. And all these things will then be kept and we would actually get everybody getting a bit and it is going
10 home. Over and above that we would even have a sit down party in the community centre for everybody. So your assumption is flawed. This is not the only thing that will come. Somebody brings blankets. The other person brings – now recently there is something called instant porridge they bring. Yes.

CHAIRPERSON: Hm. So you say it was – it definitely was for the needy people?

MS MOKONYANE: It has always been for.

CHAIRPERSON: Yes, yes.

20 **MS MOKONYANE:** Yes.

CHAIRPERSON: Now one will have to check I do not know Mr Notshe why I was under the impression that Ms Mokonyane's evidence last time she was here did not include her being part of groceries that were bought by BOSASA for distribution to the communities. Because at least now I think

that is why – that is the impression I am getting that as far as groceries for communities you were part of that, is that right?

MS MOKONYANE: Yes we will have a dinner.

CHAIRPERSON: Yes.

MS MOKONYANE: We will have a lunch in the community centre.

CHAIRPERSON: Yes.

MS MOKONYANE: And all these things.

10 **CHAIRPERSON:** Yes.

MS MOKONYANE: That whoever is sponsoring will come in.

CHAIRPERSON: Ja.

MS MOKONYANE: And make the donation.

CHAIRPERSON: Yes.

ADV NOTSHE SC: Chair the evidence of Ms Mokonyane because this issue you raised, we will check in whether perhaps stuff was delivered at her home but for the community. Her evidence was that no such stuff was delivered at her home for the community.

20 **CHAIRPERSON:** Hm.

ADV NOTSHE SC: And then in addition to that then – that her – Ms Thomas says her stuff was delivered at her home.

CHAIRPERSON: Yes.

ADV NOTSHE SC: But was for the community.

CHAIRPERSON: Yes. Yes.

MS MOKONYANE: Chair I would want to – to indicate that I said most of the stuff will go to the Kagiso Community Hall. It was only I think once or twice.

CHAIRPERSON: Yes I think you said once ja.

MS MOKONYANE: Yes once or twice because the township put under – the community hall was under renovations. And hence Ms Thomas said it would not even stay for a day because it had to go. So we used another venue that does not have a storage like the old Kagiso hall.

10 **CHAIRPERSON:** Hm. But of course, she – she said – she did not speak on the basis of once. She spoke on the basis that it was for most of the years. Because I asked her the question because she said she started working for you in 1999.

MS MOKONYANE: Yes.

CHAIRPERSON: And I said well from 1999 up to I think when Mr Agrizzi left BOSASA I said would you say that each year this is what would happen or would you say most of the years?

20 **MS MOKONYANE:** It was not every year.

CHAIRPERSON: Ja that is what she said too. She said it was not every year and I said, would you say it was most of the years? She said yes it was most of the years.

MS MOKONYANE: Okay.

CHAIRPERSON: Okay. So on her version it was not once or

twice it was most of the years.

MS MOKONYANE: No it was most of the years.

CHAIRPERSON: [Inaudible – speaking over one another].

MS MOKONYANE: Yes I take it she meant it was most of the years where they would make these kinds of contributions. But delivering it at home I think it was once or twice.

CHAIRPERSON: Ja.

MS MOKONYANE: And until – and it was now when towards the – the end because the Kagiso hall was under renovation
10 about two – two years back or so yes.

CHAIRPERSON: Hm. You see the – the – the difference that I can make between her version and Mr Agrizzi's version is that – well Mr Agrizzi says it was every year after 2002/2003. Okay. But Ms Thomas says it was most of the years not every year. But they agreed that there was delivery of groceries and parcels to your home and then where they differ also is that Mr Agrizzi says it was for your family

MS MOKONYANE: Yes.

20 **CHAIRPERSON:** Whereas Ms Thomas her understanding was that it was for the community.

MS MOKONYANE: Yes.

CHAIRPERSON: That – that is – there are parts where their versions converge.

MS MOKONYANE: Yes.

CHAIRPERSON: And then there are parts where they differ.

MS MOKONYANE: Yes.

CHAIRPERSON: Okay.

MS MOKONYANE: It does happen even now Chair. I think now with the lockdown.

CHAIRPERSON: Hm.

MS MOKONYANE: I have had donations being delivered at my house because of the community centres being closed.

CHAIRPERSON: Hm.

10 **MS MOKONYANE:** So hence I am saying what I know it can be once or twice because many a times when the things gets distributed it is on the night before we have the veterans and senior citizens lunch so they must there and we used to have the people who will then go and cook and then young people who will pack them in the bags and stuff overnight so that when they come – actually it used to be like the whole day starting with breakfast, lunch and then late lunch and then everybody goes home and we do the deliveries as well for senior citizen. We will have volunteers coming doing the
20 deliveries.

CHAIRPERSON: Hm. The – the other part which I want to mention to you and you might wish to comment on it that since to converge between the versions of Mr Agrizzi and Ms Thomas is that Mr Agrizzi said that he was instructed by Mr Gavin Watson to set up a team that would – within BOSASA

that would take care of whatever issues arose in your home that needed to be fixed you know which I guess would include maintenance issues.

And he said that is Agrizzi – Mr Agrizzi he said he did set up such a team and it was headed by Mr Richard Le Roux. And he said over time Mr Le Roux would go and attend to problems that arose in your house. Ms Thomas said there were a number of times when your late husband would call her when there was a problem in the house and
10 ask her to ask Richard he said – he just knew him as Richard to go and attend to the problem.

And she said he – she did not know then that this was Richard Le Roux. He did not know the surname. But I think afterwards she accepts that it is Richard Le Roux.

So there it appears that her evidence also corroborates to a certain extent what Mr Agrizzi said namely the – there was a team or maybe one person maybe a team that used to pay special attention whenever there were problems in the house that needed attention in the house. Do
20 you want to comment on that or you have no comment?

MS MOKONYANE: I would not comment on it.

CHAIRPERSON: Yes.

MS MOKONYANE: Because the – at no point is there any reference to me.

CHAIRPERSON: Hm.

MS MOKONYANE: Being part of that arrangement.

CHAIRPERSON: Hm.

MS MOKONYANE: And at no point have I also interacted with him – Mr Le Roux.

CHAIRPERSON: Mr Le Roux.

MS MOKONYANE: And yes. And as I have stated before my husband was responsible for the maintenance and the running of the house.

CHAIRPERSON: Hm.

10 **MS MOKONYANE**: And that was his responsibility.

CHAIRPERSON: Hm. You see there may be some significance also in that.

MS MOKONYANE: Let me – oh sorry. I will explain to say remember Chair.

CHAIRPERSON: Hm.

MS MOKONYANE: Part of what was my responsibility was not confined to one space or being at home and being available most of the time.

