

COMMISSION OF INQUIRY INTO STATE CAPTURE

HELD AT

PARKTOWN, JOHANNESBURG

10

29 MARCH 2019

DAY 76

20

PROCEEDINGS HELD ON 29 MARCH 2019

CHAIRPERSON: Good morning Mr Pretorius, good morning everybody.

ADV PAUL JOSEPH PRETORIUS SC: Good morning Chair.

MR ANGELO AGRIZZI: Good morning Honourable Chair.

CHAIRPERSON: Good morning Mr Agrizzi. I do understand you wanted to see me Mr Pretorius before we could start.

ADV PAUL JOSEPH PRETORIUS SC: Perhaps that could be done.

CHAIRPERSON: Is it something we can deal with..

ADV PAUL JOSEPH PRETORIUS SC: During one of the adjournments Chair

10 **CHAIRPERSON**: Yes okay.

ADV PAUL JOSEPH PRETORIUS SC: The matters are unrelated to the current.

CHAIRPERSON: No that is fine. That is fine so. Okay.

ADV PAUL JOSEPH PRETORIUS SC: Morning Mr Agrizzi.

MR ANGELO AGRIZZI: Morning Advocate Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: Paragraph 28 is where we left off on page 29 of your statement. In the next few pages you detail actions you have taken to amongst other things bring evidence before this commission.

MR ANGELO AGRIZZI: Correct.

20 **ADV PAUL JOSEPH PRETORIUS SC**: And I understand the reason that this evidence is being advanced by you is to deny in effect any allegations that you have been deliberately delaying your cooperation or managing your cooperation and for that purpose you going to lead evidence now about the steps you have taken leading up to your appearances before the commission.

MR ANGELO AGRIZZI: That is correct Chair.

ADV PAUL JOSEPH PRETORIUS SC: So would you take the Chair through that

please?

MR ANGELO AGRIZZI: Chair originally in 2016 I actually had spoken to Brian Biebuyck and I had spoken to him all along that I was concerned. And then during 2017 and 2018 I worked directly with the Hawks their Commercial Crimes Unit that was located in Visagie Street. And I dealt with a certain detective Joey Tugane I also gave them a complete case file of what I prepared and I had handed it over to them. That also included some threats that had been received because I had taken the threats very seriously. Nothing ever happened. I never heard anything. I then out of desperation phoned up Advocate Glynnis Breytenbach and she met me one evening at the

10 Sheraton Hotel with another Doctor I cannot remember who and she told me the process to follow and then she had meetings with me at my house. I then met with acting on here advice I met with an attorney who was helping me at that stage called Gerhard Wagenaar who was located in Pretoria. Who thereafter contacted people from the Hawks and the NPA as well people from the commission. But I had already contacted the commission as well. I also then had a meeting with Advocate Willie Hofmeyr at his offices in order to get urgent assistance because at that stage he was the one who had done the SIU report. And I wanted assistance in regards to the corruption case that had been opened against Bosasa ten years ago. And I wanted help. I then contacted – I got a telephone number of Reverend Stimela from the

20 commission in all about August 2018 and I sent him a message. So concerned that I had tried absolutely everything to seek advice on how to deal with the whistleblowing. I had no option but to actually reach out and I then drafted a press release that I wanted to mention this to everybody and request you know that – that I whistle blow and that there are people that need to whistle blow because things had escalated with threats and all that type of thing. So an email was sent to various anti-corruption organisations

as well as to various state departments as well that deals with issues of these nature. And then an article emanating from the brief was posted on News24. A copy of this was attached to my initial affidavit. I then received a call from a Colonel Lazarus from the Hawks during September/October 2018 and that was after the press release of the 21 August 2018. I indicated at all times that I would avail myself for a meeting which then took place in the chambers of Advocate Roux. At the meeting we discussed the assistance and how we could assist putting this whole matter together I think the one thing that came out of the meeting was that you know they need assistance to tie up the loose ends and there were 600 lever arch files that needed to be dealt with. So we – I

10 was personally at the meeting and Mr Andries Van Tonder was with me at the meeting. Gerhard Wagenaar was present at the meeting and we offered assistance there. I was also in contact with my previous attorney Garhard Wagenaar who informed me that he is working on this matter and this is back to August. And he would meet the relevant authorities in this regard. But what was very concerning to me was he was meeting the authorities and I was not there. So on the 22 November and I want to give you a bit of a prelude to why everything was so rushed. 22 November I told Mr Wagenaar that I was terminating his services and he then undertook to provide me with a statement to provide to state capture. I agreed but in the meantime I had arranged with my present attorneys Advocate Mannie Witz and Attorney Daniel Witz from Witz Incorporated to

20 come on board. And I immediately informed the authorities thereof as well as Captain Lazarus – sorry Lazarus and Brigadier Makanyane as well. On the 9 January when Mr Wagenaar returned from leave I was promised a statement – an affidavit. Chair I felt that this has been delaying, delaying, delaying and I had a meeting across the road at Hillside House with Mr Wagenaar and with his legal assistant, myself and Mr Van Tonder and I reiterated again that you had promised both myself and the commission

affidavits and nothing was forthcoming. I raised my discontent with him and I explained to him that it is starting to make it look as if I do not cooperate with the commission. So it looks bad on me and on Andries and on the other whistle blowers. And furthermore it puts me in a predicament where people think that perhaps I am trying to withhold information which was not the case. Eventually he conceded that it was his fault and I just want to put on the record Chair that I had paid him upfront for everything. I then requested that they send the information on no less than three emails as well as requests from the investigators to provide me all the documentation I had given to him. The answer was no unless I give a letter confirming that I will not hold him liable for anything. To date notwithstanding all those requests made telephonic, emails everything nothing has been forthcoming. That information was the only information I had at my disposal. Some of them included discs and that. I explain in depth that the documents I needed – needed to be given to the commission and to the state capture investigators and I made sure that Colonel Heap and Frank Dutton were aware of this. I have given – handed over everything that I possess that might have some information including my laptops, my iPads. I have asked the commission to hold everything that I have given over including documents in their possession until such time as the Hawks require such. They can then take over. I have also assisted SARS and the liquidators with regards to the investigation on African Global. Because there has been a lot of removal and destroying of documentation that has taken place. And it is a concern. I actually – I am concerned about it because the more documentation that goes missing the less we have to be able to uncover everything. In order to help the commission as well I even went as far as providing them with a 360 degree photographic view of the office park and the various offices where everything is kept. I have related – the reason – oh sorry I have also provided the investigations team with the service access codes

that I had at that stage and I have also related – I have given absolutely everything over that I can. I am – all I have right now is the brain that can remember things. I have related the above events in detail so that any allegations that I am holding back is refuted. My intention was to come here and provide the commission with the full detail and everything to my recollection. I also wish to state that even when I became aware of and I had personal knowledge of the corrupt activities being conducted I was so involved with the complete culture and I mentioned it at the beginning when I started of the cult that was taking place that I failed to report these. I am not at once admonishing the fact that I also benefited. I received holidays. I had a good lifestyle and ja I just
10 wanted to be frank with you Chair.

CHAIRPERSON: No thank you very much Mr Agrizzi. Now you have just mentioned and you did mention yesterday too that there is still information or documents that you have been wanting to get.

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Which you have not got? Now are the investigators of the commission aware of the documents that they are – aware of the documents that you want to have but have not been able to have. Are they – have they given assistance in trying to get those documents or what is happening?

MR ANGELO AGRIZZI: The investigators have been extremely assistive. They have
20 really gone out of their way. I have given them names of people.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Telephone numbers, contact numbers.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: A list.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Everything they have gone...

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: They busy working through it.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: But I think it is a long and a tedious process.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: But I do think that the time needs to come eventually when there will be search or seizure warrant...

CHAIRPERSON: Yes.,

10 **MR ANGELO AGRIZZI:** And I can actually sit with everybody

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And with the team that was involved

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And piece together everything.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So...

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: You know they have been assisting but I understand

CHAIRPERSON: Yes.

20 **MR ANGELO AGRIZZI:** That they have got a lot on their plate.

CHAIRPERSON: No, no that is fine. I – we will talk to the head of the legal team Mr Pretorius and the head of the investigation team Mr Nombembe to find out if there are any challenges and – and to see that everything is done to make sure that documents that would be helpful to this commission in that you are aware of are obtained. Okay. Thank you very much.

ADV PAUL JOSEPH PRETORIUS SC: Mr Agrizzi from paragraph 50 onwards you deal with Mr Cedric Frolick and evidence relative to your dealings with him or what you know about his dealings in relation to Bosasa? Would you relate those to the Chair please?

MR ANGELO AGRIZZI: Chair Cedric Frolick was first introduced to me by Cheeky Watson. It was telephonically during a period when there was a lot of attack from the media. He has been a long standing friend of Cheeky Watson and the Watson's and at that stage he told me that – he phoned to tell me that Cedric Frolick would be visiting the office park with a certain other gentleman. I did not know who at that stage until

10 Gavin Watson came and told me what the purpose of the meeting was. And the purpose of the meeting was basically to visit and to showcase the Mogale Business Park as it was called then to the two gentlemen. So that they could understand the magnitude of the business and see the diversity of the actual business in the Business Park and how a quasi-BEE company was performing in terms of development in Southern Africa. Gavin stressed to us that Cedric Frolick would be instrumental in assisting to cross the impasse that had been developed with Vincent Smith. So Cedrick...

ADV PAUL JOSEPH PRETORIUS SC: Just remind the Chair please what position die Vincent Smith hold at that stage?

20 **MR ANGELO AGRIZZI:** Vincent Smith was at that stage if I recall correctly was the chairman of the Portfolio Committee on Correctional Services and Justice. So he would be able to – he believed that he was the chair of chairs and he had a very good relationship with Vincent Smith. He was from Port Elizabeth and he would be able to assist in sorting out this problem that they had with Vincent Smith.

CHAIRPERSON: And did you...

MR ANGELO AGRIZZI: Vincent Smith at that stage was very anti-Bosasa. He did not want to even meet with Bosasa.

ADV PAUL JOSEPH PRETORIUS SC: Yes carry on please. Did a visit take place?

MR ANGELO AGRIZZI: Yes the visit took place.

ADV PAUL JOSEPH PRETORIUS SC: Who went and where did you go?

MR ANGELO AGRIZZI: Well what happened was I got a last minute call to tell me that a gentleman by the name of Butana Komphela was visiting as well and that he was disabled and that we needed to make special arrangements. So I had to arrange a golf cart because a normal tour that I used to do around the office park with Gavin Watson
10 would take four and a half hours. So it was a lot of walking and a lot of getting in and – getting into offices and out of offices. So I made special arrangements. I cannot remember exactly – I seem to recall that I had to book the flights as well for the gentlemen coming up. I recall that before we saw the visitors off we took them on a whole office park tour, had lunch with them in the diner as always. It was decided in a meeting – we sat in the boardroom. It was myself in the boardroom, Gavin Watson, if I recall correctly one or two of the directors were in and out but the meeting really centred around myself, Gavin Watson, Mr Butana Komphela, Mr Cedric Frolick and at one stage there was a discussion that ensued and we were discussing the way forward on how to deal with Vincent Smith. And I recall that I had to draft a document and get a
20 document ready and Cedric Frolick would arrange with Ms Bailey I remember the name – I had a school teacher at the name – well that same name so I remembered that name. Ms Bailey to meet with Vincent Smith at the Parliamentary offices. So I had to draw up this document and get it ready and showcase on the benefits of having outsourced Correctional Services and Justice to Vincent Smith. The introduction, the formal introduction letter was done and the – was to be used as a cover on the existing

portfolio. So it was a – quite a thick document, very similar to this file.

CHAIRPERSON: May I ask you at this stage.

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Mr Frolick and Mr Komphela.

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: They were invited to see this park – this business park

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: So that they would do what with that information?

MR ANGELO AGRIZZI: My understanding was that they must see the benefit that

10 Bosasa has produced and BEE working. So that they could take that information and they could talk from a position of knowing and a position of understanding what Bosasa was about.

CHAIRPERSON: Talk in parliament at the portfolio committee or talk where?

MR ANGELO AGRIZZI: Convince Vincent Smith.

CHAIRPERSON: Oh the purpose was that they could then talk to Mr Vincent Smith and convince him that in effect Bosasa was not such a bad company.

MR ANGELO AGRIZZI: Correct and explain what they had seen.

CHAIRPERSON: And explain what they had seen.

MR ANGELO AGRIZZI: So that they could win him over. Because Vincent Smith at

20 that stage was extremely anti-Bosasa.

CHAIRPERSON: Yes, yes.

MR ANGELO AGRIZZI: And I would not say it in a – he had right to be.

CHAIRPERSON: Yes, yes.

MR ANGELO AGRIZZI: So he was standing up for what was right.

CHAIRPERSON: Yes, yes. So the purpose was so that they could use this

information to convince him or persuade him to change his attitude towards Bosasa?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Okay. Thank you.

MR ANGELO AGRIZZI: Correct. So there was a specific time when we were discussing it and debating it.

CHAIRPERSON: Maybe I could also ask, do you know whether the two men who made this visit were part of the Portfolio Committee on Correctional Services together with Mr Smith or were they not involved in that committee?

MR ANGELO AGRIZZI: Not as far as I know.

10 **CHAIRPERSON**: Okay, alright thank you.

CHAIRPERSON: Alright. It was specifically at that meeting as well when I drew up the letter of introduction and I remember asking the question Gavin do you want to sign it? Because on every single letter that went out in the company to a client or a potential client was always signed by two people. Gavin always said you must have a whitey and a darkey or it depends your audience. If it is to parliament and I asked him I said "Gavin are you going to sign it because I do not want to sign it alone because it is going to look – here you talking about a BEE company and I must sign the letter. Are you going to sign it and who else? Joe or Papa or? He said 'no you get Gibson and Njenje to sign it. Gibson and Njenje was then for a very short period the chairman of Bosasa.

20 He was not actively involved with the business at all but he was there as a figure head.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: So I was told no you get him to sign it.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Gavin Watson was specific he said I do not want to compromise myself with the other ANC people to be seen as trying to what is the right

word – to try and impose myself on Vincent Smith.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So that is why I was told Gibson and Njenje will sign it and I was also told – because I did not want to go to the meeting I do not like those type of meetings. I did not want to go to the meeting and – but Gavin said I have to go to the meeting because his – how do I put this politically correct? Let me not go there. In other words the mix had to be right. That is the right way to maybe put it. That Gibson and Njenje but also that I was there to showcase and to explain the company which was very strange for me because normally they would utilise Papa Leshabane or Joe
10 Gumede as a spokesperson to go and propose this thing but he insisted that I go and that Gibson goes.

ADV PAUL JOSEPH PRETORIUS SC: Did...

CHAIRPERSON: And the – I am sorry – and the mix you talking about is the racial mix of the composition of those who would represent Bosasa at the meeting?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Okay.

ADV PAUL JOSEPH PRETORIUS SC: Did Gavin Watson ever address Cedrick Frolick directly in relation to any influence over Vincent Smith?

MR ANGELO AGRIZZI: Yes he did.

20 **ADV PAUL JOSEPH PRETORIUS SC:** What was said?

MR ANGELO AGRIZZI: Well there was a specific meeting in the meeting – a specific time in the meeting where Gavin Watson told Cedric to do whatever is possible to ensure that we could win over Vincent Smith. Or alternatively to try and move him out of that position so that he could not be detrimental to Bosasa and the contract. So it was during this discussion and I remember vividly Mr Komphela because he was

walking on a crutch I had to open the door for him because he wanted to take a call and he was standing at the door well halfway in the door so he was on his phone and I was holding the door open. I remember that vividly. Whilst we were discussing this approach to Vincent Smith Gavin then excused himself – so he had the discussion, excused himself. Now the boardroom is located right next the vault. Excused himself, walked out, went to the vault and then came back. Anything? Must I continue?

ADV PAUL JOSEPH PRETORIUS SC: Yes carry on what did you see then?

MR ANGELO AGRIZZI: So when he came back from the vault I stayed in the – when he was in the vault I stayed in the boardroom with Mr Cedric Frolick and Mr Komphela
10 and Gavin returned and he called him. He said, come here. And they were in the passageway and there was those years' double doors and I could see through the door and he had opened his jacket pocket and he put a security bag in the pocket. And you know it is obvious I knew exactly what was in the security bag and it was some money.

CHAIRPERSON: Who put the security bag in whose pocket?

MR ANGELO AGRIZZI: Watson put it in Frolick's pocket.

CHAIRPERSON: In Mr Frolick's?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Jacket pocket?

MR ANGELO AGRIZZI: Correct.

20 **CHAIRPERSON:** Okay thank you.

ADV PAUL JOSEPH PRETORIUS SC: You referred to a security bag and you referred in your earlier evidence particularly when the video was being shown two security bags.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Were they the same?

MR ANGELO AGRIZZI: Same thing.

ADV PAUL JOSEPH PRETORIUS SC: Right and you say in paragraph 61 that Gavin Watson always reiterated that everything possible had to be done to deal with Vincent Smith?

MR ANGELO AGRIZZI: At that...

ADV PAUL JOSEPH PRETORIUS SC: Just tell the Chair about that please?