CHAIRPERSON: Ja.

20 **MS MOKONYANE**: And hence.

CHAIRPERSON: Ja.

MS MOKONYANE: As in the father of the house.

CHAIRPERSON: Ja.

MS MOKONYANE: My husband took responsibility including even procuring the services of other people that I am still

using today.

CHAIRPERSON: Ja.

MS MOKONYANE: The electricians and the maintenance guy.

CHAIRPERSON: Ja. No Ms Thomas also emphasised that most of the time I think you would not be in the house because of your other – because of your work. So she did make that point.

But there is also still something strange that there
10 would be this person that your late husband knows whenever there is a problem in the house I just call my wife's PA to get that person to come and fix things in the house. But he never tells you about this person. You never get to know about this person.

MS MOKONYANE: I – I do not know how frequent was that. And hence I am saying I also know of the service providers who provided services to the house. Professional.

CHAIRPERSON: Hm.

MS MOKONYANE: Who continue even now to do that
20 professional service in terms of electricians, in terms of plumbers, in terms of the maintenance guys who finally gave us somebody who was doing the gardening and services at home who then worked for us full time? So there were other people that I know who were actually rendering those services at a fee and who were paid by us.

CHAIRPERSON: It is the BOSASA ones that you did not know.

MS MOKONYANE: No not – not the BOSASA ones.

CHAIRPERSON: Yes. Well in fairness to you I must also go back to the question of the – the maintenance in the house and the repairs.

Mr Notshe had said there is a letter from your attorneys that deals with the question I think of installation of CCTV cameras. He will deal with that but I want to go
10 back to the – to Mr Agrizzi's evidence and Mr Le Roux's evidence which was that maintenance issues were dealt with by BOSASA or contractors who would be paid for by BOSASA in the house.

And they had said if I recall correctly that the CCTV cameras were also installed by BOSASA or a contractor contracted by BOSASA. My recollection and you must just tell me if my recollection is not correct. My recollection was that when you gave evidence – when you started giving evidence last time you denied all of that – you said no it did
20 not happen.

But of course there was the affidavit of Mr Van Biljon then Mr Charl Le Roux and there were invoices and I think in the end you came to a point where you say look I cannot dispute that they did the work that they said they did but all I am saying is that I did not request them to do it and my

husband was the one responsible for maintenance issues. I never knew about it and he never told me anything about it. Is my recollection correct of your evidence?

MS MOKONYANE: I cannot recall what was Mr Van Biljon was about.

CHAIRPERSON: Mr Biljon was the contractor who sent – who employed Mr Charl Le Roux and he is that they – they attended to ...

MS MOKONYANE: [00:24:36] Chair.

10 **CHAIRPERSON:** Yes it is. I think let us look at Mr Notshe. You have – perhaps where to find it.

ADV NOTSHE SC: Just a – Chair. Still in your...

CHAIRPERSON: Hm. Oh well it may be that you did not bring that particular file if you did not intend to ask questions about it.

ADV NOTSHE SC: Chair I will – I will find it. It is T14 and T15. To also Chair to explain to Ms Mokonyane it is Mr Van Biljon did not testify but he gave an affidavit. But the person who testified worked and employed by Mr Van Biljon is as
20 the Chair says Mr Charl Le Roux. But we will find the affidavit.

MS MOKONYANE: Mr Le Roux. I think ...

ADV NOTSHE SC: I beg your pardon.

MS MOKONYANE: It is not on 138.

CHAIRPERSON: Just bring the microphone closer to you.

MS MOKONYANE: I am sorry.

CHAIRPERSON: Yes.

MS MOKONYANE: I see there is an affidavit of Mr Le Roux.

CHAIRPERSON: Yes. Maybe what we – maybe what we should do maybe we should park the issue let Mr Notshe ask you about other matters in the meantime his juniors will look for the relevant pages and then we can come back to it.

ADV NOTSHE SC: Yes.

MS MOKONYANE: Hm.

10 **CHAIRPERSON:** Is that fine Ms Mokonyane?

ADV NOTSHE SC: Well let us deal with other issues around this and then we will find the evidence – the affidavit of Mr Van Biljon. Is it alright?

MS MOKONYANE: Okay.

ADV NOTSHE SC: But we – the gist of the issue Ms Mokonyane is in the end you said the issue of repairs at your house – of repairs were handled by your husband.

MS MOKONYANE: Yes.

ADV NOTSHE SC: That is the issue.

20 **MS MOKONYANE:** Yes.

ADV NOTSHE SC: Do you still confirm that?

MS MOKONYANE: Yes.

ADV NOTSHE SC: But then you went on and you said the issue of security the CCTV's were installed by government. Do you recall that?

MS MOKONYANE: I said all security matters in my house according to my knowledge are done through government services.

ADV NOTSHE SC: And Ms Mokonyane when you left you said you will provide us with details of which government department provided the CCTV at your house.

MS MOKONYANE: We have written to the state. We – it is not even the department that one works to – that one works for. It is always done through the offices of Public Works in
10 the...

CHAIRPERSON: Okay I am sorry Ms Mokonyane. Please bring the microphone a little closer to your – go closer to it. I did not hear that – what you said. Just repeat it please.

MS MOKONYANE: Yes I said all security matters in my house were actually done by the – by the state.

ADV NOTSHE SC: Ms Mokonyane.

CHAIRPERSON: Yes.

ADV NOTSHE SC: As you are saying when you left last time.

20 **MS MOKONYANE:** Yes.

ADV NOTSHE SC: You said you will provide the commission with details of which department provided the – installed the CCTV at your house.

MS MOKONYANE: We wrote to the Department – to the office of the Premier Chair.

ADV NOTSHE SC: And – and...

CHAIRPERSON: Let her finish.

ADV NOTSHE SC: Oh I beg your pardon.

CHAIRPERSON: Ja finish Ms Mokonyane.

MS MOKONYANE: Yes. We wrote to the office of the Premier and we – we asked for this information because for any provincial member of the executive council this is the work that is being done through the office of the Premier.

CHAIRPERSON: And what was her response?

10 **MS MOKONYANE:** We – we received the response just when yesterday – day before yesterday yes. And it is piles of documents that have been sent.

ADV NOTSHE SC: But – but then – sorry again.

CHAIRPERSON: Yes that does it confirm that the state did...

MS MOKONYANE: I have not gone through them.

CHAIRPERSON: Oh you have not been able to go through them.

MS MOKONYANE: Yes.

20 **CHAIRPERSON:** Okay.

ADV NOTSHE SC: It says your lawyers did go through them. It does not confirm that the state installed CCTV's at your house.

MS MOKONYANE: Are you asking?

ADV NOTSHE SC: I am putting it to you. You do not have

to [00:29:46] that.

MS MOKONYANE: I am not aware.

CHAIRPERSON: You have not checked.

MS MOKONYANE: Yes.

CHAIRPERSON: You have not had the documentation.

MS MOKONYANE: I am not – no Chair I am honestly not aware. All I can tell is that we did receive the report, and we did also state here that all matters related to security were actually handled by the state.

10 **CHAIRPERSON:** H'm. Well, when there are security... when those security matters are handled by the state, would the member not of the Executive Council in the case of the province, would he or she not be required to sign some document?

MS MOKONYANE: No, I do not remember signing anything.

CHAIRPERSON: H'm.

MS MOKONYANE: No, it is done directly through the South African Police Service and the people responsible for security in government.

20 **CHAIRPERSON:** They do not require you to request it?

MS MOKONYANE: Interestingly, that I think that I wish they do not do. They work on the basis of the security risk. Honestly speaking, I have not been closer to that space.

CHAIRPERSON: H'm. H'm. But it is the position that you are saying you installed CCTV cameras in your house and

whatever other security features and you assumed that they were provided by the state or are you saying you know for sure that they were provided by the state?

MS MOKONYANE: Chair, everything that has been put including the burglar doors and everything, as well as, the access, the gate and any other means of security, I have always assumed that it is the work of the state and I have never asked.

CHAIRPERSON: Yes.

10 **MS MOKONYANE:** I have never asked because they never even come to us. I remember in... when we started, some of us were actually quite reluctant to have some of the things that were put in our houses.

CHAIRPERSON: So as I understand it, your answer is, you are not saying definitely the state provided, you are saying you assume that the state had provided?

MS MOKONYANE: Yes, the state can be in a better place to explain ...[intervenes]

CHAIRPERSON: Yes.

20 **MS MOKONYANE:** ...what they have been able to do as well.

CHAIRPERSON: Okay. Mr Notshe.

ADV NOTSHE SC: And is it correct that in your evidence, last time, you did not say you assumed, you said it as a fact, it was installed by the state?

MS MOKONYANE: Yes. Yes, as I said, the state provided all issues related to security.

ADV NOTSHE SC: Right, let us do it this way. Evidence of Mr Agrizzi and Mr Richard le Roux is to the effect that the CCTV was installed by BOSASA at your house. Can you dispute that?

MS MOKONYANE: I do not know of any installation done by BOSASA of any security measure in my house.

ADV NOTSHE SC: But you cannot dispute that?

10 **MS MOKONYANE:** I do not know.

ADV NOTSHE SC: I see. And during break today, there was from our lawyers a letter from the Department of Works which was given by me to say that the Department of Works did not install CCTV's at your house.

MS MOKONYANE:

20 "What you should also realise that the department does not have any record of pro-formas or requests for security measures in the private residence of Ms Nomvula Mokonyane, either by the Gauteng Department, the Gauteng Officer of the Premier, the Department of Infrastructure.

As a standard practice, contributions towards security measures for Premiers and MEC's is administered by the province and not the National Department of Public Works and Infrastructure.

I trust that the aforesaid is in order.

However, should you need any further clarity or information regarding this letter, then please feel free to contact the Head of the Prestige branch.”

I see this is coming from the National Department
...[intervenes]

CHAIRPERSON: Just place on record what you are reading
Ms Mokonyane.

MS MOKONYANE: Chair?

10 **CHAIRPERSON:** Just place on record what you are reading
from.

ADV NOTSHE SC: Ms Mokonyane ...[intervenes]

CHAIRPERSON: Indicating the letter from who to whom.

ADV NOTSHE SC: Let me help, Chair.

CHAIRPERSON: Ja.

ADV NOTSHE SC: Ms Mokonyane, we are reading a letter
...[intervenes]

MS MOKONYANE: Yes?

20 **ADV NOTSHE SC:** ...which is dated the 2nd of September
and the letter is from the Department of Public Works and
Infrastructure and it is written to Ms B Tshabalala
...[intervenes]

MS MOKONYANE: Yes.

ADV NOTSHE SC: ...Acting Secretary of this Commission.

MS MOKONYANE: Yes.

ADV NOTSHE SC: Yes. Chair, if I may inform you that during the break, the tea-break we received this letter from the Department of Works and I have shared it with the lawyers of Ms Mokonyane. And hence they discussed it with her and hence she is reading from it. And then ...[intervenes]

CHAIRPERSON: Just reading it again because ...[intervenes]

MS MOKONYANE: Must I read it again?

10 **CHAIRPERSON:** Oh, okay. Ja, let the witness read it, ja.

MS MOKONYANE: Chair, I want to take... it says:

“The above-mentioned letter and the correspondence addressed to the Head of the Department dated 21st July 2020 refers.

The department hereby apologises for the late response to your request for information. The latter was due to changes within the department’s management.

20 I refer to paragraph of 2 of your letter in response to this policy. The department does not have any record of the formal request for security measures in the private residence of Ms Mokonyane, either by the Gauteng Housing Development, the Gauteng Office of the Premier, the Department of Infrastructure Development, the Department of

Water and Sanitisation or by herself.”

Then paragraph 2 says:

“As a standard practice, contributions towards security measures for Premiers and MEC’s is administered by the province and not the National Department of Public Works and Infrastructure.

I trust that the aforesaid is in order.

10 However, should you need any further clarity or information regarding this letter, then please feel free to contact the Head of the Prestige branch, Mr Muzwanzi(?) Lesazona(?) at the below contact details.”

CHAIRPERSON: Yes, thank you. Thank you.

MS MOKONYANE: So what I am trying to say Chair is that, yes I have seen this letter just now over break. Remember, I have only served for less... for what?... for five years, as a Minister at the national level. And throughout, I have served as an MEC and the Premier in the province as it is alluded on paragraph 2.

20 **CHAIRPERSON:** So I think that the one point you are making is, you assumed that the state had taken care to install the CCTV camera and other security features in the house that you do not know for sure. That is the assumption you made. And there is not much you can say about that other than what you have said.

MS MOKONYANE: Yes. And this letter does not dispute anything. It direct the Commission to Provincial Government that at the time when I was the minister, the state never provided security for me.

CHAIRPERSON: Yes. Now does not the letter come from the Provincial Department in Gauteng?

ADV NOTSHE SC: The letter from the National Public Works, Chair.

CHAIRPERSON: Yes, okay.

10 **ADV NOTSHE SC:** Chair, can I also ...[intervenes]

CHAIRPERSON: And the office of the Premier, has it not been asked and whatever other provincial departments?

ADV NOTSHE SC: The provincial departments have said that they did not install security features in the ...[intervenes]

CHAIRPERSON: Do you want to raise that with Ms Mokonyane?