MR ANGELO AGRIZZI: At that stage Vincent Smith was the thorn in the flesh. He was the person that would contra anything that Bosasa had done. He would raise issues with regards to Bosasa. He was a major concern. And he was actually at that stage doing what was right. All these questions, all his points were very, very valid.

10 **CHAIRPERSON:** And around about what year are we talking about here? I see in your statement there does not seem to be any...

MR ANGELO AGRIZZI: 2000/ 2010 around there I think.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: I cannot recall the exact dates.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Once I start getting all my...

CHAIRPERSON: All the documents that ...

MR ANGELO AGRIZZI: All my – and emails and that.

CHAIRPERSON: Yes.

20 **MR ANGELO AGRIZZI:** Then I can start finding the exact dates.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And what I would do I will do a full timeline.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: For the commission.

CHAIRPERSON: Yes. Thank you very much.

ADV PAUL JOSEPH PRETORIUS SC: There was a time you will recall when Advocate Willie Hofmeyr addressed the Parliamentary Portfolio Committee.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: In relation to the SIU report.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: That existed at the time. Is that correct?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: That was around 2009?

MR ANGELO AGRIZZI: Correct.

10 **ADV PAUL JOSEPH PRETORIUS SC:** These events of which you speak here when in time did they relate to the SIU revelations before the parliamentary committee?

MR ANGELO AGRIZZI: Probably 2010 around 2008/2010/2011.

ADV PAUL JOSEPH PRETORIUS SC: Yes. And I recall that there was some opposition to Mr Smith allowing Mr Hofmeyr to address the Parliamentary Committee, is that correct?

MR ANGELO AGRIZZI: Most definitely. There were emails and letters that were sent to the state attorney to Willie Hofmeyr's office to the – to try and prevent that from happening.

ADV PAUL JOSEPH PRETORIUS SC: Alright carry on please?

20 **MR ANGELO AGRIZZI:** Before they left I debriefed Gavin Watson on the discussions that when he left ...

CHAIRPERSON: I am sorry Mr Pretorius I do not know if I have missed something but I would like to know why there were attempts to prevent him I do not know if you are going to cover that with him?

ADV PAUL JOSEPH PRETORIUS SC: Let us just take that step by step.

MR ANGELO AGRIZZI: Okay.

ADV PAUL JOSEPH PRETORIUS SC: At around the time of which you are now speaking in your evidence Vincent Smith as chair of the Parliamentary Portfolio Committee would presumably have been instrumental in allowing Willie Hofmeyr to present to the Parliamentary Portfolio Committee?

MR ANGELO AGRIZZI: It was about the same time.

ADV PAUL JOSEPH PRETORIUS SC: The topic of the presentation would be the SIU report into Bosasa?

MR ANGELO AGRIZZI: Correct.

10 **ADV PAUL JOSEPH PRETORIUS SC:** Which had also reached public domain at around that time?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: And certain people were not happy about Willie Hofmeyr being allowed to speak to the Parliamentary Portfolio Committee about the contents of the SIU report and the allegations contained in that report?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: Who were those parties and what did they do?

MR ANGELO AGRIZZI: I would have to go into my records. I do not think I mentioned it. I did not actually – I know what you are talking about.

20 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: Advocate Pretorius is reminding me of something now but ...

CHAIRPERSON: Yes

MR ANGELO AGRIZZI: There were people that were very unhappy. I remember that together with Brian Biebuyck we authored a letter to various people and at one stage we were going to bring an application – I cannot remember if that was ever done – to

the state attorney and to Willie Hofmeyr not to present any detail.

ADV PAUL JOSEPH PRETORIUS SC: So essentially what you are saying is I understand it as that Bosasa in a general sense was not very happy about this presentation before the Parliamentary Portfolio Committee chaired by Mr Smith?

MR ANGELO AGRIZZI: No most definitely not.

CHAIRPERSON: And Bosasa – Bosasa or people connected with Bosasa were some of the people who were trying to prevent Mr Willie Hofmeyr from making a presentation to the Portfolio Committee?

MR ANGELO AGRIZZI: Chair there were letters sent to and fro.

10 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: And as soon as I get access I will get those letters to you.

CHAIRPERSON: Yes okay. Thank you.

ADV PAUL JOSEPH PRETORIUS SC: You were telling the Chair Mr Agrizzi about your debriefing of Gavin Watson after he had left the boardroom or of events that occurred after he had left the boardroom?

MR ANGELO AGRIZZI: Yes Chair. So if after every meeting we would have to sit and debrief each other. Or I would have to brief him on what was said whilst he was in the vault. And I basically said to him, look we had small chat and small talk. There was – I did not want to discuss anything without him there and I explained to him that you know

20 Cedric Frolick was really impressed and Mr Komphela was really impressed with the office park and what we doing. That was basically the debrief and he also then told me explicitly that Cedric Frolick I do not need to worry about he is – because I would always question, who is the person? Where does he fit in? Can he help? And he would say to me, do not worry about it he is a hundred percent on board.

ADV PAUL JOSEPH PRETORIUS SC: That is Cedric Frolick

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Is a hundred percent on board.

MR ANGELO AGRIZZI: Correct. He mentioned he had been with the family for years. He dealt with Cheeky and he dealt with Valance as well.

CHAIRPERSON: I remember that when I was reading your statement I got the impression that what you were saying was that when Mr Gavin Watson gave the security bag to Mr Frolick Mr Komphela was still on the phone. You must just confirm if my understanding is correct? I got the impression that he might not have seen what was happening I do not know. I just want you to...

10 **MR ANGELO AGRIZZI:** Well if you look at the boardroom, the boardroom at that stage was shaped in a U.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: So there were two wooden double doors that opened up to the boardroom.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And I was, I always sit near the coffee station which is on the opposite side. Mr Komphela was sitting at the head of the table where Gavin was sitting and he was.

CHAIRPERSON: Hm.

20 **MR ANGELO AGRIZZI:** I cannot remember when Gavin put the; he did not, I doubt he saw it.

CHAIRPERSON: Ja.

MR ANGELO AGRIZZI: But I cannot remember if he was on the phone or not.

CHAIRPERSON: Okay. No that is fine.

MR ANGELO AGRIZZI: He might have just got off the phone.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: But Gavin had come back, but before Gavin walked into the boardroom.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: He was at the door and he called Cedric Frolick out.

CHAIRPERSON: Yes. Okay, thank you.

ADV PAUL JOSEPH PRETORIUS SC: Would you relate the evidence in paragraph 63 please?

MR ANGELO AGRIZZI: The one thing I remember standing outside as they were
10 being picked up by the driver to take them back to the airport. I remember vividly that
Gavin said to me that we have to remember every month we have to arrange R40 000
that must be delivered to Cedric Frolick. He says this would be a standard
arrangement and Watson would arrange to take it with him whenever he went down to
Port Elizabeth or he would give it to his brother, Valence, to take down for him to Port
Elizabeth as well. So I asked him but you know how are you going to take this on a
plane through security, you know. How do you take R40 000? It was not massive you
know. It is maybe four bundles of money. Are you going to take this on the plane and
you know, he sat and he just laughed at me. He says do not worry they never check
and I always get the Bosasa guys when Gavin would arrive at the airport would
20 surround him and carry his bag and everything and there was such a lot of people
around him that nobody really worried to check his bags.

ADV PAUL JOSEPH PRETORIUS SC: Were there any other benefits of which you have knowledge?

MR ANGELO AGRIZZI: Chair I managed to get from one of the whistle blowers that is still inside, they sent me, they had a copy of an invoice and an email that was sent to

me by Dr Jurgen Smith which Cheeky had sent him the invoice for Cedric Frolick and he had said to him that Cheeky had called him and said Bosasa must pay for this as well. There are others but we need to get them and it is a process.

ADV PAUL JOSEPH PRETORIUS SC: Alright.

MR ANGELO AGRIZZI: But I am sure the investigation team will assist.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So attached there was a small invoice for R2 744.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And it was for City Lodge.

10 **CHAIRPERSON:** Hm.

MR ANGELO AGRIZZI: And it was dated 14 September 2010.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And the reference there was VHR25856, Guest Frolick, Mr C.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And it is attached, I think it is [intervenes].

ADV PAUL JOSEPH PRETORIUS SC: Annexure KK.

MR ANGELO AGRIZZI: KK.

20 **ADV PAUL JOSEPH PRETORIUS SC:** Let us go to page 118 please. On 14 December 2010 it is apparent that there was an email sent from Dr Smith to yourself. Subject line "Invoice from Sure Blakes Travel Agency (Pty) Ltd" and the email reads:

"Angelo, Cheeky told me that this invoice must also be paid by
Bosasa. Please advise, doc."

Was that invoice paid?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: And if one goes to page 119 one will see the invoice. It is actually an invoice made to EP Rugby c/o of Mr D Watson.

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: For accommodation at the City Lodge O R Tambo?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: Did EP Rugby pay that invoice?

MR ANGELO AGRIZZI: No, Bosasa paid all the invoices with relation to travelling for Mr Cedric Frolick and Mr Komphela. I just need to get all the other invoices. Although
10 it shows EP Rugby it was, Cheeky Watson would book stuff on Bosasa and this was one of them.

ADV PAUL JOSEPH PRETORIUS SC: Cheeky Watson is Daniel Watson?

MR ANGELO AGRIZZI: Daniel Watson.

ADV PAUL JOSEPH PRETORIUS SC: Mr D Watson.

MR ANGELO AGRIZZI: He is the one who arranged that Cedric Frolick and Mr Komphela [intervenes].

ADV PAUL JOSEPH PRETORIUS SC: The invoice at page 119 on your evidence was paid by Bosasa?

MR ANGELO AGRIZZI: That is correct. You will see the email, the email is from
20 Dr Smith and it says clearly there you know that Cheeky said to him this must be paid for Bosasa because it was Bosasa's, he did work for Bosasa.

ADV PAUL JOSEPH PRETORIUS SC: You relate an incident in paragraph 65 that shortly after the events of which you have just spoken.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Tell the Chair about that please.

MR ANGELO AGRIZZI: Shortly after this visit and that I was informed by Gavin that I needed to go to his brother in Port Elizabeth and I had to meet with Valence Watson and I also needed to take a parcel of cash which he had given to me which was R40 000 and I remember because I was very nervous about going through an airport with money. So it was specifically in R200 notes and it was a small package so it could fit in my briefcase. I did what I was told to do. Stupidly I went and I took the package with me and I then hired a vehicle. No, I did not hire a vehicle Chair sorry. I did not. I then took the package, got into the vehicle. I was collected, taken to Valence Watson's house in Waverley. I think it was in, I cannot remember. It is Waverley something.

10 **CHAIRPERSON:** Is that the, would that be the suburb, name of the suburb or something or is that a complex?

MR ANGELO AGRIZZI: I do not, I cannot.

CHAIRPERSON: You cannot remember?

MR ANGELO AGRIZZI: The name Waverley is in my mind.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: I will find the exact address.

CHAIRPERSON: Ja, okay.

MR ANGELO AGRIZZI: But I, I remember the house vividly though.

CHAIRPERSON: Yes.

20 **MR ANGELO AGRIZZI:** It was beautifully stone built.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Stone and he mentioned to me that he actually had got an Italian craftsman to.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Help him with the stone work and that. So I remember the

house vividly.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And we were actually waiting at one stage to see Mr Frolick.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And he took me and he showed me an old gym. A gym that he had built and he said he never ever used the gym. It was a beautiful place.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And then Cedric Frolick arrived.

CHAIRPERSON: So that was Mr Cheeky Watson's residence/

10 **MR ANGELO AGRIZZI:** No, no Valence Watson.

CHAIRPERSON: Oh, okay, okay. Thank you.

MR ANGELO AGRIZZI: Valence Watson.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: I recall that while I was waiting he showed me the gym as I mentioned to you and then Cedric Frolick arrived at Valance's house. We sat in the lounge. I remember we sat upstairs in his lounge. His wife came and said goodbye. She was going out and he made us coffee and gave us some coffee and we started, they started talking about political issues that had happened in Port Elizabeth over that period. There was some, I did not really pay attention. I was on my phone checking
20 emails. I tried to stay away from getting into the discussion. Then he started talking about the strategy on how to handle Vincent Smith and what we needed to do.

CHAIRPERSON: And do you recall more or less how long after Mr Frolick's and Mr Komphela's visit to the business park it was when you travelled to Port Elizabeth for this purpose?

MR ANGELO AGRIZZI: Chair I would like to get all my records.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: To establish.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: But it was not long. It was about 10 days.

CHAIRPERSON: Okay. So would that have been the first payment after the visit?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Yes, okay.

MR ANGELO AGRIZZI: So I gave that to Valence Watson.

ADV PAUL JOSEPH PRETORIUS SC: The package you are talking about.

10 **MR ANGELO AGRIZZI:** Yes.

ADV PAUL JOSEPH PRETORIUS SC: With cash?

MR ANGELO AGRIZZI: Correct. So.

CHAIRPERSON: But just to go back.

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: What had, you did say this part. I just want to make sure I understand. What had Mr Gavin Watson, who did he say this money that you had to carry to Port Elizabeth was for?

MR ANGELO AGRIZZI: I must give it to Valence to give to Cedric.

CHAIRPERSON: Okay.

20 **MR ANGELO AGRIZZI:** He said Valence knew about it.

CHAIRPERSON: Yes, okay.

MR ANGELO AGRIZZI: So I gave it to Valence.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: He knew about it.

CHAIRPERSON: So you were not going to, you were not to give it to.

MR ANGELO AGRIZZI: Huh-uh.

CHAIRPERSON: Mr Frolick yourself?

MR ANGELO AGRIZZI: No.

CHAIRPERSON: You had to give it to Mr Valence Watson?

MR ANGELO AGRIZZI: And he was going to give it to Cedric Frolick.

CHAIRPERSON: Okay, alright.

MR ANGELO AGRIZZI: So I gave it to him and later I saw him give it to him. When we, I think it was about when we were about to leave.

CHAIRPERSON: Yes.

10 **MR ANGELO AGRIZZI:** He actually took the package and he said this is yours.

CHAIRPERSON: Yes and was this in a security bag as?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: It was in the same bag.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: It was not opened. I did not open it or anything like that.

CHAIRPERSON: So you.

MR ANGELO AGRIZZI: I gave it as it was handed over.

CHAIRPERSON: So you gave it to Mr Valence Watson?

20 **MR ANGELO AGRIZZI:** Correct.

CHAIRPERSON: And at the time when you are about to part you saw Mr Valence Watson give the same packet to Mr Frolick?

MR ANGELO AGRIZZI: Chair I sat on a leather couch.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: There was a Persian carpet in front of me.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: My briefcase was next to me.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: As I arrived I took it out. I gave it to him.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And he put it on another chair.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Where he was sitting.

CHAIRPERSON: Yes.

10 **MR ANGELO AGRIZZI:** Alright. Then he got up. He made coffee, came back.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: We had the discussion.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: When we left he took it. As he was walking out of the lounge he gave it to him.

CHAIRPERSON: Okay, thank you.

ADV PAUL JOSEPH PRETORIUS SC: He took the bag and gave it to Cedric Frolick?

MR ANGELO AGRIZZI: Yes.

20 **CHAIRPERSON:** What had, I am sorry who had packed money into that bag? Was it you or was it somebody else?

MR ANGELO AGRIZZI: No, it was Gavin Watson.

CHAIRPERSON: And in your presence or not in your presence/

MR ANGELO AGRIZZI: No, it was not in my presence.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: But I did tell him please do not make it 100s or R50 notes,

because I have got to carry this rubbish through the.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: The thing and Chair.

CHAIRPERSON: Ja.

MR ANGELO AGRIZZI: Me being seeing that stuff for as long as I have.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: You know exactly how much is there.

CHAIRPERSON: Yes, okay.

MR ANGELO AGRIZZI: So R20 000, R200 notes are packed 100.

10 **CHAIRPERSON:** Hm.

MR ANGELO AGRIZZI: So it is R20 000.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: It is two packs.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Next to each other.

CHAIRPERSON: Yes, thank you.

ADV PAUL JOSEPH PRETORIUS SC: What happened within the next week?

20 **MR ANGELO AGRIZZI:** Within a week of that meeting Gavin got a call from Cedric Frolick to say that he, I must accompany; Gavin then came to me and said I must accompany Gibson Njenje. We must fly down, alright the day before for an introductory meeting with Vincent Smith.

ADV PAUL JOSEPH PRETORIUS SC: Fly down to where?

MR ANGELO AGRIZZI: To Cape Town.

CHAIRPERSON: For what purpose?

MR ANGELO AGRIZZI: Because there was going to be a meeting with Vincent Smith.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: The following day.

CHAIRPERSON: Okay.

ADV PAUL JOSEPH PRETORIUS SC: And who was to coordinate this visit?

MR ANGELO AGRIZZI: It would be coordinated by Cedric Frolick.

ADV PAUL JOSEPH PRETORIUS SC: And were you requested to make any preparations for the visit?

MR ANGELO AGRIZZI: Well I had already sent booklets down and I do not mention it in my thing, but I had already sent a package down, but I brought with exactly the same
10 package with the same letter to be handed over to him. It was a box with the Bosasa logos on it and it was all the portfolios of the company inside as well as a video of the benefits of having Bosasa there.

ADV PAUL JOSEPH PRETORIUS SC: Did you travel to Cape Town?

MR ANGELO AGRIZZI: Yes, we did.

ADV PAUL JOSEPH PRETORIUS SC: Were you accompanied by anybody?

MR ANGELO AGRIZZI: As far as I remember myself and Mr Njenje flew down together. We stayed in the same hotel. I hired a vehicle and we stayed in a hotel, beautiful hotel, but normally close to Parliament where all politicians stay when they come down. Very, very nice really top class hotel. I cannot remember the name
20 though.

ADV PAUL JOSEPH PRETORIUS SC: Would there be any records of this visit?

MR ANGELO AGRIZZI: At the hotel?

ADV PAUL JOSEPH PRETORIUS SC: Of the flights, car hire and the like?

MR ANGELO AGRIZZI: Yes, most definitely.

ADV PAUL JOSEPH PRETORIUS SC: Who were they charged to?

MR ANGELO AGRIZZI: They were charged to Bosasa.

ADV PAUL JOSEPH PRETORIUS SC: And who organised the travel arrangements?

MR ANGELO AGRIZZI: If I remember correctly the travel person at that stage was a lady by the name of Magdel Wilson.

ADV PAUL JOSEPH PRETORIUS SC: At Blakes Travel?

MR ANGELO AGRIZZI: She would have arranged it, but sorry?

ADV PAUL JOSEPH PRETORIUS SC: At Blakes Travel?

MR ANGELO AGRIZZI: Yes. No, she worked for Bosasa. At Blakes Travel Brian Blake would be able to pull that information for us as well as SAA, if they have
10 subpoena they will be able to pull all the records and I would be able to tell you exactly which hotel it was, how much we had to pay and all that type of thing. It was always a direct bill back. So I never used the credit card there.

ADV PAUL JOSEPH PRETORIUS SC: Did the meeting with Vincent Smith eventuate?

MR ANGELO AGRIZZI: Yes, well I actually had breakfast with Gibson Njenje where we discussed how we are going to approach this and I do not want to implicate him, because he did nothing wrong but he is very knowledgeable as well. So he, you know, he stood back a bit. He did not actually participate in the.

CHAIRPERSON: In the discussion?

MR ANGELO AGRIZZI: In the discussion with me. I just briefed him you know. I said
20 well you are just here really to follow me.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: To make me look, you know.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Dilute my whiteness.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: That is what basically it was.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: So at the exact, at the time you could see he was not comfortable with it, but he was doing it because Gavin had asked him to do it. So what happened then was we were taken through the security process. In Parliament there is a scanner. We walked through the scanners and we signed in. Cedric Frolick met us in front of Parliament there and he took us through and he put us in an office to wait and we had to wait in the specific office. I do not think it was the office of Vincent Smith, because it was an empty, it was like a meeting room but with a desk and a chair and all
10 that and I remember we sat in there for quite a while before Cedric Frolick brought in Vincent Smith and he walked in and he was visibly annoyed that we were there and it was [intervenes].

CHAIRPERSON: Was he not expecting you?

MR ANGELO AGRIZZI: No. I do not think he was.

CHAIRPERSON: Oh.

MR ANGELO AGRIZZI: Chair, either he was expecting somebody else or he was expecting that Cedric Frolick had maybe brought Gibson Njenje, but I do not think he expected to see me there. I had never met him before. So I actually googled him to find out a bit about him on the web, but he was very abrupt. I basically said to him here
20 is the document with, you know, an introduction and I tried to explain to him and he said look I am busy. I have got a meeting now. I have to leave and he left and it was a bit embarrassing, because the meeting actually did not go well at all.

CHAIRPERSON: Did it look like his attitude towards Bosasa had not changed?

MR ANGELO AGRIZZI: Most definitely not.

CHAIRPERSON: As at that time?

MR ANGELO AGRIZZI: Most definitely not.

CHAIRPERSON: Yes, okay.

MR ANGELO AGRIZZI: So I left the company brochures with him. I gave them to him. What he did with them I do not know. Then Cedric Frolick basically took us on a brief tour of the building itself and I bumped into one or two people who will confirm that they saw me there. You know, a specific incident that I remember was, I mean we had lunch in the canteen. They have lovely food there and we had lunch in the canteen and he put it on his card, Mr Frolick, for the lunch for myself, himself and Gibson Njenje. So we sat openly with all the parliamentarians or MPs sitting around. So it was quite
10 impressive and then he basically showed us the assembly. Showed us a couple of empty spots and that and after that we left. We flew back.

CHAIRPERSON: But you only saw and spoke to Mr Frolick after you had had this brief encounter with Mr Vincent Smith? I am saying encounter because I am not sure whether it ended up being a meeting or not.

MR ANGELO AGRIZZI: It was not a meeting.

CHAIRPERSON: *Ja.*

MR ANGELO AGRIZZI: It was an introduction.

CHAIRPERSON: *Ja.*

MR ANGELO AGRIZZI: It was supposed to be a meeting.

20 **CHAIRPERSON:** Hm.

MR ANGELO AGRIZZI: It did not go there.

CHAIRPERSON: Hm, but my question is whether on that day you only saw Mr Frolick after and not before the meeting.

MR ANGELO AGRIZZI: No. He brought us, he fetched us from the.

CHAIRPERSON: From the hotel?

MR ANGELO AGRIZZI: From the entrance.

CHAIRPERSON: Oh, in front of.

MR ANGELO AGRIZZI: We phoned him and he fetched us.

CHAIRPERSON: Ja, of Parliament?

ADV PAUL JOSEPH PRETORIUS SC:

MR ANGELO AGRIZZI: Of Parliament.

CHAIRPERSON: Ja.

MR ANGELO AGRIZZI: We went through the security with him.

CHAIRPERSON: Yes.

10 **MR ANGELO AGRIZZI:** And then he took us, we had to still sign in the book.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And he took us through and we walked a little bit around Parliament.

CHAIRPERSON: Ja.

MR ANGELO AGRIZZI: And then he took us to a specific office, alright.

CHAIRPERSON: Yes, yes and left you there?

MR ANGELO AGRIZZI: And he said just wait here and myself and Gibson Njenje waited there.

CHAIRPERSON: Hm.

20 **MR ANGELO AGRIZZI:** And then we waited for quite a while and I was briefing Mr Njenje on what documents I had prepared.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: So that he knew in case for this meeting that we were going to have.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And then when Cedric Frolick came back with Mr Vincent Smith who was with him and he was very abrupt.

CHAIRPERSON: Oh, so when Mr Vincent Smith came into that office he was with Mr Frolick?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Oh, okay. Thank you.

MR ANGELO AGRIZZI: And then at the lunch, I mean I did not want to embarrass Mr Frolick by saying this meeting did not happen did not go very well. We have just wasted R25 000 on travelling and you know we have wasted our time and your time
10 and he said no, do not worry. This is how politicians are. He said, but at least there is, we have broken, we are starting to break the ice.

CHAIRPERSON: But I am not sure whether with that very brief encounter and the attitude of Mr Smith that ice had been broken.

MR ANGELO AGRIZZI: I was worried because I had to go back and report to Mr Watson what had happened. I would have to phone him as soon as I had left the office and I said to Gibson Njenje I said I do not know if I can tell Gavin that this as a good meeting, because everybody when they have meetings would say no, it was a brilliant meeting. I said no, this was not a very good meeting this, you know.

CHAIRPERSON: Yes.

20 **MR ANGELO AGRIZZI:** But a specific incident comes to mind Chair and that was I remember I was sitting in the boardroom with another meeting. Gavin called me out of it and he said by the way I am meeting with the Minister of Justice and Constitutional Development.

ADV PAUL JOSEPH PRETORIUS SC: More or less when did this meeting take place?

MR ANGELO AGRIZZI: Gee it was, I remember there was a conference in Port

Elizabeth.

CHAIRPERSON: Just, your voice sometimes go down.

MR ANGELO AGRIZZI: Sorry, Chair.

CHAIRPERSON: Ja, okay.

MR ANGELO AGRIZZI: Sorry.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: There was a conference in Port Elizabeth. My dates, I am terrible with dates. It was a conference in Port Elizabeth. It must have been. It was recent, it was about 2015 around there. So there was a conference in Port Elizabeth
10 and Gavin called me out of the boardroom meeting. It was actually one of my HOD meetings. So I will be able to check the date when I get my notes and he called me out and he says listen here, sorted and he says the Lord works in mysterious ways. He said, he told me about that there was an ANC meeting or rally or something in Port Elizabeth and Cedric Frolick was going to help him organise the accommodation for Masutha and he would be able to have a meeting [intervenes].

ADV PAUL JOSEPH PRETORIUS SC: That is Minister Masutha?

MR ANGELO AGRIZZI: Minister Masutha. So I said well that is great. I mean, you know, you have been wanting to see him for a long time. You have not been able to get to him. Sesinyi Seopela could not get a meeting going with Minister Masutha and
20 Gavin Watson. So it would be; he explained to me exactly what had happened. That Cedric Frolick had offered Minister Masutha accommodation in one of, they have a property down there called like a game reserve, wild life estate where you can build houses and I am not sure if it was there specifically. I cannot exactly remember, but what Gavin told me is that it was one of his houses down there that he had actually arranged that Minister Masutha could stay at, because the argument was that

Cedric Frolick who had been organising the accommodation and everything for the parliamentarians and the politicians or the politicians from the ANC who would say to him no everything is full. There is no space and we will get you, I have got a special place for you and that meeting then, he stayed in the house and the meeting then took place. Gavin told me exactly how he had planned it and I remember it because he even the next day he had gone to Richmond Mti with myself and he had explained in detail how he is going to very similar with the discussions he had on recording where the talks about how he is going to handle the meeting with ex-President Zuma. He explained that as well to Mti that you know that he can sort this out. He is going to
 10 have a meeting with him, a breakfast and then after breakfast, you know, then it will be sorted out. He will develop that relationship and he was excited about it. He was extremely excited if, Gavin was like a kid with new toys if he got to meet a parliamentarian or politician. So that happened and it was reported on the press as well.

CHAIRPERSON: But I just want you to go back a little bit, because I seem to hear, I seem to hear you say something like he that is Mr Gavin Watson and/or Mr Frolick kind of planned?

MR ANGELO AGRIZZI: That is correct.

CHAIRPERSON: To make sure that conditions or ANC people would be made to
 20 believe that there was no accommodation. It was full and then end up or be offered accommodation provided by Bosasa or by Mr Gavin Watson? Is my understanding of what you are saying correct?

MR ANGELO AGRIZZI: You are 100 percent correct.

CHAIRPERSON: Yes.

ADV PAUL JOSEPH PRETORIUS SC:

MR ANGELO AGRIZZI: I am telling you I did see them in caucuses.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: But I was told.

CHAIRPERSON: But that is what he said?

MR ANGELO AGRIZZI: That he had caucused this.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And he had prepared this with Cedric Frolick.

CHAIRPERSON: Yes, okay.

ADV PAUL JOSEPH PRETORIUS SC: So in short you were made aware Mr Agrizzi of
10 plans to accommodate Minister Masutha in Port Elizabeth?

MR ANGELO AGRIZZI: I was well aware of it, yes before the time.

ADV PAUL JOSEPH PRETORIUS SC: And in connection with that plan the intention
of which you knew was that Gavin Watson would have a meeting with
Minister Masutha?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Do you know firstly whether that meeting took
place of your own knowledge and secondly what happened at that meeting?

MR ANGELO AGRIZZI: It did happen. The meeting did take place. If I remember
correctly Gavin went there with Valance, his brother. Gavin is not that well known in
20 political circles more so Ronnie and Valance and Cheeky and I think that is why he took
Valance. As I said previously Gavin would never allow meetings if only one person
went. He always took someone with him or we had to take someone with us. So it was
Valance and Gavin that went to the meeting.

ADV PAUL JOSEPH PRETORIUS SC: Do you have any knowledge of the contents of
that meeting/?

MR ANGELO AGRIZZI: No.

ADV PAUL JOSEPH PRETORIUS SC: Okay.

MR ANGELO AGRIZZI: It was very, very quiet. It was very similar to the meeting I had had with Vincent Smith. I do not think it was a success at all.

CHAIRPERSON: So you were not at the meeting, but your understanding is that that meeting did not turn out to be a success?

MR ANGELO AGRIZZI: No, it was not a success. Normally if a meeting was successful Gavin would phone me.

CHAIRPERSON: Hm.

10 **MR ANGELO AGRIZZI:** And he would say to me oh you know I had a brilliant meeting.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: He said he is going to help us. No, this meeting.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: He did not really comment much on, he told me.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: The meeting was good.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: But he did not say to the extent.

CHAIRPERSON: Hm.

20 **MR ANGELO AGRIZZI:** You know that he would normally if a meeting went well.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: You must remember I have worked with him for 18 years.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: I know, I know exactly.

CHAIRPERSON: You know how he is like if he has had a good meeting/

MR ANGELO AGRIZZI: If he had a good meeting.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: I do not think the press would have needed to report on it
Chair.

CHAIRPERSON: Hm.

ADV PAUL JOSEPH PRETORIUS SC: In paragraph 8 you return to the relationship
between Cedric Frolick and African Global Operations as it was then?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Please tell the Chair of the events of 2016 and
10 2017 in that regard.

MR ANGELO AGRIZZI: Chair in late 2016 a tender was submitted for the catering
contracts for Correctional Services. The then Commissioner was a gentleman by the
name of Zack Modise and he was being attended to by Papa Leshabane. That was the
contact and Sesinyi Seopela. During that period I was concerned about the catering
tender for Correctional Services. As a matter of fact I was so concerned and I do not
know why I forgot to put it in here, but there was another consultant that we used. I
think I mentioned it in my first affidavit where we used another consultant
Reggie Nkabinde and Sam Sekgota. I think if I recall we do mention it in the first
affidavit, but I was really concerned about this and when we had submitted the tender
20 the tender had not been caucused or anything like, it was a straight tender but
interestingly enough I got information that we were the cheapest and at that stage,
when I say “we” I am putting myself in that period of time. At that stage we as Bosasa
were the cheapest and we should have got everything. The 10 management areas, but
it appeared that they had issued out two other management areas to other companies.
So on advice from Gavin Watson we took the litigation route, okay and the reason why

we did that was purely because Gavin Watson advised me look I want you to take the Department of Corrections to court and you make sure that Brian Biebuyck is on top of it and that stage he employed an advocate as well. I recall it vividly and we drew up an argument and the papers were ready. I remember this because I was sick at home. I was actually on a drip and on occasion sitting at the dining room table attending to checking papers for Brian Biebuyck and so the arguments, the papers everything had been prepared. Then the day before the application was to be heard Gavin Watson arrived there with some of the Directors and they sat around the table and says we have taken a resolution. The attorneys were there. Brian Biebuyck was there with the

10 Advocate Etienne Theron. He says we have taken a decision. I said what decision have you taken. He said no we are not going to go ahead with this court application. I said but I asked you this in December/November. In the beginning I asked you why do this. You do not pull out the gun and then do not use it. If you start something you follow it through. He said no, we have got political advice that this would be suicide if we went ahead with the application and I argued with him. I said to him, I said you know Gavin you must remember something we are 100 percent in the right here. We have a legal footing here, it's not going back, we're not saying that we caucused – we never caucused this, we never dealt with anybody on this, we haven't paid off anybody for this new contract, why now do you want to turn back, and it got a bit heated, it got

20 so heated at one point that he said to me I've been told politically I can't do it, I said I don't believe you, and it was the first time that I'd started because I wanted to test him, the first time I'd really started and got upset with him and maybe it was the medication I was on or whatever, remember I just came out of a coma a week before that, and I don't know if it was my medication or whatever it was but I lost my temper, I actually at one stage, he says ja phone, hear from the horse's mouth, and he put me on the phone

and Cedric Frolic confirmed with me over the phone, phoned that litigation must be withdrawn.

Well at that stage I was really annoyed with everybody, my wife came and she chased them out of the house, she said listen you've been with him for an hour now, he's now got to rest, because I was actually supposed to be in bed, get out of the house, and I remember that Etienne Theron and Brian Biebuyck were there and they shook their heads, they said we cannot believe what is happening here, and I actually called them a bunch of idiots when they left, I was wrong there, but I did and they left.

CHAIRPERSON: What was your understanding of what they were saying they could
10 not believe what is the ...(intervention)

MR ANGELO AGRIZZI: The turnaround of the decision to retract the application but interestingly Chair what had happened was because I had fallen ill and I had booked myself into hospital on the 25th of December I think it was I didn't have a chance to make the delivery, that was one specific delivery I had to make that was out of the norm for Richmond Mti and I didn't get to make it because he wasn't around, he was somewhere else and then I got sick so now we're talking, I think it was about the 9th of January that the delivery had to be made and when Gavin walked into the house the first thing he says is oh where's Mti's stuff and the cash and my wife, I had said to my wife go up to the safe, in the bedroom I have a small safe and there was a bag in there,
20 I said get it for him, let him take his money, you know let him take it, I don't want anything to do with this anymore anyways, so ...(intervention)

CHAIRPERSON: Was that already in a security bag or ...(intervention)

MR ANGELO AGRIZZI: Ja, it was packed, I just didn't deliver it, I was told to deliver it but we missed each other and I couldn't deliver it, but in that bag, I can tell you now, was R175 000 and I remember it vividly because it was one of these post-it stickers in

yellow written on the bag “don’t touch R175 000 Gavin to collect”.