ADV NOTSHE SC: Yes, I can do that, Chair.

CHAIRPERSON: And to the correspondence.

20 **ADV NOTSHE SC:** And if you can go to Bundle B? Chair, before we do this. Can we do some house exercises?

CHAIRPERSON: Ja.

ADV NOTSHE SC: Can we ...[intervenes]

CHAIRPERSON: But make sure to have that letter admitted.

ADV NOTSHE SC: Can we admit this letter? And then what we then propose Chair to do is, to have it put on Exhibit T20. We put it as page 18-1. So you it will be T20 ...[intervenes]

CHAIRPERSON: Which bundle?

ADV NOTSHE SC: Bundle 2 Chair.

CHAIRPERSON: BOSASA Bundle 2.

ADV NOTSHE SC: BOSASA Bundle 2. And then it should go as page 18-1. And then the following page will be 18-2.

MS MOKONYANE: Thank you for ...[intervenes]

10 **ADV NOTSHE SC:** Ja, just... do not worry.

MS MOKONYANE: Okay.

ADV NOTSHE SC: We are just doing some house exercises.

CHAIRPERSON: You want to put it as what exhibit?

ADV NOTSHE SC: As Exhibit 20.1.

CHAIRPERSON: 20 of T20?

ADV NOTSHE SC: T20. Sorry, Chair. T20.1. And then it should be page 18-1 and 18...[intervenes]

20 **CHAIRPERSON:** But according to 1, here is something else.

ADV NOTSHE SC: Remember 20.1 Chair is the exhibit on Bundle 2.

CHAIRPERSON: Ja, but each letter that does... that is not attached to the affidavit is an exhibit on its own.

ADV NOTSHE SC: Chair, will it... our thinking was that

the... if Chair will turn to page 14, it is request... page 14 is a request to Public Works for information and this letter is a response to that.

CHAIRPERSON: Yes. When are you... when we are we going to... do you intend to have these other letters as exhibit or not?

ADV NOTSHE SC: I beg your pardon, Chair.

CHAIRPERSON: Yes, do you intend to have this other letters admitted as exhibits or not?

10 **ADV NOTSHE SC:** Chair, some of the letters.

CHAIRPERSON: So what ...[intervenes]

ADV NOTSHE SC: I do not want some of the letters, it is because on this issue the two letters, the two letters to the lawyers of Ms Mokonyane, that issue has not yet been taken by the ...[intervenes]

CHAIRPERSON: Ja, the letter... so what is the exhibit number you propose?

ADV NOTSHE SC: Chair, the last exhibit number on the BOSASA is the affidavit of Ms Gina Pieters which is T29.

20 Then this means that this will then go as Exhibit T30. Then das 1 and then dash 2.

CHAIRPERSON: No, I think let us not... let me not admit it now. I think you may need just a little bit more time to see where and how if it be admitted at some stage even after Ms Mokonyane has finished giving evidence.

ADV NOTSHE SC: Yes.

CHAIRPERSON: I think you may need to do that and organise things properly.

ADV NOTSHE SC: We appreciate that, Chair. Yes.

CHAIRPERSON: Okay alright.

ADV NOTSHE SC: Ms Mokonyane, just on this issue, before we go to where I am going to refer you to ...[intervenes]

MS MOKONYANE: Which one?

10 **ADV NOTSHE SC:** No, just a question. When you left, do you confirm that... remember when you were testifying, you said you will give the Commission details of the department that installed the CCTV and security issues at your place. Am I right?

MS MOKONYANE: Yes.

ADV NOTSHE SC: And you have never given that? Am I right?

MS MOKONYANE: I have submitted the list, the document to my... oh, sorry.

20 **CHAIRPERSON:** Ja. Yes, just start your answer afresh.

MS MOKONYANE: Yes, I am saying, all issues that are related to security, I had actually submitted them to my lawyers.

CHAIRPERSON: To your lawyer?

MS MOKONYANE: Yes.

CHAIRPERSON: Okay.

MS MOKONYANE: And then all other issues that are related to our private services at home, I can also furnish and I have actually sent the page of the maintenance company, the details of the maintenance company, as well as the company that deals with the electricity and security in the house.

ADV NOTSHE SC: Right, can you just tell the Commission what details did you give to your lawyers about the
10 department that installed the CCTV at your place?

MS MOKONYANE: I gave the lawyer the details about the security services that are rendered through a Department of Infrastructure of the province through the office of the Premier.

ADV NOTSHE SC: But Ms Mokonyane, let us be specific. The evidence is this, that a CCTV was installed at your house by BOSASA. Do you dispute that? Are you saying that CCTV was not installed by BOSASA but was installed by a government department. Is that your evidence?

20 **MS MOKONYANE:** My evidence is that I have no knowledge of a CCTV system that was installed by BOSASA in the house. I have on record information that says, my husband and myself had a private security company that was responsible for the installation of our security including the fence there.

ADV NOTSHE SC: So you are not also ...[intervenes]

CHAIRPERSON: Sorry. I thought that you said that, as far as you are concerned, all security features in your house were installed by the state.

MS MOKONYANE: Yes.

CHAIRPERSON: But I seem to now ...[intervenes]

MS MOKONYANE: But post... when I left the Gauteng, Chair ...[intervenes]

CHAIRPERSON: H'm?

10 **MS MOKONYANE:** ...government nationally did not take responsibility of security at our homes.

CHAIRPERSON: Yes.

MS MOKONYANE: And that is why then you had to have your own private security company that must then provide the services because in terms of government, if you have a – and at national, if you have an official residence, they do not actually provide to your private home.

CHAIRPERSON: Yes, but did you not say at some stage, both when you gave evidence previously and today, that it
20 was the state that took care of all security features in your house? Did I misunderstand you, your evidence?

MS MOKONYANE: Yes, for a long time we did not have to take responsibility because I was really at home and my home was also part of an official residence for me and the state took responsibility.

CHAIRPERSON: Yes. So are you, therefore, saying prior when you became National Minister, when you talk about that time before that when you are in the province, all security features in your house were taken care of by the state?

MS MOKONYANE: Yes.

CHAIRPERSON: That was your understanding?

MS MOKONYANE: Yes.

CHAIRPERSON: You are not saying it as a fact? That was
10 your assumption?

MS MOKONYANE: That was my understanding and that was the fact because Chair, just now recently, although a few years back now, when I was in Pretoria, we had to again sort out our own security features because now the state could not actually maintain our services.

CHAIRPERSON: Ja. But of course, whatever was installed was not removed?

MS MOKONYANE: Some of the things that were installed by the state we had to remove because they were old.

20 **CHAIRPERSON:** Ja.

MS MOKONYANE: Like, some of the burglar and I do not know whether it was because of the quality. They actually ended up rusting and collapsing.