CHAIRPERSON: Mmm.

ADV PAUL JOSEPH PRETORIUS SC: If we can go back to paragraph 79 and the circumstances surrounding the intended withdrawal of the application of what you have spoken, you say in that paragraph.

MR ANGELO AGRIZZI: So during 2016/2017 African Global was involved in litigation with the Department of Correctional Services ...(intervention)

ADV PAUL JOSEPH PRETORIUS SC: Let me ask the question, I’m sorry. You say in that paragraph that Frolic and Smith, Vincent Smith, were consulted.

10 **MR ANGELO AGRIZZI**: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Please tell the Chair about that.

MR ANGELO AGRIZZI: Originally I – before we put in the application, before I did anything you know legally I would consult with Gavin and I would double-check, because Gavin had a habit of starting something and then turning it back because he didn’t want to look bad with the politicians or whatever, so I then asked him, I said have you checked this with Vincent Smith, he says yes I’ve checked it we must go ahead with it, and at that specific meeting ...(intervention)

CHAIRPERSON: I’m sorry before you proceed, the last time you spoke about Mr Smith he had not changed his attitude towards Bosasa, now how come you now talk about
20 him being consulted?

MR ANGELO AGRIZZI: Okay let me explain Chair, it’s a long period of time between – he was friendly towards Bosasa after the meeting that we held in Rivonia Road at the one hotel there, in my first affidavit I cover it.

CHAIRPERSON: Oh this was after.

MR ANGELO AGRIZZI: This is after, this is 2016/2017 ja.

CHAIRPERSON: Alright, then I understand.

MR ANGELO AGRIZZI: That's a meeting that was held ...(intervention)

ADV PAUL JOSEPH PRETORIUS SC: Seven or eight years later.

MR ANGELO AGRIZZI: More or less, no I wouldn't say that, I can't remember exactly now, I don't have my other affidavit here but that was the meeting where we had Magashula there, and Ms Winnie Mgwena there, and Cecilia Shepela and they had fish ordered from the restaurant, Ocean or Fish Market.

CHAIRPERSON: No, no, I guess now I can see it's after ja.

MR ANGELO AGRIZZI: So that happened then, that meeting happened and then he
10 was pro-us, he worked with Bosasa.

CHAIRPERSON: Yes, so you asked whether he had been consulted?

MR ANGELO AGRIZZI: Ja, I asked has he been consulted, he said why don't you check, if you check my phone records I actually did phone him and checked, I said are you aware of this retraction and he said yes and he put down the phone.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So I – sorry it slipped my mind now.

CHAIRPERSON: Yes, yes.

MR ANGELO AGRIZZI: Okay but they both said that and agreed that the litigation must be withdrawn.

20 **CHAIRPERSON**: Yes. And did you find out what Plan B was going to be or if there was going to be Plan B to achieve what the application would have achieved or was it simply that it was, the application was to be withdrawn or not to be pursued and that was going to be the end of the story?

MR ANGELO AGRIZZI: You know Chair at that stage I was – remember I had resigned in the August, and I was just out of hospital, I didn't know yet that he had put a claim on

my life insurance so I was annoyed but I wasn't to the point where I would you know confront him too much, but I was fed-up, I had made up my mind and I didn't even bother asking him what Plan B was, I actually afterwards I came back, Etienne Theron, the Advocate and Brian Biebuyck, the attorney, were still sitting at a big white table I had on my patio, it was a dining room table, on the patio and I said to them I've had enough, I've had enough of this, and they said they can't believe what's happening, it's absolutely ridiculous and they then left and I apologised to them for losing my temper. As a matter of fact what then happened was Gavin Watson then sent me an apology for upsetting me, and he sent my wife an apology as well that they had upset me, I don't
10 think they realised how sick I was.

CHAIRPERSON: Okay.

ADV PAUL JOSEPH PRETORIUS SC: Just to get the sequence of events right in relation to Mr Smith, the visit to Parliament about which you testified coincided more or less with the release of the SIU report for the first time.

MR ANGELO AGRIZZI: It was more or less that time.

ADV PAUL JOSEPH PRETORIUS SC: And that must have been about 2009/2010.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: I think you said.

MR ANGELO AGRIZZI: Correct.

20 **ADV PAUL JOSEPH PRETORIUS SC:** According to your first statement in paragraph 24.1 page 44 of your first – page 43 of your first statement, the meeting with Vincent Smith at the hotel in Rivonia Road took place during 2011.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: And the events which you know talking regarding the advice to withdraw the litigation from Frolic and Smith that would have

taken place during 2016/2017?

MR ANGELO AGRIZZI: It was 2016, I remember that vividly.

CHAIRPERSON: Well in your previous evidence and statement I don't remember that you had mentioned that Bosasa had sought to use Mr Frolic in order to win Mr Smith over but I made a mistake and I want to ask you this question, do you know whether Mr Smith was won over because of Mr Frolic's efforts or was it just independently because of other efforts that were being made by Bosasa, or both?

MR ANGELO AGRIZZI: It could be both Chair, I don't know specifically about Mr Frolic but I do know that it was Winnie Mgwena and it was Magashula, I think it's Magashula,
10 was the guy that won him over eventually, because I remember the meeting that we held that I was invited to by Gavin Watson that took place in 2011 was at a hotel and I remember vividly that it was a second meeting that Gavin had had, he never took me to the first meeting but this was the second meeting that Seopela had coordinated the meeting place, Smith was there, Winnie Mgwena was there, Magashula was there, Gavin Watson was there, I remember even what was ordered from – it's like yesterday, Seopela phoned a guy by the name of Nico, I remember he spoke to Nico, and he ordered fish from a fishmonger in Rivonia, or somewhere in Rivonia and I'm allergic, I was at that stage I was scared of eating fish so I ordered a rump steak with vegetables, and they had fish, line fish that was cooked in foil, and that's how vividly it is in my
20 mind. I can even take you to the – the investigators to the room where we had actually had the meeting and they could maybe check who had booked it and who had paid it.

CHAIRPERSON: Yes, thank you.

ADV PAUL JOSEPH PRETORIUS SC: Before we go down the menu further you mentioned Magashule, is it Magagula or ...(intervention)

MR ANGELO AGRIZZI: Makakula, I can't remember, it's either Makashula or

Magagula but it's not Ace Magashula, it's not him, Magagula.

ADV PAUL JOSEPH PRETORIUS SC: You used that name when you last gave evidence, not Magashula.

MR ANGELO AGRIZZI: No it's Magagula, but ...(intervention)

CHAIRPERSON: Do you recall the spelling, M-h?

MR ANGELO AGRIZZI: No I don't, I never ever wrote anything to him, he was part of the Portfolio Committee so you will be able to pick it up from that.

CHAIRPERSON: Yes, okay. If you are able to see it in the previous statement if it's there maybe you can give us the spelling, if it is the same person.

10 **MR ANGELO AGRIZZI:** It's transcribed in the evidence as M-a-g-a-g-u-l-a.

CHAIRPERSON: There is a surname called that and it is pronounced as Makakula, ja.

MR ANGELO AGRIZZI: Sorry Chair.

CHAIRPERSON: Yes, thank you.

ADV PAUL JOSEPH PRETORIUS SC: Mr Agrizzi during the time of your illness.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: What happened to the payments for which you were responsible?

20 **MR ANGELO AGRIZZI:** Most of the payments had been made early in December because I had just come from my son's wedding, I had family from overseas around and that so all the payments that needed to be done were done, there were just some extra payments that needed to be done.

ADV PAUL JOSEPH PRETORIUS SC: You deal with those in paragraph 81?

MR ANGELO AGRIZZI: That's what constituted the R175 000.

ADV PAUL JOSEPH PRETORIUS SC: Right, then you go on at paragraph 82 to deal with circumstances relevant to Danny Mansell's work in Bosasa.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Deal with that please.

MR ANGELO AGRIZZI: Chair I met Danny Mansell the very first time when I went to Dijambo those years, I met Danny Mansell. He was exceptionally close to Gavin Watson, well he was a shareholder as well and they would go on holidays and that together, but Danny Mansell and Gavin Watson had been involved with some dealings with the SBDC in Port Elizabeth and that actually cost Danny Mansell his job, and Gavin Watson had done something at the SBDC with Danny and because of that they had lost that job and strangely enough Dr Smith told me the whole – the story, because

10 Dr Smith was involved with SBDC as well, and that's how this whole thing came together was with the involvement of Ronnie Watson, with the ladies from Dijambo Holdings that all got together and that's the history of how Danny was involved with Gavin.

As I stated in my previous statement Danny left Bosasa, there was an acrimonious fight, when Gavin gets upset with you forget it. There was a very acrimonious fight, I remember it was at a place called the Big Five in Krugersdorp in front of all the senior staff, it was very embarrassing and Danny then decided he was going to exit, he was paid an amount of money and he had left, but then – and Danny had gone farming with cattle, but my relationship with Danny Mansell wasn't very good,

20 because Danny blamed me for interfering with Gavin, which I never did, I just did what I was told to do, but amongst other things Danny suddenly reappeared on the scene late 2003/2004 and I had met him once or twice and at that stage the company had bought two facilities, one was a facility, an old mining hostel in Randfontein called Choonels and the other one was a hostel as well called Luiperdsvlei, and Danny was actively involved with doing that with the building and the construction with (indistinct). Sorry

am I diverting from the – sorry Chair.

ADV PAUL JOSEPH PRETORIUS SC: You are a little but carry on.

MR ANGELO AGRIZZI: Alright, no, I'm just giving you the history of this situation.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So Danny made it his job to try and get on my good side, for whatever reason, he tried to make amends and I don't harbour grudges so I welcomed him in. He was staying at the Cedar Lodge at that stage and Gavin had just given his son and himself a contract to remove trees at Choonels Hostel which has now been, because of radio activeness they closed it down but they've given the work as well to

10 do the building of the walls around Choonels and around Luiperdsvlei to a company called Rekele Construction, (indistinct) Hoeksma, but I noticed that Gavin was working with Danny and with Mti and with Patrick Gillingham and I will explain – I will go into detail on it but the one thing that Danny Mansell was involved with and there's no denying about it, it's all in black and white, was he was involved with directly with the meetings with Gavin Watson and with Mti and with Gillingham in the beginning, so they were having meetings and amongst other things he was involved in arranging for the payments from Bosasa to his company which was called Grantfor, and it's a company that's reflected in the SIU report as well, but Grantfor basically did all the building for the houses, they paid it over and that type of thing, so after once all that had been

20 done, I just want to go to my notes here because after that, after having done all the technical management and managing the technical department as well for Bosasa so he was building, managing the technical department, he started becoming part of the company and he would invoice the company on a regular basis and things would go ahead.

Do you want me to carry on?

ADV PAUL JOSEPH PRETORIUS SC: No it's not necessary to go any further than you have in your statement, unless you specifically wish to.

MR ANGELO AGRIZZI: Okay, no sorry, I'm not following the statement Chair, sorry, I'm just telling you as it happened.

CHAIRPERSON: No that's fine.

MR ANGELO AGRIZZI: So then there was a company that was formed by Jared Mansell and his wife is Lisa, so they called L & J Civils, that's how they go the name L & J, so L & J Civils was an entity that they also used to handle things for Patrick Gillingham and Richmond Mti.

10 **ADV PAUL JOSEPH PRETORIUS SC:** The books of Grantfor and L & J Civils were they ever dealt with?

MR ANGELO AGRIZZI: Chair the books for L & J were dealt with, I would often walk into the office and Tony Perry would be sitting with Jared, Danny Mansell and they were busy with chequebooks and stubs and they were doing a reconciliation of what needed to be paid for Grantfor and there were payments then made by Bosasa to Grantfor.

ADV PAUL JOSEPH PRETORIUS SC: So Grantfor and L & J Civil were the companies that were used to purchase and construct, purchase for and construct houses to which you've referred elsewhere in your evidence both on the previous occasion and now.

20 **MR ANGELO AGRIZZI:** Correct.

ADV PAUL JOSEPH PRETORIUS SC: But Bosasa financed this through those two companies.

MR ANGELO AGRIZZI: That's right because afterwards you will recall that I said when we had to do clean-up for Gavin we couldn't really change the substance on the computer system that said Grantfor so what we had to do was pull the invoices and

change the invoices physically to reflect something totally different, instead of reflecting work done for Patrick Gillingham

ADV PAUL JOSEPH PRETORIUS SC: Yes but once again it appears that between Bosasa and the work it was doing or the work it was financing intermediary companies were used.

MR ANGELO AGRIZZI: Correct, always arm's length. I just want to see if there's anything I missed on my statement.

ADV PAUL JOSEPH PRETORIUS SC: Well you may just mention the information in paragraph 87.

- 10 **MR ANGELO AGRIZZI:** Yes even after leaving, even to today, Danny Mansell created a company, what happened was he was very nervous, so he wanted to get out of the country and he immigrated and he established a company over there, a company called Safe as Fences America, and it's got an American flag and I think a South African flag next to it on the logo, I can actually produce invoices that he would send through, and the agreement was that he would get 7 000 dollars per month for the rest of his life. He would just invoice Bosasa for consulting work done or work done from over there to here and that 7 000 US Dollars I would have to approve and I would have to send it off through the normal processes but that was an agreement reached with him and Gavin, and I questioned that agreement and I was told just shut-up you know, if you want to
- 20 ask too many questions, the door is right round the corner.

ADV PAUL JOSEPH PRETORIUS SC: So – yes, is that what you wanted to say?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: You deal in paragraph 88 with the role played by the then Company Secretary, Mr Tony Perry, tell the Chair about that please.

MR ANGELO AGRIZZI: This a very critical point in the testimony Chair because Tony

Perry was brought into Bosasa by Gavin Watson, Tony Perry had worked with Gavin Watson previously. There had been issues and there was court cases, I remember Tony telling me that there was court cases where he had to attest to certain things on behalf of Gavin and there was issues there, but I'm sure the investigators will find that all out, but he was responsible for writing up contracts and documenting deals.

Now I remember specifically the transaction that he did with Richmond Mti and Gavin Watson. That was the document if Chair remembers correctly that we had to look for and search for and eventually we found it now being who I am I was inquisitive, I made a copy of it, but I don't have a copy anymore, but on that document was an
 10 agreement with *per diem* cost that was allocated and agreed upon between Gavin and Richmond Mti that would be paid as a commission and the signatories there was Gavin Watson and Richmond Mti and Tony Perry. So it's critical that that information – that Chair knows that, that document I can't find it for the life of me, and it's gone missing but Tony Perry was very closely associated with the Watson family and they kept him very close, so he did all the administration type of things, rebuilding the company, that was his task, it was to create a confused structure and handle the BEE stuff of the company, across agreements, that type of thing, setting up of new entities, because previously it was just Bosasa, so he was there from 2002/2001 if I recall correctly and he was involved with this whole process. He was ...(intervention)

20 **ADV PAUL JOSEPH PRETORIUS SC:** You say Tony Perry joined the Bosasa Group in about 2003?

MR ANGELO AGRIZZI: It was about then, 2002/2003 maybe. My dates Chair are what they are.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: You know please bear in mind I'm working off a few notes here

and there, a few old books I might have but most of my stuff is still there.

CHAIRPERSON: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Perhaps you should go to paragraph 90 then, you've dealt with 88 and 89 in general terms, and talk about the incident that happened early 2004.

MR ANGELO AGRIZZI: Okay, in 2004 the boardroom, the same boardroom where we met Cedric Frolick , Gavin was sitting in the boardroom, he would sit there and read the newspaper after ten o'clock, and he was sitting in the boardroom and he was – I remember the door was closed, but at that stage the boardroom was dry-walling, so
10 there was dry-walling between the loo and the boardroom, there was thin dry-walling, so whatever anybody said in the boardroom you would hear. I was in the loo and I was listening to this conversation and I was answering, I don't want to get too graphic but I was answering emails on my phone as well, so I was listening and I was answering emails and I heard Gavin say to Tony Perry just register it, don't argue with me, Richmond wants it and it must get done and that was regarding Leonora Investments which had to be registered by Tony Perry, so he was instructed by Gavin Watson to register Leonora Investments for Richmond Mti or the Leonora Trust, I can't remember if it was a trust or investment, but I remember that vividly.

ADV PAUL JOSEPH PRETORIUS SC: Then you deal in paragraph 93 with the
20 document that had gone missing. You will recall your evidence in January of this year where you spoke of a document actually signed by Gavin Watson, there were instructions to destroy documents, you destroyed documents but you retained a document signed by Gavin Watson.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Is that the same document you are now talking

about it.

MR ANGELO AGRIZZI: That's the document I mentioned earlier.

ADV PAUL JOSEPH PRETORIUS SC: That is the document that you told the Chair that you did not destroy but you returned to Gavin Watson.

MR ANGELO AGRIZZI: I made a copy of it, so if I can take you back, I made a copy – when we found the document I didn't tell anybody I made a copy of it, I was still in my old house, I remember it, I drove up the driveway, quickly made a copy of it and then went back downstairs, got in the car and drove to Gavin's house.

ADV PAUL JOSEPH PRETORIUS SC: And it's that, on that occasion that Gavin
10 Watson according to your evidence and other evidence the document was destroyed and disposed of by Gavin Watson?

MR ANGELO AGRIZZI: That's the document he tore up, put in a bag, put water with it, made a mash out of it and flushed it down the toilet.

ADV PAUL JOSEPH PRETORIUS SC: Right, is that what you talk about in paragraph
93?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: What did that document contain, remind the Chair please.

MR ANGELO AGRIZZI: That document was an agreement in terms of the catering
20 contract specifically and it mentioned another contract, I think it was a contract for accommodating youth at Luiperdsvlei, but that document there spelled out what the commission basis would be that Richmond Mti would receive.

ADV PAUL JOSEPH PRETORIUS SC: Right.

MR ANGELO AGRIZZI: And the person that drew up that document was Tony Perry.

CHAIRPERSON: Do you recall when it would have been more or less, I know it's a

long time ago, when, roundabout what year it would have been drawn up.

MR ANGELO AGRIZZI: Torn up?

CHAIRPERSON: Mid-2000's or thereabouts?

MR ANGELO AGRIZZI: No I will tell you Chair it was when I had the American visitors with me because I was at a lodge called Tiningi Lodge in Madikwe when I got the call to leave everything and to go through, to come to the office, I still had to arrange, so once the travel agent, who refuses to talk to me, starts talking to me or the investigators, we will pick up all those things and get the exact dates for you as well.

CHAIRPERSON: Yes, okay, thank you.

10 **ADV PAUL JOSEPH PRETORIUS SC**: Is there anything else before we deal with the events under the heading billed or Arthur Kotzen & Fred Allibone?

MR ANGELO AGRIZZI: There's one issue that I think I need to raise and that's in terms of Better Fence and Bezulu, so whilst I was at home, I was playing with my nephews one Sunday I got call from Gavin Watson to ask, and I mentioned it in my previous affidavit, to discuss the fencing contract, or what would I do to a piece of fence to make it unique and patent that they could patent and that's when Tony Perry was actually in the meeting so the meeting consisted of Danny Mansell, Tony Perry, Gavin Watson, Michael Rohdenberg and it was I think a gentleman by the name of Peter Ramoet in that meeting from Belgium and in that meeting is when they phoned me and

20 I remember even speaking to Tony then because he was in Cape Town at the meeting where they discussed Bosasa acquiring a 26% BEE share in Better Fence in exchange for the contract for Correctional Services. My recollection was about 2004.

CHAIRPERSON: Okay.

ADV PAUL JOSEPH PRETORIUS SC: If you would deal with the subject matter in paragraph 96 and following please, involving Arthur Kotzen and Fred Allibone.

MR ANGELO AGRIZZI: So in 2006 and 2006 Bosasa was extremely cash flush. I think we had over R300 million in the bank. So it was a very good business and Gavin Watson decided to go into a Prawn Aqua Culture Project with a chap by the name of – what is his first name? Was it Kevin, no I – cannot remember.

ADV PAUL JOSEPH PRETORIUS SC: Kevin Mills you deal with him in paragraph 96.

CHAIRPERSON: Well I cannot remember if it is Kevin Mills or if it is Kevin K Wills or something else Wills. I cannot remember the first name. The first name eludes me at the moment sorry. Kevin Wills. I raised my concerns that this was essentially not our core business at that time. Our core business was providing facilities management, security infrastructure resources, youth development and that type of thing. So this was totally out of our business dealings. And I was very negative towards it but he went ahead and he did not want to budge on it. And at that stage he felt that it was a good business opportunity. So he got involved with Khuga and he was given a piece of land in Khuga. How he got it I do not know but I do not what – he liaised [indistinct] so I was not involved much at all. Where I was involved was dealing with Fred Allibone and Arthur Kotzen. So I had to employ Arthur Kotzen's son as well Jason. He was employed in our IT department so that is how I knew Arthur and I got on with Arthur. So Arthur Kotzen at that stage had a small building company you know these building – bakkie brigades we call them. So Gavin decided no he wanted to use Arthur Kotzen to build SeaArk. And I still commented I said, you know I do not know if it is such a good idea because this guy has got two bakkies and a cement mixer. I do not think – if you do that kind of construction for R300 million you use somebody decent. But there were numerous insurmountable issues with EIA's at SeaArk at this stage. So he deployed a whole lot of people from Bosasa down to SeaArk at Khuga to help build with that. That included the architects and all that type of thing. And he then bought the

company for R15 million.

ADV PAUL JOSEPH PRETORIUS SC: That is he bought Build All?

MR ANGELO AGRIZZI: Build All. So he bought Build All for R15 million. So the transaction was concluded and the payment was made and why I mentioned that he bought it was because it was very important that he controlled Arthur Kotzen and Fred Allibone as well. So one day I was actually driving in the car with Gavin – so every time we drove around I would drive the car and at that stage he had a Porsche Cayenne and I enjoyed driving the car because I could go fast with it and all that type of thing. And on the car he was speaker phone with Arthur Kotzen. And I knew it was Arthur Kotzen
10 because it shows on the dial who you on the line with. And he was just saying to him, just listen here just go ahead and revamp the guy's house, just do it. And you know Arthur was saying ja but how do we cover it and he says just pay it, just sort it out. When I started asking questions on whose house they were revamping Gavin just said to me he said, listen stop your fishing alright and just focus on your driving. It is an old friend that he is looking after. Alright.

ADV PAUL JOSEPH PRETORIUS SC: Did you learn who this person was?

MR ANGELO AGRIZZI: Yes. It was a gentleman by the name Twabo Ndube.

ADV PAUL JOSEPH PRETORIUS SC: Is that the person mentioned in paragraph
100?

20 **MR ANGELO AGRIZZI:** That is correct. And it was something to do with the EIA's and SeaArk and his involvement and his association with the people down in Port Elizabeth.

ADV PAUL JOSEPH PRETORIUS SC: Did you find out what position was held by Mr Ndube?

MR ANGELO AGRIZZI: I did a search I was curious and I did a search and I think it was the MEC – he was a MEC of sorts based in Port Elizabeth.

CHAIRPERSON: And that name Twabo is that how it was not Thabo?

MR ANGELO AGRIZZI: That is how it was – that is how it was spelt on the – I remember the spelling.

CHAIRPERSON: On the business card or something?

MR ANGELO AGRIZZI: No, no on the screen.

CHAIRPERSON: On the screen?

MR ANGELO AGRIZZI: Of the cell phone thing of the car.

CHAIRPERSON: Okay. Okay.

MR ANGELO AGRIZZI: That is how it was spelt. Sorry that is not how it was spelt. It
10 is spelt like that I think I have got it on my cell phone that is how he spelt it because he
sent me the message number as well.

CHAIRPERSON: Yes. Okay.

ADV PAUL JOSEPH PRETORIUS SC: Then you mention SeaArk and its potential
uses for Bosasa in paragraph 102.

MR ANGELO AGRIZZI: Ja I was told SeaArk when it was operational that this was an
ideal model to be used to get international funding. So at one stage we had the
Chinese bank or somebody looking at it from China. We had so many visitors to
SeaArk it was unbelievable. I was not there. I was not – I had lost interest in this. I did
not want to get involved in it. But I was told – always told it was a game changer. Every
20 meeting we had this was a game changer and I am not involved with it because I am
obstropolous. So it was a big bone of contention. And ...

ADV PAUL JOSEPH PRETORIUS SC: Did you notice that payments were being
made?

MR ANGELO AGRIZZI: Ja.

ADV PAUL JOSEPH PRETORIUS SC: Through or from SeaArk?

MR ANGELO AGRIZZI: Chair there was an incident that kept occurring and it was R1 million a month that was going out of the country to a company called SRI if I remember correctly. It was – it is not – sorry it has just come to me now it is not Kevin Wills it is David K Wills, David Kevin Wills. Sorry that is my mistake I just need to correct that on the thing. It is David Kevin Wills. That is a typing error. Sorry Chair I just want to correct that.

ADV PAUL JOSEPH PRETORIUS SC: Let us go back to the payments made offshore.

MR ANGELO AGRIZZI: So these were...

ADV PAUL JOSEPH PRETORIUS SC: Deal with that paragraph 102.

10 **MR ANGELO AGRIZZI:** So there was a bulk payment that was made to the value of about R35 million. But then there was payments every single month of R700 000.00 to R1 million. I cannot recall the exact amount it was. It was not the exact R700 000,00 or a R1 million it was an in between that. It was R752 000,00 or something like that. That is why I have used 700. And these payments would continuously go out and it was draining all the profits of the company. Between the construction and these payments I mean it was ridiculous. So I started making queries. I started querying these things because I thought you know I have got a responsibility towards the people in the company and the company as well. We cannot just be maverick with our money. And I was told, no, no Gavin owns 51% of SRI Shrimp something.- Resource.

20 **ADV PAUL JOSEPH PRETORIUS SC:** What did you believe about the SRI?

MR ANGELO AGRIZZI: Sorry?

ADV PAUL JOSEPH PRETORIUS SC: Did you have any view about SRI?

MR ANGELO AGRIZZI: I – my opinion was that this was a scam because why would you want to invest in a company offshore and have to go through the rigmarole when at that stage South Africa was actually doing very well. So you would rather get money in

to run the project than push money out. And it was a debate that I would have quite often.

ADV PAUL JOSEPH PRETORIUS SC: Alright perhaps that is a matter for further investigation.

MR ANGELO AGRIZZI: Well I can tell you that I actually at one stage when everything went south and I then asked Brian Biebuyck to trace SRI and to go legally after SRI and see where the money is when we can get it back. And I was told just leave it by Gavin Watson, just do not touch it, just leave it.

ADV PAUL JOSEPH PRETORIUS SC: Alright. In paragraph 103 you refer to...

10 **MR ANGELO AGRIZZI:** Ja.

ADV PAUL JOSEPH PRETORIUS SC: Requests made of Fred Allibone, Arthur Kotzen,

MR ANGELO AGRIZZI: We had a conference.

ADV PAUL JOSEPH PRETORIUS SC: Who made those requests?

MR ANGELO AGRIZZI: We had a conference if I can explain the background? We had a conference at one of the resorts here in Magaliesburg I think it was Mount Grace Hotel with the whole company there and we had a conference and I was sitting having coffee with Arthur Kotzen and Fred Allibone and we were talking about fencing. Because he was tasked to put up a fence around Gavin Watson's house the beta fence
20 that we used. And I remember Fred Allibone was sitting there and Arthur said to me you must write that in the black book. He said don't forget to write something in the black book because Gavin had told him. And I said well what – are you also keeping black books? And Fred said to me, he said, ja that Gavin tasked him to write any expenses for Parliamentarians, politicians and that in their black book.

ADV PAUL JOSEPH PRETORIUS SC: Sorry just before you go on you mentioned

Parliamentarians or politicians.

MR ANGELO AGRIZZI: Sorry, politicians.

ADV PAUL JOSEPH PRETORIUS SC: Politicians. In which area?

MR ANGELO AGRIZZI: I cannot recall the area itself.

ADV PAUL JOSEPH PRETORIUS SC: Where were Allibone and Kotzen active?

MR ANGELO AGRIZZI: Oh they were in Port Elizabeth.

ADV PAUL JOSEPH PRETORIUS SC: So where would these politicians be?

MR ANGELO AGRIZZI: Well they would be in Port Elizabeth. Well that is an assumption that they were for them.

10 **ADV PAUL JOSEPH PRETORIUS SC:** Right and then paragraph 104 to 107 you deal with

MR ANGELO AGRIZZI: Ja.

ADV PAUL JOSEPH PRETORIUS SC: A direction to destroy evidence. You have already told the Chair about that.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Is there anything new?

20 **MR ANGELO AGRIZZI:** No Chair I am hoping that – the just one issue for the investigations team or the Hawks if they pick up on this. There is a chap by the name Gerhard who is the son-in-law to Arthur Kotzen, the computers are with him and the records are with him.

ADV PAUL JOSEPH PRETORIUS SC: Now this occurred and this was not made clear earlier during the time that the SIU were conducting search and seizure operations at Bosasa before 2010.

MR ANGELO AGRIZZI: That is correct ja.

ADV PAUL JOSEPH PRETORIUS SC: And at that time I understand that there was an

instruction to collect the computers and to bury them at the SeaArk site. Which computers are being referred to here?

MR ANGELO AGRIZZI: Those are Danny Mansells' computers for Grand 4 and L and J Civils.

ADV PAUL JOSEPH PRETORIUS SC: Right. And you have described the role that these companies played in relation to construction of houses and provision of other benefits?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: As an inter – as intermediary companies
10 between the recipients of the benefits and Bosasa?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: The instruction was given to collect those computers and to bury them at Khuga SeaArk site at Khuga?

MR ANGELO AGRIZZI: Yes that was done.

ADV PAUL JOSEPH PRETORIUS SC: Right. And I understand from your evidence that that was not actually ever done?

MR ANGELO AGRIZZI: No, no it was buried.

ADV PAUL JOSEPH PRETORIUS SC: It was buried?

MR ANGELO AGRIZZI: Yes.

20 **ADV PAUL JOSEPH PRETORIUS SC:** Okay.

MR ANGELO AGRIZZI: Then it was dug up. Andries Van Tonder...

ADV PAUL JOSEPH PRETORIUS SC: [indistinct] it was buried and then there was a further instruction to excavate the computers and burn them.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Right that was never done.

MR ANGELO AGRIZZI: No it was excavated but it was kept – what happened was Andries Van Tonder Chair was told to go and oversee this project. But Andries he was not interested much in [indistinct] as well I mean you know you got to go dig up things and go and burn them. So Gavin would often say to a person, go and check up on somebody. Go and – you go and you do this – you check that this person has got the computers out, they have dug them up and they have burnt them. And you be there and you supervise it. And Andries did not do it. It is very difficult sometimes if – it is as if you know a Cardinal says to a – I should stop using that. But if somebody says to your boss you know I want you – if you are reporting to a boss and you now go to the
10 boss and you say, I have come to check up that you have done the work for the boss. He is on the same level as you now it looks bad. So you kind of do not do it you know. You tell Gavin yes we will do it, we will do it and then you just tell him no, it is all sorted out. But the computers were never ever burnt. They were stored in the garage of the son-in-law of Arthur Kotzen.

ADV PAUL JOSEPH PRETORIUS SC: And we will deal with the related incident about which you have given

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Some evidence. Perhaps you will give more evidence after the short adjournment. Is this a convenient time Chair?

20 **CHAIRPERSON:** Yes before you do that I just want to get the name of the person with whom you said the computers are?

MR ANGELO AGRIZZI: His name is Gerhard I do not have his surname unfortunately.

CHAIRPERSON: Oh Gerhard.

MR ANGELO AGRIZZI: He married the daughter of Arthur Kotzen and he was involved in the construction business at SeaArk. Mr Fred Allibone will know exactly because

they are related. They are all inter-related.

CHAIRPERSON: Yes. Yes we will take the short adjournment and we will resume at half past eleven.

ADV PAUL JOSEPH PRETORIUS SC: Thank you.

CHAIRPERSON: We adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: You may proceed Mr Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: Thank you Chair. Mr Agrizzi you spoke
10 yesterday of a certain party recently going to Coega to excavate the SeaArk site to apparently look for something presumably these computers?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: And.

CHAIRPERSON: One second Mr Pretorius. Thank you. You may proceed.

ADV PAUL JOSEPH PRETORIUS SC: It may be important because it may relate to the quality and nature of the investigations currently being conducted and you will talk about your own arrest in due course. Are you prepared to tell the Chair what you know of who conducted this failed excavation?

MR ANGELO AGRIZZI: Chair I received a call and I think it was a message and I will
20 have to check if it was a message or a call, but from a lady who was in Port Elizabeth and I think the name was Angela Gillan I think if I am not mistaken. So I know to search on my computer or on my cellphone later, but I received a call to say do you know about the Hawks digging up and excavating the whole beach front and I said to her look I cannot talk at this stage. I do not want to discuss anything with anybody at this stage, but I thought it was apt to mention to the investigators that it is pointless they

are going to try and dig up because apparently they excavate and they saw there was some different type of soil where they excavated and they, it looked like it had been re-excavated and it had been excavated before they re-excavated it. So that is basically what was happening and.

ADV PAUL JOSEPH PRETORIUS SC: And.

MR ANGELO AGRIZZI: The concern I had is that why not come and talk, why not just pick up the phone. Phone me, I can give you all the information like I have done with the Commission. If you want me to I will even fly down there, because even with the; I just want to add it in, even with Fred Allibone Andries van Tonder I asked him and we
10 agreed that he flies down and goes and sees Fred Allibone to see if Fred Allibone will give us the document, the black, the book that they had and information with regards to the politicians houses. So we are trying to help like that and well he went down and then I received a message two days ago from Fred Allibone to say no, no the matter is sorted. He has given all the stuff to his attorneys. So that is, we got, but we are trying to help wherever we can.