CHAIRPERSON: Ja.

MS MOKONYANE: The access control had to actually be

changed because of the load shedding.

CHAIRPERSON: So are you now saying, prior to you becoming the Minister in the National Government, the state took care of - as far as you knew – you are not stating it as a fact – as far as you knew you thought the state had taken care of all security features in your house?

MS MOKONYANE: Yes.

CHAIRPERSON: But after you became Minister at the National Government, the state did not take care of security
10 features in your house?

MS MOKONYANE: No.

CHAIRPERSON: You made your own private arrangements?

MS MOKONYANE: Yes.

CHAIRPERSON: Is that right?

MS MOKONYANE: Yes.

CHAIRPERSON: Yes.

MS MOKONYANE: But there are services that even before I left for National Government, there were services like the maintenance of the house ...[intervenes]

20 **CHAIRPERSON:** Yes.

MS MOKONYANE: ...needs to... the state did not maintain our houses.

CHAIRPERSON: Yes.

MS MOKONYANE: We maintained our houses.

CHAIRPERSON: But do you concede that previously when

you gave evidence and maybe earlier this morning, you did not make this distinction to say what was the position before you became the minister.

MS MOKONYANE: I might not have done that. Yes, Chair.

CHAIRPERSON: Ja, you might not have done that.

MS MOKONYANE: Ja.

CHAIRPERSON: Okay.

ADV NOTSHE SC: [Mic not switched on]

CHAIRPERSON: Put on your mic, please.

10 **ADV NOTSHE SC**: Then why did you just said Ms Mokonyane... is it not the sum-total of your evidence today, is that you cannot dispute that BOSASA installed a CCTV at your house? You cannot dispute that?

MS MOKONYANE: What I can attest is that we have... I know of the payment we have made to service providers who have been dealing with the security features in the house. That I know.

CHAIRPERSON: Yes. I ...[intervenes]

ADV NOTSHE SC: That was the amount of your evidence?

20 **CHAIRPERSON**: I think from a legal point of view, we can accept that she cannot dispute it.

ADV NOTSHE SC: Yes.

CHAIRPERSON: That is why she says she assumed.

ADV NOTSHE SC: Yes.

CHAIRPERSON: Ja. Okay. I am just effectively saying to

Mr Notshe and Ms Mokonyane because I think he wants you to say yes you cannot dispute it.

But I think you are reluctant to say that. But what you are saying and you have said more than once, you assumed that it was the state which provided the security features.

So I am saying to him, that is enough to say you do not know for sure whether the state did provide or not. You made an assumption. So I meant that ...[intervenes]

MS MOKONYANE: I was never given a list of what the state
10 had stopped to do.

CHAIRPERSON: Ja.

MS MOKONYANE: And what the state had done but what I know ...[intervenes]

CHAIRPERSON: Ja.

MS MOKONYANE: ...once you move from the province, the state resist(?) to provide. And nationally also there was no provision. We had to take responsibility on our side.

CHAIRPERSON: Yes.

MS MOKONYANE: Even when we were still here, there
20 were things that we had to take responsibility for on our own.

CHAIRPERSON: H'm.

MS MOKONYANE: Ja.

CHAIRPERSON: Okay alright. Mr Notshe.

ADV NOTSHE SC: Can I move on ...[intervenes]

CHAIRPERSON: We are at three or four minutes to one.

ADV NOTSHE SC: Yes.

CHAIRPERSON: I had hoped that we would have finished by now but I cannot blame anybody because I too have been asking lots of questions.

MS MOKONYANE: That is okay.

CHAIRPERSON: I am suggesting that if possible we continue into the lunch hour.

MS MOKONYANE: Ja.

CHAIRPERSON: And hopefully we can finish maybe not
10 later than half-past one.

ADV NOTSHE SC: Yes, I am ...[intervenes]

CHAIRPERSON: So that we then adjourn for the day.

ADV NOTSHE SC: But I almost ...[intervenes]

CHAIRPERSON: Is that alright Ms Mokonyane? Is that fine?

MS MOKONYANE: Yes, I am fine, Chairperson.

CHAIRPERSON: Ja. And your counsel indicates it is fine. Yes, okay. Thank you.

ADV NOTSHE SC: Now Ms Mokonyane, where I started
20 with just this issue and you were saying in 2013, at the time of your 50th birthday, you were working as the Premier. Am I right?

MS MOKONYANE: Yes.

ADV NOTSHE SC: And if I understand that the income, the total income at the ...[intervenes]

MS MOKONYANE: Oh, you want to make it public?

ADV NOTSHE SC: I beg your pardon?

MS MOKONYANE: You want to make it public?

ADV NOTSHE SC: Well, it has to be public.

MS MOKONYANE: Okay, that is fine.

ADV NOTSHE SC: I am sorry.

MS MOKONYANE: Okay.

ADV NOTSHE SC: The total income ...[intervenes]

CHAIRPERSON: Well, it will not be knew because your
10 salary and my salary is part of the... [laughs]

MS MOKONYANE: Okay.

CHAIRPERSON: Is public.

ADV NOTSHE SC: Your total income was R 143 137,66.
Do you dispute that?

MS MOKONYANE: Where do you read it from?

ADV NOTSHE SC: I beg your pardon?

MS MOKONYANE: Where do you read it from?

ADV NOTSHE SC: Turn to page... in the... do you have
T20.1?

20 **CHAIRPERSON:** Start with the bundle.

ADV NOTSHE SC: Yes, Bundle BOSASA 2.

MS MOKONYANE: Yes. That one. Page?

ADV NOTSHE SC: Page 31.

MS MOKONYANE: Page...?

ADV NOTSHE SC: 31. Page 31.

MS MOKONYANE: [No audible reply]

ADV NOTSHE SC: It is an application form.

MS MOKONYANE: I am here now.

ADV NOTSHE SC: Your total income is recorded as R 143 137,66. Dot 56. Is that correct?

MS MOKONYANE: Yes.

ADV NOTSHE SC: Now ...[intervenes]

CHAIRPERSON: That is at the time?

ADV NOTSHE SC: That is at the time ...[intervenes]

10 **CHAIRPERSON:** So that we got.

ADV NOTSHE SC: Now, this is ...[intervenes]

CHAIRPERSON: Which year was that?

ADV NOTSHE SC: 2013.

CHAIRPERSON: Okay.

ADV NOTSHE SC: This is the year that you bought the Ashton Martin. Am I right?

MS MOKONYANE: Yes.

ADV NOTSHE SC: And is it correct that the Aston Martin was R 3 099 524,99?

20 **MS MOKONYANE:** Yes.

ADV NOTSHE SC: Is it correct?

MS MOKONYANE: Yes.