ADV PAUL JOSEPH PRETORIUS SC: When would this failed excavation have taken place?

MR ANGELO AGRIZZI: It was about two/three weeks ago.

ADV PAUL JOSEPH PRETORIUS SC: Let us.

20 **CHAIRPERSON:** Sorry, again, but was your understanding that the book is still in existence?

MR ANGELO AGRIZZI: We went to find out, but he was very elusive.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: When Andries van Tonder spoke to him.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: It looked like he had been told not to meet with Andries.

CHAIRPERSON: Okay. Thank you.

ADV PAUL JOSEPH PRETORIUS SC: There are two separate issues.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: That we should clarify.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Buried at some stage in the sea sand.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: At SeaArk were computers?

10 **MR ANGELO AGRIZZI:** That is right. Grande Four and Allan J Civils.

ADV PAUL JOSEPH PRETORIUS SC: Yes. Those documents.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Those were then subsequently taken away and put in a garage as you said?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: Notwithstanding that fact of which you knew and could have given assistance the Hawks went to excavate again on that same site?

MR ANGELO AGRIZZI: Well we were told it was the Hawks by this person from the Herald.

20 **ADV PAUL JOSEPH PRETORIUS SC:** Yes. That may be a subject for further investigation.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: The black book kept by Allibone that is a different document?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: And that is the document that you say maybe with attorneys?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Right. Then if we can move on then to paragraph 108 and there you deal with Kgwerano Fleet and [indistinct] dealings with Bosasa. Please tell the Chair about that and you can follow the summary on pages 41 and 42.

MR ANGELO AGRIZZI: Okay.

ADV PAUL JOSEPH PRETORIUS SC: It would be sufficient.

10 **MR ANGELO AGRIZZI:** Alright. So Chair my dealings with the fleet management was really, I was involved as the Operations guy but I was not too involved in the actual business, but what happened was it was a joint venture between a chap by the name of Brian Gwebu, Itu Moraba and WesBank at that stage that had the contract with a company called Kgwerano Financial Services which then provided fleet management for the SMS Fleets to Government on an RT62 I think it was called the contract and that basically managed 15 000 vehicles for Government.

ADV PAUL JOSEPH PRETORIUS SC: Alright. SMS is Senior Management Service?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: So these would be vehicles driven by Senior
20 Government Officials?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: And you say that there was a joint venture between a Mr Moraba and a Mr Gwebu in a vehicle called Kgwerano?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Not a vehicle.

MR ANGELO AGRIZZI: With a WesBank at this stage.

ADV PAUL JOSEPH PRETORIUS SC: An entity called Kgwerano?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Right. That eventually came into the hands of Bosasa?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Just explain that please.

MR ANGELO AGRIZZI: That eventually Gavin Watson decided that he wanted to buy it and he bought the shares of Mr Moraba and Mr Gwebu. I think he paid R20 million
10 for the shares. It was a very good contract and at one stage it was, the reason why we had gone on an acquisition trail to buy other companies that were supposedly servicing that contract. So we bought those companies and eventually we got rid of them again because they were not actually servicing that contract and it was all a big farce, but I was not part of RT62 at all for the provision of the fleet management, the tender itself. At that stage Gavin had employed two accountants one by the name of Vicus Slade and the other one was Alan Chapman and they were appointed to run the RT62 contract as well as some other people as well, okay.

ADV PAUL JOSEPH PRETORIUS SC: Just to go back.

MR ANGELO AGRIZZI: Yes.

20 **ADV PAUL JOSEPH PRETORIUS SC:** Because we have digressed a little there was a tender.

MR ANGELO AGRIZZI: That is right.

ADV PAUL JOSEPH PRETORIUS SC: Issued by Government.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: For the provision of fleet vehicles and

management of fleet vehicles under the rubric of the National Department of Transport?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: And these were vehicles for Senior Government Officials?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Or members of the SMS, Senior Management Service?

MR ANGELO AGRIZZI: People who were entitled to get the subsidised vehicles.

ADV PAUL JOSEPH PRETORIUS SC: Okay. Then if you go to paragraph 112 please.

- 10 **MR ANGELO AGRIZZI:** I was told that the contract was awarded, the contract to Bosasa it should be Kgwerano, had been prearranged and actually was unlawful. I was openly told that. This was told to me by Papa Leshabane. At that stage Papa was not involved with Kgwerano but he had a major issue with Kgwerano. At that stage he told me as well that they were paying a chap by the name of [indistinct]. I do not know if that is spelt right.

ADV PAUL JOSEPH PRETORIUS SC: Just for the record Kgwerano is spelt K-G-W-E-R-A-N-O?

MR ANGELO AGRIZZI: That is correct. So there is no confusion there was Kgwerano Financial Services and Kgwerano Fleet Management. It was two different entities.

- 20 **ADV PAUL JOSEPH PRETORIUS SC:** And we are talking hereof?

MR ANGELO AGRIZZI: Kgwerano Financial Services, okay.

ADV PAUL JOSEPH PRETORIUS SC: Then tell the Chair please about the joint venture that was then created.

MR ANGELO AGRIZZI: Can I just explain the involvement of Brian Gwebu and Itu Moraba? Sorry.

ADV PAUL JOSEPH PRETORIUS SC: Yes please do.

MR ANGELO AGRIZZI: So Brian Gwebu and Itu Moraba, Alan Chapman, Vikus Slade they were responsible for Kgwerano. I took no responsibility or accountability for Kgwerano whatsoever. Only later on did we when we had to get rid of the other people and start running it properly ourselves otherwise we would have made major losses in the company. So at a later stage there was another new joint venture and that was called Phavis World which was basically for dignitaries like yourself when you go to Cape Town and you need to hire a vehicle. It had to go through Phavis World. That is what.

10 **ADV PAUL JOSEPH PRETORIUS SC:** P-H-A-V-I-S?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: W-O-R-L-D?

MR ANGELO AGRIZZI: Correct, yes. So it was a joint venture with Avis Fleet and Kgwerano, not Bosasa. Well you know Kgwerano/Bosasa was the same company. It really, they were interlinked. So this entity Phavis World was also awarded the fleet services tender to provide the rental vehicles to Avis dealership to deal with ministerial and people such as yourself that needed a hired vehicle whenever you flew around. I was not involved with the process right in the beginning, but I started realising that this joint venture was not working out and it was actually costing us as a company at that
20 stage and when I refer to us I am putting myself back in that time period. It was costing the company money. They were not collecting on time all that. So my suggestion was that as a company we exit out of this transaction, because it was a waste of time. So Gavin instructed me then to go and see Avis, a Mr Clive Els who I met then for the first time and requested that Bosasa be released from this joint venture. Alan Chapman had just left the employ of the joint venture and of Bosasa and of Kgwerano and

Brian Gwebu and Itu Moraba had left as well. So they were not there anymore. So I was told once again to go with Papa Leshabane and enter into discussions with Clive Els at Avis and a few meetings ensued. We held them at the Avis Offices. It is near Kempton Park and at a later stage a payment was made by Avis in excess of R23.5 million and the agreement was that this was supposedly the share, the Bosasa share in the joint venture, but the value of the shares were not that, because Avis had used another entity to make the profits in. So there was no profits in that company anyway. It was just liabilities.

ADV PAUL JOSEPH PRETORIUS SC: Sorry, just pause there.

10 **MR ANGELO AGRIZZI:** Yes.

ADV PAUL JOSEPH PRETORIUS SC: Let us summarise if we may.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Before we go on. There was a joint venture between Avis and Kgwerano?

MR ANGELO AGRIZZI: That is, well Phavis World was the joint venture, yes.

ADV PAUL JOSEPH PRETORIUS SC: And the joint venture was called Phavis World?

MR ANGELO AGRIZZI: That is right.

ADV PAUL JOSEPH PRETORIUS SC: Right. Kgwerano was linked to Bosasa?

MR ANGELO AGRIZZI: Correct.

20 **ADV PAUL JOSEPH PRETORIUS SC:** Right. In essence they were one and the same?

MR ANGELO AGRIZZI: My point exactly.

ADV PAUL JOSEPH PRETORIUS SC: The purpose of this joint venture was to provide rental vehicles to ministerial and Senior Government Officials?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: It was unsuccessful?

MR ANGELO AGRIZZI: You are 100 percent right.

ADV PAUL JOSEPH PRETORIUS SC: You were then ordered to dissolve this joint venture. Is that correct?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: Or to allow Avis to buy Bosasa out?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Right and then you deal with the terms of the buyout and how that occurred in paragraph 117.

10 **MR ANGELO AGRIZZI:** Well Avis agreed to it. Clive Els agreed to it. There was a lady by the name of Jacky who was there as well in the meeting. Sesinyi Seopela was in the meeting. Papa Leshabane was in the meeting and the agreement was very clear yes we will pay you R23.5 million, but we want you guys to make sure that this contract gets extended.

ADV PAUL JOSEPH PRETORIUS SC: Who said that?

MR ANGELO AGRIZZI: Clive Els.

ADV PAUL JOSEPH PRETORIUS SC: Right. So Avis said yes we will buy you, Bosasa, out of this?

MR ANGELO AGRIZZI: Yes.

20 **ADV PAUL JOSEPH PRETORIUS SC:** Joint venture.

MR ANGELO AGRIZZI: But.

ADV PAUL JOSEPH PRETORIUS SC: But we, Avis, want you to ensure that the contract is extended?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: The Government is extended?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Right. What was the value of in your estimation or to your knowledge of the Bosasa share in this joint venture?

MR ANGELO AGRIZZI: It is very difficult to give a value on it, but the value I would say at maximum, good will and everything was about maybe 18/R19 million if that.

ADV PAUL JOSEPH PRETORIUS SC: Right. Let us approach it another way. What was the amount paid by Avis for the Bosasa share in the joint venture?

MR ANGELO AGRIZZI: About R23.5 million. I remember the amount because they would only release the cheque once they had got the extension letter from the
10 Department of Transport.

ADV PAUL JOSEPH PRETORIUS SC: And what was that amount of R23.5 million intended to cover?

MR ANGELO AGRIZZI: That would cover Bosasa shareholding or whatever arrangement there was. As I said I was not integrally involved in the set up but I was involved in the dissolving of it. What it covered was Bosasa's contributions as a shareholder and there was an amount that was kept separate that would be used by Seopela and Leshabane to make sure that they get the extension.

ADV PAUL JOSEPH PRETORIUS SC: Right.

MR ANGELO AGRIZZI: So to answer your question there was an amount set aside for
20 gratification.

ADV PAUL JOSEPH PRETORIUS SC: In order to ensure the extension of the contract?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: And was the contract extended?

MR ANGELO AGRIZZI: Yes it was.

CHAIRPERSON: Why to Avis' knowledge as far as you know was it important for them to ask Bosasa to see to the extension of the contract when Bosasa was pulling out and why would they not think that they could get the extension themselves?

MR ANGELO AGRIZZI: Because Chair the influence that Bosasa had with Government was very high.

CHAIRPERSON: Was that know to Avis at the time as well?

MR ANGELO AGRIZZI: Most definitely.

CHAIRPERSON: Okay.

ADV PAUL JOSEPH PRETORIUS SC: Paragraph 118 and following, you deal with
10 certain further information regarding Ms Dudu Myeni. Could you tell the Chair about that please?

MR ANGELO AGRIZZI: I thought that it might be apt to add in some extra clarity points and one of my notices is that I first met Dudu Myeni at the Sheraton Hotel. I was well aware of the fact at all times that Gavin Watson had committed to paying the R300 000 in cash to Myeni for onward payment to "The Jacob Zuma Foundation". I mentioned earlier that I cannot understand why a foundation would receive cash. It is very risky, but it had to be cash. I am not aware of any time that it was paid in a cheque, but on occasions I would even have to pack the money and prepare it. This time Dudu Myeni was the Chair of the Jacob Zuma Foundation and then Chair I want to bring to the point
20 that subsequent to my testimony Dudu Myeni made a statement on the eNCA.

ADV PAUL JOSEPH PRETORIUS SC: This is your testimony in January?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Yes.

MR ANGELO AGRIZZI: Regarding meetings held at the Bosasa Offices and stated that she has only ever attended one official visit which was the visit of President Zuma

at the stage to SeaArk and where he spent four hours on the Bosasa Campus with Gavin Watson and the rest of the directorate. This is not true. There were meetings held on a few occasions at the Bosasa Offices. One such meeting was regarding a fracking transaction.

ADV PAUL JOSEPH PRETORIUS SC: You have testified about that?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: In January?

MR ANGELO AGRIZZI: Correct. So there are two meetings and a further meeting took place after a meeting held in the conference venue. So the meeting, the third
10 meeting, took place not at the offices, but I was called to a meeting held at the Intercontinental, I think it is the Sheraton Hotel at O R Tambo Airport. A meeting took place there in a conference venue. In a room where they have a conference layout. There were snacks and everything provided to us. When we met she had arranged the meeting where we were going to meet with the then CEO Nico Bezuidenhout of SAA. At the meeting what was discussed; pre the meeting was a tender that had gone in for security services and she also wanted to look at the opportunity of taking over that security contract as well as the catering contracts for South African Airways. Now just to give you some [intervenes].

CHAIRPERSON: So all in all that is about how many meetings at different venues/

20 **MR ANGELO AGRIZZI:** So it was, four meetings.

CHAIRPERSON: Four meetings?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Which you attended?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Yes, okay.

ADV PAUL JOSEPH PRETORIUS SC: And then you recall.

MR ANGELO AGRIZZI: If I can give the Chair a little bit of information to.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: The catering contract and the.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Security contract, I realise this was going south. It was not going a good way and I painted a picture to Gavin Watson that I do not even want to look at it, because I said to him there is no money in it.

CHAIRPERSON: Yes.

10 **MR ANGELO AGRIZZI:** Alright. I said there is just, there is no money in it. Let us rather leave it.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And funny enough he agreed.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Hm.

CHAIRPERSON: But what was your real reason? I understand that was not your real reason.

MR ANGELO AGRIZZI: Chair it was not the real reason. The real reason was I wanted to stay as far away as I could from SAA and Dudu Myeni.

20 **CHAIRPERSON:** Hm.

MR ANGELO AGRIZZI: And the foundation and all that.

CHAIRPERSON: Hm.

ADV PAUL JOSEPH PRETORIUS SC:

MR ANGELO AGRIZZI: It was; we would get ourselves, personally I did not want to get involved in it. I just did not want to touch it.

CHAIRPERSON: Hm, okay.

MR ANGELO AGRIZZI: I did not say that to Gavin. I just said to him to look it is not a feasible contract.

CHAIRPERSON: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Deal with the incident in paragraph 121 please.

MR ANGELO AGRIZZI: Alright. In August 2016 my wife and I were on route from O R Tambo on an SAA flight to King Shaka Airport. I think it is King Shaka in KZN. We were going on a bit of a break. I had resigned and my phone had been off and I was just taking a break. There were two old people who I look after in KZN and I said to my
10 wife let us go down and see them and take a break for three/four days. I am away from everybody. Let the fresh air of the sea clear my mind. So I was seated and I remember as you walk into the aircraft on the left hand side you get row one then you get row two and we were seated in row two on seats I think it is D, E and F. Alright, so there was a space between myself and my wife and the next minute Dudu Myeni walked in and she sat in row one right next to the window. I was also seated next to the window and she turned around and she.

CHAIRPERSON: So immediately behind her?

MR ANGELO AGRIZZI: She saw me when she walked in. She recognised me.

CHAIRPERSON: Yes, but in terms of seating.

20 **MR ANGELO AGRIZZI:** Yes.

CHAIRPERSON: I am saying you were seated immediately behind her?

MR ANGELO AGRIZZI: Directly behind her.

CHAIRPERSON: Yes, okay.

MR ANGELO AGRIZZI: Okay and she turned around and greeted me and my wife. I introduced her. I said this is my wife, but I was very aloof. You know, already now I

thought now this is a conspiracy plan, because I am in the plane and I have just resigned how come this is happening. So I did not want to say anything or do anything, you know, because I did not want also I do not want to talk negative but I was aloof with her and then she asked me straight out, she asked me what is wrong with you. I said no, look I do not want to talk. She did not know I had resigned and then I said to her I said you know I have resigned. She asked me how Gavin Watson is. I said I do not know I have resigned. So perhaps that is what she is referring to. So that was the fifth meeting.

CHAIRPERSON: Yes.

- 10 **ADV PAUL JOSEPH PRETORIUS SC:** Just for the record Chair I am told that the evidence in the first statement of Mr Agrizzi regarding Ms Myeni is dealt with in paragraphs 41 and 42 of that statement. Can we then go onto paragraph 122 where you deal with matters relating to Gavin Watson?

- MR ANGELO AGRIZZI:** Chair to the best of my recollection these are some of the occasions when I was personally present when there were bribes witnessed, taking place, gratification taking place with various members of the ruling party and various departments within the Government. He always made it clear to me that the connections that were made were to ensure constant flow of tenders and business that would benefit Bosasa and the contracts would come and Gavin was Bosasa. He was, I
20 mean the pinnacle. He was the man. He was Bosasa. Every single newsletter you opened up, it was Gavin. Every single email that you received from Truth Online or WhatsOnline it was the brand, it was Gavin. Not anybody but all Gavin. So he had over the years built up these connections with the various ANC politicians and the main decision makers relating to the awarding of these tenders to Bosasa. He had the contacts. He had the people. He was the Godfather as they called him. Even his

nephews called him the Godfather. He was the Godfather of Bosasa. Everything went through him. He made decisions on everything. What amounts were paid out, he controlled the cash. Gavin himself decided on the decisions on who would get what. Even in salaries and wages, he would decide who would get what. He would like somebody who was working in a kitchen and say no, no that guy must get an increase or he must get R1 000 extra. He just did it. So he made those decisions. He made the decisions on firing people. There are many times I had to fire people that I did not feel comfortable, but he had made the decision. Sometimes I would just transfer the person from head office to somewhere else so he did not know, because I did not have

10 grounds to fire the person. I also wish to state further there are some of the occasions when I was personally present when the corruption took place within various members of the, it is a duplication sorry. There is a duplication sorry. I will just carry, I will just talk. During my employment throughout all the years Gavin was in control and he acted in concert with the fellow Directors. So the Directors we had were his people. They basically, everything Gavin said went. They always said yes. If there was one person who used to argue and debate and everybody will tell you that if you ask them and they come and give testimony ask them who would debate. It would be me. I would often engage in debates. When it came to dealing with people, when it came to how you handle people I would debate to a point, but I knew that I was cutting it very fine and I

20 had to always maintain that respect level otherwise I would fall short, but I could debate to a point.

ADV PAUL JOSEPH PRETORIUS SC: You make comments of a general nature in paragraph 123. Much of it is a summary of what you have said before in your evidence both in January and yesterday and today.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: You deal in more detail with specific incidents at paragraph 124 and following. Are you happy to go there or do you wish to say more before you get to paragraph 124?

MR ANGELO AGRIZZI: I just want to mention one thing and one of the things are prepayments of contracts. So that is one thing that Gavin has to guard against, because if we take some of the contracts that we did by having these gratifications you get paid up front hundreds of thousands, hundreds of millions of Rand. One of them was Phezulu Fencing where I think without delivering anything we had been paid R500 million and it is still happening in Government today. So it is a concern I just want to
10 raise that you know one needs to be very careful about that.

CHAIRPERSON: Would the contracts have provided for that kind of prepayment normally?

MR ANGELO AGRIZZI: Chair there is no reason why a contract.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Should provide for prepayment.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And if it was provided for it was always because somebody said.

CHAIRPERSON: [Intervenes].

20 **MR ANGELO AGRIZZI:** Listen by the way we will organise a prepayment.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: This is what you need to do.

CHAIRPERSON: Hm, but normally to your understanding. It would not be provided for in any contract. It would be arrangements that were made outside of the contract?

MR ANGELO AGRIZZI: Normally, unless special arrangements were made.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: With the person.

CHAIRPERSON: Ja.

MR ANGELO AGRIZZI: And whenever there is prepayments you know there is something fishy.

CHAIRPERSON: And you say you know that to the extent that Bosasa may still be having contracts with Government departments you say those prepayments have not stopped?

MR ANGELO AGRIZZI: I can talk about two occasions. One is Phezulu one is
10 Sondolo three, one is one of the youth centres where they did prepayments.

CHAIRPERSON: Yes, before any delivery was.

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Effected, ja.

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Okay, thank you.

MR ANGELO AGRIZZI: Sorry.

ADV PAUL JOSEPH PRETORIUS SC: Would you deal with the incidents in paragraph
124 and following please Mr Agrizzi?

MR ANGELO AGRIZZI: Chair the first time I was privy to seeing cash being paid
20 directly to Mti was when I attended the first visit to Mti's house and it is in a complex called Savannah Hills 101. I remember that, because you would have to tell security where you were going where Gavin paid him openly in front of me. It was not a secret. He just did it in front of me and I remember vividly if you walk through the house you always walk through the garage. There was a study on the right hand side. We went into the study. The study had a sliding side with a curtain. You move the curtain, the

safe was there and he would open up the safe with a key. It was a key safe not electronic and he would pack the money in there.

CHAIRPERSON:

ADV PAUL JOSEPH PRETORIUS SC: What was the amount on that occasion?

MR ANGELO AGRIZZI: R65 000.

ADV PAUL JOSEPH PRETORIUS SC: Sorry.

MR ANGELO AGRIZZI: R65 000

ADV PAUL JOSEPH PRETORIUS SC: 65 000, right and paragraph 125 you testify further as to factual evidence.

- 10 **MR ANGELO AGRIZZI:** Yes. There was a second occasion that I saw it which was when we met him in the restaurant called, now I am not too sure because I do not normally go to this restaurant. It was either Godfather or Godfather, but it in Rivonia. It is just off Rivonia Road. You turn on left. I was told to take, to meet Gavin there and you know we were there and we walked in and Mti was there and Gavin says no, I usually come here and this is where I meet with Mti and we had lunch. They had had, if I recall they had had lunch already and I just had a snack when I got there and I remember that they vividly, because when we were at the restaurant they were still doing renovations or they were busy working on renovations there and at the same time and it is not in my statement, but I was told to make a phone call. So the investigators
- 20 would be able to check my old records. I was told to make a phone call to a certain gentleman who I would call and it was because he had made statements about Bosasa that had been reported to Gavin Watson and upset Gavin and he told me immediately when I got there, phone this person tell him to stop his nonsense, so I know the person and I will give the records to the investigators, to corroborate the information I'm giving you.

CHAIRPERSON: Yes, yes.

MR ANGELO AGRIZZI: But basically it was I can't remember the exact day, but on that – it was a Friday afternoon he didn't have a uniform on and his car, which was a greyish metallic car (indistinct) was parked down – on the outside of the restaurant on the road and Watson's car was parked on the other side and while they were saying goodbye and that he opened his boot remotely...(intervention)

CHAIRPERSON: He being?

MR ANGELO AGRIZZI: Mti.

CHAIRPERSON: Yes.

- 10 **MR ANGELO AGRIZZI:** He opened his boot remotely and Gavin then took his briefcase out of his car's boot and he walked to the car and he – I remember he lifted up a brown satchel that had, like a crocodile print on it, it was normal, like a briefcase satchel, brown one with a crocodile type print on it and Gavin took the money out of his bag and put it into his back and then closed Mti's Touareg boot.

CHAIRPERSON: So this time it wasn't a security bag that was used?

MR ANGELO AGRIZZI: No it was a security bag.

CHAIRPERSON: It was a security bag.

MR ANGELO AGRIZZI: Ja it was a full security bag, it was bigger than normal.

CHAIRPERSON: Yes, do you estimate that the amount...(intervention)

- 20 **MR ANGELO AGRIZZI:** I estimated it because it was close proximity, I estimated it at about 150.

CHAIRPERSON: R150 000.

MR ANGELO AGRIZZI: R150 000 yes.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: But it was eye opening to me because it was done in broad

daylight.

CHAIRPERSON: Yes, thank you.

ADV PAUL JOSEPH PRETORIUS SC: And then at paragraph 127 you talk about activities in Gavin Watson's vault.

MR ANGELO AGRIZZI: There were occasions where Gavin would call me to his vault when he was packing the cash, very similar to what you saw on the video but he would specifically count out the amounts for Mti and others and say to me to keep it with me till the morning. So he would give it to me, I would have to lock it in the boot of my car and the next morning I knew I would have to meet him at seven thirty or 7 o'clock at
10 the gates of Savanna Hills which was the complex where Mti was and I would always - well I would always be there early and he would arrive and then I would drive through the gate with him. So when we arrived at his house, I mean, this is how flippant it was, the one garage door would be open and you would walk through the garage door, there was always golf equipment and shoes and everything on the side, walk through the door and you'd go to the study and we would just wait there and then he would come down. There was a lady, a domestic that he had there all the years called, Vuyi, I even know her name, Vuyelwa was the domestic's name and she would bring us a tray with some coffee cups and coffee and hot water and that's how it happened and then every
20 time I'd have to take the bag out of the boot of the car and then go through and he would put the bag on his desk, he would unpack it and he was – and it would be packed in the safe.

ADV PAUL JOSEPH PRETORIUS SC: Before you go on to paragraph 130 the Chair will recall that video played of Gavin Watson and others in his vault where cash appeared to have been packed out. Was that, to your knowledge, a regular occurrence or a once-off occurrence?

MR ANGELO AGRIZZI: No these were monthly occurrences. I just want to add something you know I recall now, this must have been about 2010 because it was with the 2010 world games and I still remember he had a lot of memorabilia there and I said to him, come on give me some of your memorabilia, so he gave me a set of coins that were minted, I don't think the value is much but just so that I declared it now. So I remember it was about 2010...(intervention).

ADV PAUL JOSEPH PRETORIUS SC: Who gave you these coins?

MR ANGELO AGRIZZI: Mti.

ADV PAUL JOSEPH PRETORIUS SC: Do you still have them?

10 **MR ANGELO AGRIZZI:** No I gave them away, I thought they were gold they weren't.

ADV PAUL JOSEPH PRETORIUS SC: Paragraph 130 would you just deal briefly with it.

MR ANGELO AGRIZZI: So Mti was an avid golfer he would always spend time on the golf course – I did I thought they were gold Chair.

CHAIRPERSON: (Laughter)

MR ANGELO AGRIZZI: Sorry I detracted there, so Mti was an avid golfer and he would – he'd love his golf he was always on the golf course he always was with people and he played golf with some of the people in corrections and, you know, things start coming back now to me but I remember walking in one morning and Gavin says to me,
20 he says, all this I paid for all the golf clubs and he said look here's even a special one that was made specifically for him. Now I'm not a golfer but I believe he had to go to the pro shop and they have like a bespoke section where they make golf clubs as well and you practice and he explained the whole thing to me and they made it according to him as well. So that I recall that all the golf clubs had been bought and as I said to the investigators an easy analysis is to take an analysis of all the credit cards of Gavin

Watson, he's not a golfer and you'll see the golf clubs have been paid by Bosasa all the credit cards that he owns are credit cards paid for by Bosasa, so Bosasa would have reflected with making payments for the golf clubs but there were various other incidents Chair. There was once incident where there's a clothing shop in Sandton, I'm not going to mention the names well it's up to the advocate if I must...(intervention)

ADV PAUL JOSEPH PRETORIUS SC: It's in your statement as public knowledge.

MR ANGELO AGRIZZI: So there's a – I was taken to a shop and I was told there's account here, just get them paid please and it's a little shop called Greys in Sandton City and I remember it vividly because you go up the escalator coming from the square
10 side – I don't shop there personally but you go up the escalator and it's on the left-hand or the right-hand side, one of the two, it's a bit confusing but I remember going into the shop and having to get the slips and then having to get them paid and there's a short Xhosa speaking man there that he only dealt with the Watson's and with Mti and I remember one day as well just going in there and I thought let me have a look and buy a pair of – I actually was going in there, sorry, to buy a shirt for Gavin Watson for his birthday present from the company and I walked in there and the short gentleman said to me, oh by the way when is Mti coming back because there's a sports jacket which I altered for him, a Boss sports jacket. So if the investigators go there, they will pick up all these records and Gavin Watson's size – Mti is my size so you'd be able to
20 differentiate on the sizes bought. There was another incident where I went – I was down in December, I used to go look at – visit the old people down there and I was – I got a call from Mti which was strange that I got the call in December and I thought, ag Gavin must have his phone off so he asked me where I was and I said, no I'm in Umhlanga and at that stage I was at the shopping centre at Umhlanga I was having, I think a lunch or something with my family and he says oh meet me I've just found a

nice shop here in Umhlanga and it was up the road. So I said alright well – I wasn't about to debate or not and he went to specifically a rescue shop. It's a shoe shop that imports Italian shoes, and I know the shop because I, once or twice have been in the shop and I've spoken to the lady there and it's got a nice heritage because they make shoes for the Pope. So that's why I went in there and, you know, I bought one or two pairs for myself but they're very expensive shoes and he'd found two pairs of shoes that he really liked and I phoned Gavin – I walked outside quickly and phoned Gavin and he said sort it out and it was R19 000 for the two pairs of shoes and I paid for it and – well my credit card wouldn't take any more so that was maxed out then he just said

10 use your Bosasa credit card and just pay for it.

So you'll see these type of things on my credit card slips. Then unfortunately my statement doesn't run chronologically but I see there when – ja this is important because when Mti resigned from Correctional services Gavin Watson – I was sitting with Doc Smith at the time, Gavin Watson came in and he said he's just gone through Mti's new employment contract the 2010 FIFA World organising committee and he wanted Doc to have a look at it, he was very proud of the matter and a few weeks later then Sondolo IT was appointed...(intervention).

CHAIRPERSON: I'm sorry Mr Agrizzi, my recollection from either your previous evidence of the evidence of other witnesses – I think your evidence, my recollection is
20 that you said Mti left Correctional Services, I think end of 2007.

MR ANGELO AGRIZZI: I think it was 2007/2008.

CHAIRPERSON: And the world cup was in 2010.

MR ANGELO AGRIZZI: That's correct.

CHAIRPERSON: So in the light of that, I wonder if that first sentence is correct to say when Mti resigned as the Commissioner of the Department of Correctional Services,

you recall Gavin Watson coming to me to say he had just gone through Mti's new employment contract with the 2010 FIFA organising committee.

MR ANGELO AGRIZZI: Chair I remember it was before the 2010 world cup because he was appointed into the organising committee.

CHAIRPERSON: Oh much earlier?

MR ANGELO AGRIZZI: Yes and I'll tell you why I know that for a fact is because I assisted him drafting the security plan for the world cup.

CHAIRPERSON: Because the organising committee of course existed much earlier.

MR ANGELO AGRIZZI: Yes.

10 **CHAIRPERSON:** Okay.

MR ANGELO AGRIZZI: And I remember it because I had to – I was called to a meeting where I had to draft the security plan for the world cup with Mti and I – he still complimented me because he got a standing ovation in Switzerland, I think where he presented it.

CHAIRPERSON: Yes and who go the standing ovation?

MR ANGELO AGRIZZI: Mti got it, I did the work, I did all the paperwork, I had to do it, I was instructed to do it by Gavin, so I did the presentation for him and the – I still might have a copy of it. So a few weeks later after this appointment, then Sondolo IT was appointed to set up the bi-metric and access control systems for the organising
20 committee offices. So I remember because it was a problem a minute, there was no tender or anything like that but it was a major problem because I remember that we had a major – Danny Jordaan would have to go and get in and his bi-metrics wouldn't always work so there was a constant running up and down to sort it out so I remember it vividly as well.

CHAIRPERSON: Wasn't Mr Mti's involvement with the world cup organising committee

on the basis of him being employed as such or was he bringing in a business that he was going to get some business – I don't have the tenders but – or you don't know?

MR ANGELO AGRIZZI: I think the pressure was too much in the press and with the SIU report had come out in 2009 that maybe that was the intention, I don't know but there was no – he was working for them.

CHAIRPERSON: Ja.

MR ANGELO AGRIZZI: So he was working for Danny Jordaan.

CHAIRPERSON: Okay thank you.

MR ANGELO AGRIZZI: And then after 2010 Mti had one meeting with Gavin Watson,
10 myself was very concerned because of the SIU reports and he had to show some sort of income into his bank accounts. So – and this Chair is where this whole thing goes really bad because now, like with my son, now I've got to involve my brother. So Gavin Watson says to me, oh but your brother's got a business you must put Mti there.

ADV PAUL JOSEPH PRETORIUS SC: What was Mti's request?

MR ANGELO AGRIZZI: Well his request was that he gets employed by a company.

CHAIRPERSON: Was he out of the organising committee...(intervention).

MR ANGELO AGRIZZI: Yes he had just left the organising committee, it was about six month, eight months, so it was 2011 probably.

CHAIRPERSON: Oh okay oh so after the world cup?

20 **MR ANGELO AGRIZZI:** Yes.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So I was duped into this thing and I took him to my brother and my brother is – literally we raised - I raised him, my parents died when we were very young so – he stayed with me and went through schooling and that. So the problem is that now I was kind of in a stick because I'm going to try and please the two

gentlemen here and I've got to – and I know my brother is not going to be happy with me because he's straight down the line and he's going to be upset. So Mti went and had a look at the place and I took him there I said, well...(intervention).

ADV PAUL JOSEPH PRETORIUS SC: This is your brother's place?