ADV NOTSHE SC: Is it correct that a deposit of R 2 200 000,00 was paid as a deposit?

MS MOKONYANE: Yes.

ADV NOTSHE SC: How did you afford to pay that amount of money as a deposit?

MS MOKONYANE: Thank you very much. The deposit Chairperson, in fact, it was part of the discussions... the things that I am saying, there is something about significant about my 50 years. We... my husband has been doing some work including trying to get contract coming from your Eskom and so forth, a case that we are still fighting now about the Evergreen Project of Eskom.

10 **CHAIRPERSON:** I think I remember last time you also mentioned.

MS MOKONYANE: Yes.

CHAIRPERSON: H'm?

MS MOKONYANE: And he had ventured into a very closed fracture of our business which is the scrap from Eskom and from Denel and so on and so forth. He had people that were actually mentoring and supporting him.

And these were people who were quoting him and they could see that things were coming okay, that this is going to
20 be a good business and it stands a good chance of growing.

And so he... in our understanding of why my 50th is very important, he... we then said and discussed and one of the things that we agreed on was that we need something that I think I would be happy with. And he will work with me to make sure that I get it.

And he then through them had discussions. We then had a friend, a family friend, who then because of seeing what is coming through on the project that I am saying until today and I still believe that these are some of the real issues about real capture in Eskom, we are still in courts with my husband there. We still have to pay lawyers because we are fighting that lucrative contract.

He then made arrangements with the firm who are not doing business with government. Who does not do business
10 with government.

And they were able to then make this assistance which in return, they were going to be part of his partnership on the work of the contract, the Eskom contract. So that is how that deposit was made.

But the important thing that I insisted on was that I want to make direct contributions myself as well. So I made that contribution as well.

And I must say, we are a family that has got friends that understood our pains of always being deprived of
20 opportunities.

And like I am saying, this Eskom issue was almost on the table. It was a done deal and unfortunately, until today, people at Eskom actually made sure that it remains with those that have been doing that job for over 25-years.

So these guys then with all this pressure of me turning

50 and so forth, we have a meeting all of us and he then said: Look, do this thing and Mogai(?) – that is how he used to call me – she will also make contributions towards that.

And that was it. And I did pay. I did make my own contributions because I also had a pride of myself to actually own up to this thing.

ADV NOTSHE SC: So you are saying the R 2 million was paid by someone else?

10 **MS MOKONYANE:** It was not paid by someone else. It was a contribution that was done to simple because at that time, Serge was going to get this contract... what do you call it?... from...

ADV NOTSHE SC: Eskom.

MS MOKONYANE: ...Eskom. And there was a dispute and she was actually taking them to court. And there was that arrangement of saying, when this contract is coming through, we all... then we all are going to be party.

20 Actually, there are three. One of them has passed on and the other two. And actually, two now have passed on. My husband and the other partner, as well as the other person who is still alive.

ADV NOTSHE SC: Who paid the R 2 million?

MS MOKONYANE: It is ...[intervenes]

CHAIRPERSON: I am sorry. Before that. What was the

price of the car at the time?

ADV NOTSHE SC: It was three.

CHAIRPERSON: It was R 3 million?

MS MOKONYANE: Yes.

CHAIRPERSON: Okay alright. Continue Mr Notshe.

ADV NOTSHE SC: Who paid the R 2 200 00,00?

MS MOKONYANE: It was our family friend, Thaba.

ADV NOTSHE SC: I did not get that name?

MS MOKONYANE: It was our family friend, Thaba.

10 **ADV NOTSHE SC:** She has a surname?

MS MOKONYANE: It was Thaba ...[indistinct].

ADV NOTSHE SC: So it was a loan to your husband?

MS MOKONYANE: It was a business arrangement to say
look, we want to enter this space and you are into it and I
am battling to get these guys, I am being taken from pillar
to post and then they then said look, we can assist you
because we can see that you have this – he has this bids
that you have led and you are part of the – what is it, there
is only a few black-owned companies that are doing
20 business in this space you stand a good chance and bid
your infrastructure and everything and they made that
arrangement.

ADV NOTSHE SC: And so they were times when Mr
Mufamadi was going to take his money back once the –
your husband's business had matured and there was

money in it, am I right?

MS MOKONYANE: Yes, they were going to make that arrangement themselves, those were the three gentlemen who had made that arrangement amongst themselves.

ADV NOTSHE SC: So you and your husband's estate owe Mr Mufamadi 2.2 million, is that correct?

MS MOKONYANE: My take is that if we get through that Eskom deal finally, surely they would also be invited to be part of it as it was an arrangement.

10 **ADV NOTSHE SC:** And if you do not get the deal you will owe Mr Mufamadi's other – you owe Mr Mufamadi or it is a gift, 2.2 million.

MS MOKONYANE: No, we really have to pay him. We will have to pay him. If this thing does not go anywhere, which I think it will be so unfair. It will be so unfair because it was a lucrative – it was – you could see how he has been short changed in the bids at Eskom.

ADV NOTSHE SC: And are you able to refer the Commission to some documents of this agreement between
20 your husband and Mr Mufamadi over 2.2 million? I am sure there must be. I mean, it is a lot of money in my ...[intervenens]

MS MOKONYANE: I would not have that document, I know – that is why I am saying I know there were three, it was Eddie, it was Serge, it was Thabane.

ADV NOTSHE SC: Now you said you also contributed some money.

MS MOKONYANE: Yes

ADV NOTSHE SC: How much did you contribute?

MS MOKONYANE: I paid almost 900, 800.

ADV NOTSHE SC: Is that the money you were paying in instalments?

MS MOKONYANE: Yes, I paid the bank in instalments.

ADV NOTSHE SC: Yes. And you – this is - what I referred
10 you on page 31, was that your application for payment of
the remainder after the deposit had been paid, am I
correct?

MS MOKONYANE: Yes.

ADV NOTSHE SC: And then if you go over the page on
page 32, it does say how much you had to pay which was
20 885.71, am I correct?

MS MOKONYANE: H'm.

ADV NOTSHE SC: Now can you just tell the Commission
this. You know the attorneys De Klerk Mandelstam
20 Incorporated.

MS MOKONYANE: Yes, I know them.

ADV NOTSHE SC: And they were assisting you.

MS MOKONYANE: Yes, they facilitated.

ADV NOTSHE SC: Did you tell them about this agreement
between you, your husband and Mr Mufamadi?

MS MOKONYANE: They were the ones who were talking to them, yes.

ADV NOTSHE SC: You say they were the ones who were talking to them?

MS MOKONYANE: The three guys were the ones who were talking to ...[intervenes]

CHAIRPERSON: To the attorneys.

MS MOKONYANE: Yes.

ADV NOTSHE SC: And you do not know what they told the
10 attorneys?

MS MOKONYANE: What I know they told the attorneys was that they must facilitate this access to the bank.

CHAIRPERSON: Sorry, do not speak away from the microphone.

MS MOKONYANE: They must facilitate, assist to this loan because this is intended to be a birthday gift for myself and that the arrangements then will be made directly on my account for further payment.

ADV NOTSHE SC: Now the reason I am asking you this is
20 that – if you turn to page 65 of the same record. This is a letter dated the 21 July 2020, it is from the attorneys De Klerk Mandelstam Incorporated, it is to the Commission. This letter is as a result of a request for information from your attorneys. Now on page 66 of this bundle, paragraph 3.2 of the letter and where he is asked – he was asked

directly about this 2.2 million and he says the following:

“Our bank statements show that the payments were made from the account of Mr T A Mufamadi. The source of these funds were from legitimate sale of property interest.”

It seems to differ from what you have told the Commission about, the source of this 2.2 million.

MS MOKONYANE: But I have just mentioned the name.

ADV NOTSHE SC: Not but the letter ...[intervenes]

10 **CHAIRPERSON:** I am not sure if it necessarily differs.

MS MOKONYANE: In the letter says the source of the funds were from a sale of property interest.

ADV NOTSHE SC: Of Mr Mufamadi.

MS MOKONYANE: Yes.

ADV NOTSHE SC: Yes. But you are telling the court is there was this – the money was an advance given to your husband because his business was going to grow and then he is going to repaid it. It does not say it was a loan to your husband.

20 **CHAIRPERSON:** Well, you are combining two issues, Mr Notshe, I think. As I understand Ms Mokonyane’s evidence, she has not told me where Mr Mufamadi and whoever else were going to get their money from, the money from. What she has said is her husband Mr Mufamadi and somebody else, I think you said an Eddie,

they discussed and the arrangement, as I understand it, and Ms Mokonyane, you must tell me if I misunderstood you, as I understand it, Mr Mokonyane wanted to give his wife a birthday gift and there was this business that seemed to be promising that he was onto at Eskom or with Eskom.

MS MOKONYANE: Yes.

CHAIRPERSON: And he spoke to them on the basis that if they made money available which would enable him, I
10 guess, to buy Ms Mokonyane this birthday gift then he would allow them into this business that seemed to be promising in due course. Is that right?

MS MOKONYANE: Yes.

CHAIRPERSON: That is how you explained it, ja.

MS MOKONYANE: Yes.

CHAIRPERSON: So I am saying my understanding is, she had not yet said where Mr Mufamadi and whoever were going to get the cash from.

ADV NOTSHE SC: Chairperson, look, I take your point. I
20 take the point that the letter seems to be explaining the source of Mr Mufamadi's funds and you, as you are testifying, you do not know the source of Mr Mufamadi's funds, is that correct, Ms Mokonyane?

MS MOKONYANE: No, I would not know.

ADV NOTSHE SC: But, Ms Mokonyane, you confirm, you

also confirmed that at your salary at that stage you would not afford to pay a deposit of R2 200 000.

MS MOKONYANE: I did not pay it.

ADV NOTSHE SC: No one afforded you that.

MS MOKONYANE: No.

CHAIRPERSON: What kind of facilitation were the attorneys supposed to do?

MS MOKONYANE: I do not bank with Wesbank.

CHAIRPERSON: Ja?

10 **MS MOKONYANE:** So I needed a facility that I can use to pay from my salary the vehicle that – the vehicle I was going to acquire and what then we did was to then get the lawyer to do the applications on my behalf and facilitate them, get the – and link up with the bank, between the bank and the dealership and that was all.

CHAIRPERSON: It is just that it seems strange to me. I thought when people want such an arrangement with Wesbank, or whoever, they just walk into Wesbank or phone them and fill in whatever form and say ...[intervenes]

20 **MS MOKONYANE:** Sometimes, you get [intervenes]

CHAIRPERSON: ...this is what I can afford rather than go to an attorney

MS MOKONYANE: Yes. Sometimes you get somebody who like is a broker who can assist you.

CHAIRPERSON: Yes, a broker, ja.

MS MOKONYANE: Yes because he is part of that, yes.

CHAIRPERSON: Ja, it is just that one – at least it is not usual for me to see attorneys coming into that space.

MS MOKONYANE: You can get a broker to assist you to get something through.

CHAIRPERSON: Ja.

MS MOKONYANE: And they will then do it and finally it is your signature and it is your finances that then get them.

CHAIRPERSON: Mr Notshe?

10 **ADV NOTSHE SC:** Chair, can I before I just leave this issue, the documents I have referred to and which I would like to have them admitted as evidence but with the problem I have with the – can I just indicate to you what documents are those that we will...?

CHAIRPERSON: Well, you might not need to indicate that. What we might need to do is maybe one of the days you – before we start with a day's witness you come in so that you place on record what you would like to be done.

ADV NOTSHE SC: Yes. No, that is fine, Chair.

20 **CHAIRPERSON:** I think so that it would be on record.

ADV NOTSHE SC: No, that is fine.

CHAIRPERSON: Yes.

ADV NOTSHE SC: Then before ...[intervenes]

MS MOKONYANE: Can I also find out, Chair, just from you?

CHAIRPERSON: Yes.

MS MOKONYANE: And just for my own interest.

CHAIRPERSON: Ja.

MS MOKONYANE: Affidavits so far, getting into this space, I thought I was here on the BOSASA matter.

CHAIRPERSON: Yes.

MS MOKONYANE: And I know that somebody from BOSASA when they went to my house they came across the car.

10 **CHAIRPERSON:** Yes.

MS MOKONYANE: Is that that has created the curiosity?

CHAIRPERSON: Well, I will allow Mr Notshe to say something on that.

ADV NOTSHE SC: Chair and Ms Mokonyane, you remember Mr Agrizzi said you were paid sums of money in cash by Gavin Watson.

MS MOKONYANE: No.

ADV NOTSHE SC: Do you remember?

MS MOKONYANE: Okay.

20 **ADV NOTSHE SC:** And now you have a car which is more than R3 million.

MS MOKONYANE: Okay.

ADV NOTSHE SC: And there is a deposit of R2 million. We need to investigate where you got the money from.

MS MOKONYANE: And you have got the information

where it comes from.

ADV NOTSHE SC: I beg your pardon?

MS MOKONYANE: You did get the information – you did get the responses to where it came from.

ADV NOTSHE SC: So I am explaining to you why we had to investigate this. Money that you received cash – it is alleged you received cash, now all of a sudden you are living beyond your means. We had to find out how did you manage to buy – it means that I am jealous to have a...

10 **MS MOKONYANE:** No, I have never said you are jealous. I just wanted to know what was ...[intervenes]

CHAIRPERSON: How it came about it.

MS MOKONYANE: Yes.

ADV NOTSHE SC: Yes. But you understand that is why we had to follow up this.

MS MOKONYANE: [speaking African language]

ADV NOTSHE SC: Now just – this I want I want to be part of the record. Can we just go through it, Ms Mokonyane, just to confirm seven things. You will see on page 31, it is
20 a Wesbank application notice.

MS MOKONYANE: Page?

ADV NOTSHE SC: 31.

MS MOKONYANE: Yes.

ADV NOTSHE SC: And then over the page it is the application notice where it sets out the – on page 32, the

price of the car, the deposit and the instalments that were being paid.

MS MOKONYANE: On page 33.

ADV NOTSHE SC: And then it goes to page 33, right. And then also page 34. Then page 35, the registration details of your vehicle.

MS MOKONYANE: Okay.

ADV NOTSHE SC: And then page 37 is document from financial services and then we can leave that and then go
10 to page 65, 65 to 71. It is the letter from DKM Attorneys. Do you see that? Yes, Ms Mokonyane, I am not going to ask questions about it, all I want – is just to see there is this on record and then I am going to ask the Chair to admit this document and then we will give them a number. That is all I am referring to.

Chair, then there is one last issue, I am not sure whether we need to deal with it but we have dealt with it. I think we resolved it. It was the issue, Ms Mokonyane, of Mr van Biljon. Remember we were saying there is a Mr van
20 Biljon who was requested – who was engaged by BOSASA to do repairs at your house. He then employed Charle Roux and then you wanted to see the affidavit of Mr van Biljon but I do not think that issue features ...[intervenes]

CHAIRPERSON: No, no, no, no, we promised her we will find the affidavit. She wanted to see Mr Biljon's affidavit.

I think if we do have Mr Biljon's affidavit let us find it, let her see it. If we do not have it here because there was no plan to ask questions about it then maybe my questions can be sent to her in writing and she can respond by way of an affidavit.

ADV NOTSHE SC: Chair, we do have the ...[intervenes]

CHAIRPERSON: You do have.

ADV NOTSHE SC: Yes but unfortunately, we do not have it for you.

10 **CHAIRPERSON:** Oh. Well, maybe if you give it to me then because I was the one who asked the question. If I may get your one, Registrar? Is there one for the – oh, there would be none for the witness?

ADV NOTSHE SC: No, there is, there is one.

CHAIRPERSON: Oh.

ADV NOTSHE SC: Ms Mokonyane, if you look at item 14 there.

CHAIRPERSON: Have you found it under page 18, black numbers on the top left corner. Ms Mokonyane, have you
20 found the affidavit of Mr Biljon at page 18, if you look at the black numbers at the top left corner.

MS MOKONYANE: Yes.

CHAIRPERSON: You found it.

MS MOKONYANE: Yes, I have got it, thank you, Chair.

CHAIRPERSON: Okay, alright, I think just pull the mic

closer to you. Ja. Now the question of his affidavit came up when I was referring you to the fact that he or his company had done certain jobs at your house. I am just going to have a look here. At page 19 at the bottom there is a heading that says:

“Worked performed at Minister Mokonyane’s residence.”

And then he says, I read from paragraph 7:

“I recall that I performed work at house number...”

10 I am not saying the address.

“The Commission’s investigation team has provided me with photographs of her house.”

That is fine. 9:

“In addition, I have provided with the Deeds Office.”

Number 10:

“I have been informed by the Commission’s investigation team.”

Alright.

11. I was unaware that the house...”

20 Blah, blah, blah.

12 “On one occasion I was called to the house one evening to attend to the backup power system. The generator system would not start and met Serge. He was a friendly guy but he did not mention his surname and did not mention his wife’s position.”

13: “On most occasions Mr le Roux met me on site.”

He gives the address.

“...and he showed me what needed to be done. I think in all of the time that I did work at this site there was possibly two occasions when I went to the site without Mr le Roux being present.”

14: “Below is a list of some of the things I recall doing at the house.

10 14.1 Repaired and reprogrammed the generator changeover.

14.2 Replaced the distribution board for the swimming pool.

14.3 Replaced the outside stair lights leading to the house.

14.4 Repaired the electric fence.

14.5 Called out to repair the air-conditioning system one night.

14.6 Called out to repair the generator one night.

14.7 Replaced arewired some of the water features.

20 15.1 I would estimate that I went to site to perform work there on approximately ten occasions.

16.1 I have searched for and located certain quotations and invoices for work performed at...”

He gives the address.

...and have managed to locate the following.

And then he quotes invoices there and what was done and the amounts and I think Mr Charles Roux in his affidavit may be mentioning other things as well but the point I wanted to make at the time when I raised this was that you had, as I understood it, you had denied that BOSASA or anybody sent by BOSASA had done any work in your house but the Commission then obtained this information I think after you had filed your first affidavit and then when this was placed before you, ultimately you had to say you
10 cannot dispute that they did it but what you says is, you did not ask them.

MS MOKONYANE: Chair, I said I never asked for any services to be done by BOSASA.

CHAIRPERSON: Yes.

MS MOKONYANE: And it is not in my knowledge that they have come and done all this work.

CHAIRPERSON: Ja.

MS MOKONYANE: I do have the professional maintenance company.

20 **CHAIRPERSON:** Yes.

MS MOKONYANE: An electrical and security company that provides the services.

CHAIRPERSON: Yes.

MS MOKONYANE: That is what I said.

CHAIRPERSON: Yes.

MS MOKONYANE: Yes, Chair.

CHAIRPERSON: Okay, but I think in the end, towards the end, as I understand it, you did say you are not disputing all these invoices and what they say. What you are saying is – what you were saying is your late husband was responsible for maintenance issues in the house and you never requested any – you did not request BOSASA or anybody sent by BOSASA to do any such work.

MS MOKONYANE: I never did that.

10 **CHAIRPERSON:** Ja, okay. Thank you very much, Ms Mokonyane.

ADV NOTSHE SC: Those are my questions, Chair.

CHAIRPERSON: Those are your questions. Counsel for Ms Mokonyane, is there any re-examination?

ADV L HODES SC: Nothing.

CHAIRPERSON: No, okay. Thank you very much, Ms Mokonyane, for coming to clarify certain matters. I will now excuse you but thank you very much for coming.

MS MOKONYANE: Thank you, Chair.

20 **CHAIRPERSON:** Thank you. We are going to adjourn for the day and tomorrow the Commissioner will hear evidence from Mr Vincent Smith.

ADV NOTSHE SC: Yes, Chair.

CHAIRPERSON: We adjourn.

INQUIRY ADJOURNS TO 4 SEPTEMBER 2020

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