MR ANGELO AGRIZZI: Yes it's a small – at that stage it was a small business he started with a bit of help from me, well he actually started by himself and then I helped him grow it and it was a small business in the manufacturing – and he wasn't happy with me at all and Mti just said, no, no I want to buy a part of this business and he wrote out two cheques to make it look authentic and Gavin was on my back to say here you
10 must help him out you know and your brother needs BEE to grow and all this and my brother wasn't interested, I don't even know if he cashed the cheques, I don't think he did but Gavin was very concerned that he had to keep Mti (indistinct) him all these people content because the SIU report had come out and everybody was very jittery and they knew – and Gavin knew that if Mti and Gillingham turn on him then – I mean I could turn on him he wasn't worried about me turning but if Mti and Gillingham turned on him then he would be caught out as the main architect of everything. So he was very pressurised to keep them happy and content so he would do anything to make them happy. So at a later stage then I had to arrange a meeting with Mti and the attorney to reassure Mti that the process was under control and that he would be
20 protected. So it was at that specific meeting that Mti explained as well, to the attorney Brian Biebuyck that he was told by Nomgcobo Jiba to do a letter regarding the representation regarding the accused and why prosecution should not take place. So if you recall that letter that I had the document and handwritten notes I had made copies of that and given the originals to him – to Brian Biebuyck and he then sat in that meeting and explained the set-up of how this thing must happen to Brian Biebuyck and

based on that a letter was drafted. Now I'm trying to get a copy of the letter as well that was drafted and that was after consultation but it was at that specific meeting as well that Mti said he had met with the lady and that's what happened. So a further meeting then took place which was – Gavin insisted on it, my brother's new premises because he had moved premises he had grown and I had helped him get another premises which was attended by Gavin Watson and Mti as well as myself and where Gavin tried to coerce my brother into taking on Richmond Mti again but my brother, understanding the predicament I was in, I was sitting there, I had this looming case where I'm mentioned as the CEO in the SIU report and my brother knew about it because we're
10 open with each other and he just skirted the issue until we left and then I've made other testimony in the previous affidavit, I think, where I state that a payment needed to go to Mti but it had to go through my brother's company and after one or two he said that's it, he's not doing this anymore for nobody, not even for me.

I testified already regarding the documents I received from the MPA and I handed those with the handwritten note, the originals to Brian Biebuyck. Brian Biebuyck then sought advice on the matter, Brian then produced a lengthy document addressed to the NDPP it was dated the 28th of September 2010. I recall that date...(intervention).

ADV PAUL JOSEPH PRETORIUS SC: NDDP should be NDPP?

20 **MR ANGELO AGRIZZI:** Ag sorry.

ADV PAUL JOSEPH PRETORIUS SC: No just for the record.

MR ANGELO AGRIZZI: Sorry my apologies.

ADV PAUL JOSEPH PRETORIUS SC: Carry on.

MR ANGELO AGRIZZI: This information, this representation made was pursuant to the meeting with Mti – sorry Chair am I talking loud enough?

CHAIRPERSON: No, no I can hear you.

MR ANGELO AGRIZZI: Okay, no I was just told that I'm not talking loud enough, so this document was pursuant to the meeting with Brian Biebuyck and pursuant to them getting the documents from advocate Jiba that Richmond Mti had provided that and advocate Jiba, in the meeting he had with Jackie Lapinka who was the secretary of advocate Lawrence Mrewbi who was the head of the special commercial crimes unit and it was basically, on that premise that I was constantly reminded that there's no purpose in me whistleblowing by Brian Biebuyck, I would be told, if you want to go through that route my boy, you're going to get nowhere and I was constantly, every day

10 I met and I mentioned it, I was reminded that, don't even think of it there's no protection for you. So there were several meetings also conducted with Gavin and Valence Watson, sometimes with Ronnie Watson as well and Kevin Wakeford as well where I was basically told – and this was at the 2009/2010 period 2011, where I was basically told – so there were meetings held where I was told, listen, this is a pact, you break that pact you're on your own and we'll deal with you and that's probably why I'm getting threats at the moment but the fact is these meetings did take place and I can recall on two occasions at the Michael Angelo, that was the favourite spot at one stage, next to Piccolo Mondo restaurant, there's a lounge area with a water – with the fish in it and the meetings would take place there and I remember one occasion there was that pastor

20 Benny Hinn was having a big conference here, so those are the timelines that I can refer to and on another occasion Morgan Freeman was in the country and he was staying there as well I think – well he was there and he was acting in a role of a movie that they were making but I remember those vividly and those meetings, we were told, listen if you do not stick to this story we are telling you now we'll sort you out and it concerned me, that's why I stuck. There was also numerous meeting that were taking

place that would take place at the residence of Mr Valence Watson, he was living up here, I don't know why he had a house here in Morningside with his sons and occasionally Kevin Wakeford would be called into those meetings as well. Kevin was always seen as a strategist of the Watsons.

Sometimes I'd get a call to say, meet us at Tasha's in Morningside. If you go to Tasha's there they had their own table there, I suppose it was their table, right on the end on the left-hand side towards the back and I would have to have breakfast with them there. On occasions Sesinyi Seopela would be there as well and the reason he was there, he knew the Watsons well, he knew Valence Watson he went to gym with
 10 the kids it even got to the stage where Gavin would buy him supplements and gym stuff and all that – all the vitamins and powders and all that stuff that they drink when they got to gym, I wouldn't know as you can see.

ADV PAUL JOSEPH PRETORIUS SC: Mr Agrizzi much of the evidence in paragraph 144 to 149 has already been touched on by you, either in your evidence in January or yesterday and today, is there anything in those paragraphs you would like to emphasise before we move on to paragraph 150?

MR ANGELO AGRIZZI: The one thing I think that's important is that myself, Andries van Tonder, Frans Voster and even Carlos Bonefacio we warned – not so much Carlos that Gavin Watson had seen a photo of the dockets that it was pursuant to the meeting
 20 he had with the ex-President Zuma at Nkandla and with Joe Gumede and the discussions that Joe Gumede had, had with the Hawks, I just want to re-emphasise that and he said he's name is not on there and you better tow the line or else you're on your own and that's what's happened – sorry advocate Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: Perhaps you should just mention the roles that had been allocated to various persons in terms of what you've referred to as the

Watson pact paragraph 149.

MR ANGELO AGRIZZI: So this pact Chair was started and there were roles defined, so Gavin defined the roles, he would handle anything political we were not to get involved with it, he would caucus he would work with Sesinyi Seopela and Richmond Mti and that's how they would Caucus it because Seopela is very influential in the MPA and the Hawks and all that, so they would work that. In terms of the finances, getting bonds, getting any – dealing with the banks, Andries van Tonder was responsible for that but one thing that Gavin insisted on is that when you go and see FNB who was the bankers, if you go and see them, because they would always raise queries, you take
10 Kevin with you and you play this as a political attack on a BEE company and Kevin was a master at doing that, I mean, he had written all these books and he's a very intelligent man so when he came into the meeting, the banks sat and listened. So that would often secure their confidence in the process whenever there was negativity and of course when he wrote the book, The Assault on the Rand, everybody sits up and listens when the man walks into the room. I would have to deal with the – make sure the operational business runs well so that no one can ever say we did a bad thing operationally so the business itself had to run well, the food had to be good, security service had to be good and all that but I also had to deal with the legal aspects, he did not want anybody else dealing with the – he didn't actually want his family knowing
20 about it. At that stage Sonja Jonker was the attorney and she was best suited to handle the legal – he said no, you handle it I want you to deal with Brian Biebuyck directly and you handle all legal aspects with Brian Biebuyck and you report back to me on it. So that was the pact, my responsibilities as well was to make sure that Patrick Gillingham didn't jump ship and to make sure that Danny Mansell was kept happy overseas, that was given to me, I was told to do that.

ADV PAUL JOSEPH PRETORIUS SC: You may have dealt with it before, in fact I think you have, at least to some extent, but please deal with the evidence in paragraph 146.

MR ANGELO AGRIZZI: 146, sorry advocate?

ADV PAUL JOSEPH PRETORIUS SC: Paragraph 146.

MR ANGELO AGRIZZI: This is – whatever happened Chair, Gavin Watson would always – he wouldn't sign anything, so he never had an office he used to sit a lot in my office and Andries' office and he would sit in, I think Colleen Basonna's office, sometimes later on when he didn't trust us anymore but he wouldn't have a secretary, there was no secretary, Gavin Watson would not sign anything, nothing, nothing would
10 have his signature on, so he used to remind us, he used to say to us, you know chaps, remember my signature appears nowhere, my name appears nowhere and he'd say – and this is what upset Andries van Tonder immensely that he refused to go to these prayer meetings. One morning he would say, he said you know, man if they arrest us we would be like Paul and Silas praising the Lord in prison, and I used to say to him, ja Paul and Silas okay but Paul and Silas and 48 others is where the problem is. So he thought it was a joke, he actually thought this whole thing would just not happen and he was oblivious to it, he said, I've got everything under control, I'm not worried.

ADV PAUL JOSEPH PRETORIUS SC: The extract concerning Paul and Silas you would have been aware of the context in which that statement was made by Gavin
20 Watson?

MR ANGELO AGRIZZI: Ja I was reminded.

ADV PAUL JOSEPH PRETORIUS SC: And when he said that you would be in prison together what did he mean.

MR ANGELO AGRIZZI: He said that you would praise the Lord, sing and then what happened to Paul and Silas is when they started singing and praising the Lord the

chains fell off and the walls fell – the doors opened isn't it?

ADV PAUL JOSEPH PRETORIUS SC: I'll trust to your knowledge the...

MR ANGELO AGRIZZI: I'm a good Catholic.

CHAIRPERSON: Well Mr Agrizzi I've heard from different witnesses, including yourself that Mr Gavin Watson did not have an office, did not have a secretary, whenever he was or he had to be at Bosasa, whose office did he use, how did he handle the situation of not having an office?

MR ANGELO AGRIZZI: He didn't like paper, he once told me that some ANC stalwart had taught him to remember everything, Chris Hani told him to remember everything.

10 Now I don't know if it's true or not but he said don't write anything down you must remember everything and he just didn't have an office, I mean, he would sit in my office, the only paper he had was the newspaper that he would read and he would sit in my office and people would come in and out of my office all the time and meet with him there or he would sit in the boardroom and people would go and meet with him there or he would have lunches and that type of thing, that's how he operated he didn't have an office and he was proud of it.

CHAIRPERSON: But – if I recall correctly he was the CEO isn't it?

MR ANGELO AGRIZZI: Yes.

20 **CHAIRPERSON:** That would suggest to me that he would be spending a lot of time in the company, in the premises.

MR ANGELO AGRIZZI: Well he spent time at the premises but normally at about eleven o'clock he would go out to his meetings.

CHAIRPERSON: Ja.

MR ANGELO AGRIZZI: So he would – he would go to meetings while I was there. He would go to meetings or he would walk around and go and sit in someone else's office

and that type of thing.

CHAIRPERSON: Ja.

MR ANGELO AGRIZZI: But there was an executive wing at Bosasa that was access controlled and that was where he would spend his time, in there.

CHAIRPERSON: Ja. And that was like what in a boardroom?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Like some empty office?

MR ANGELO AGRIZZI: Yes he would sit in a – there was no empty offices but he would sit in the boardroom.

10 **CHAIRPERSON**: Ja.

MR ANGELO AGRIZZI: Or he would come and sit in my office.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Or he would sit in Andries Van Tonder's office.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: When Tony Perry was there he would sit in Tony Perry's office quite a lot.

CHAIRPERSON: Yes. Okay thank you.

ADV PAUL JOSEPH PRETORIUS SC: You deal in paragraph 150 and following Mr Agrizzi with...

20 **MR ANGELO AGRIZZI**: Yes.

ADV PAUL JOSEPH PRETORIUS SC: With circumstances related to Papa Leshabane.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Please go through that?

MR ANGELO AGRIZZI: Papa Leshabane had various roles in the Bosasa Group. He

was the spokesperson for Bosasa. He was the one who had to deal with political issues and news issues and things that come up but he was also the head of Human Resources. So he had to look after Human Resources. He was also the head of Karano and Lindela and he was also responsible for marketing. So they had started becoming very secretive of the alliances that they had built up. You see Chair what happened was I started showing my feelings in 2013 really and they started to become very secretive over who they dealing with and who they speaking to. But sometimes they would let slip and sometimes they would be open about it. And I remember with me asking questions they did not like that. So they started retracting all the information

10 away and they would deal with Gavin. You would suddenly find that they had been in the boardroom with Gavin. They would come out and I would get an instruction. So that type of thing would happen. They did not like the fact that – that I was questioning where all this cash was going. So some of them even one being Papa Leshabane would go to Gavin directly and just say no I am not dealing with Angelo, I do not trust him. And there was open you know there was contempt as I can put it. Not only from his side from my side as well because often I would be annoyed because we would get requests to pay hundreds of thousands of rands out for functions from the directors. I mean I recall even at one stage the company was battling and we did not have money. We telling staff you cannot fly to go to a site you have to drive there to Durban instead

20 of flying but then he was splashing out on Jazz festivals because he was inviting politicians and people to Jazz festivals and booking out boxes and that type of thing. And they were annoyed with me because at one stage I stopped the company from buying boxes at the sports stadiums. We had a box in every single sports stadium and it was costing a fortune. And that was what created some of the animosity I believe and why they started retracting and rather going to Gavin and they knew if they said it was a

political thing they would get the money for it. And one such event that created a major problem was – and I was laughing when I saw our President said no after parties at SONA. Was we actually paid for a full after party at SONA. There was a gentleman who owned a restaurant called Cubana in Cape Town. Now I do not know which Cubana it is I have never been there but I believe it is called Cubana and it is owned by the previous chairperson or DG called – a gentleman by the name of Chauke. Because I remember Papa always used to refer to this gentleman and we paid for the SONA – well for the – everything at this Cubana the one – it cost us hundreds of thousands of rand. And at those type of things I used to get upset about it. So he would go directly

10 to Gavin Watson to get approval for it and I would just get the bill.

ADV PAUL JOSEPH PRETORIUS SC: I understood from what you have just said that a person such as Papa Leshabane would not consult you anymore but would rather go to Gavin Watson after the relationship had deteriorated. My impression from your evidence was that right from the beginning they went to Gavin Watson.

MR ANGELO AGRIZZI: A lot of the time. Well yes they would have to go to Gavin Watson with me but then they started excluding taking me with and would go directly to him.

ADV PAUL JOSEPH PRETORIUS SC: Right and then in paragraph 155. Please deal with that.

20 **MR ANGELO AGRIZZI:** Well originally what would happen is why Brian Gwebu because of the Korana contract would go and fetch cash from Gavin to pay people at the Department of Transport. That was then taken over when Brian Gwebu left by Papa Leshabane and Seopela.

CHAIRPERSON: Let me ask this and I do not know if I asked it last time when you were giving evidence.

MR ANGELO AGRIZZI: Yes Chair.

CHAIRPERSON: Was there actually any contract that Bosasa got for which they did not pay bribes?

MR ANGELO AGRIZZI: No Chair.

ADV PAUL JOSEPH PRETORIUS SC: I am sorry I did not hear that question Chair.

CHAIRPERSON: Well I was asking whether there was ever any contract that Bosasa got for which they did not pay bribes and the answer was no.

ADV PAUL JOSEPH PRETORIUS SC: Oh I see. I see. You perhaps did mention the later contract which you testified about this morning where you said you have got that
10 contract above board and for merit?

MR ANGELO AGRIZZI: Well it was above board and for merit but the people were still getting paid.

ADV PAUL JOSEPH PRETORIUS SC: I see.

CHAIRPERSON: In the department. It was continuous payments. I mean Chair I have not even raised here because it is not a state capture issue but I can tell you of banks that were duped by other companies within the group but it is not a state capture issue. But I mean I have made – I have sent them notices. I said listen guys let me help you. Where panels were put up – what do you call them – solar panels where they used inferior panels and my people had to make stickers. But that is not a state capture
20 issue so I have not raised it.

ADV PAUL JOSEPH PRETORIUS SC: Alright. Just one question in relation to Mr Watson, Mr Leshabane and Mr Gumede.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: As I understand your evidence and the evidence of others

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Those three persons were the senior persons within Bosasa?

MR ANGELO AGRIZZI: I would say that Joe Gumede was the chairman of Bosasa. He was – he was more dealing on the security side. He had the contacts in the Hawks and the police and Mr Papa Leshabane knew the politicians very well and they worked together. But that a little person as well was Mr Seopela that did the liaison with the politicians. He was – he was not employed by Bosasa. He never wore a Bosasa uniform. The only one time I have seen him wear a Bosasa uniform was in a photo that
10 was taken at Lethuli House.

ADV PAUL JOSEPH PRETORIUS SC: Yes we will come to Mr Seopela in a moment.

MR ANGELO AGRIZZI: Okay.

ADV PAUL JOSEPH PRETORIUS SC: I just want to deal with Mr Watson, Mr Leshabane and Mr Gumede.

MR ANGELO AGRIZZI: Yes they were the most influential.

ADV PAUL JOSEPH PRETORIUS SC: In a particular context.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Those three persons were senior or the most senior within the Bosasa Group of companies.

20 **MR ANGELO AGRIZZI:** Correct.

ADV PAUL JOSEPH PRETORIUS SC: As officials or chair or CEO or in whatever capacity or role.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: When you were arrested

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Shortly after the evidence you gave in January.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Those three were not arrested?

MR ANGELO AGRIZZI: No.

ADV PAUL JOSEPH PRETORIUS SC: It is an opinion at this stage but it is consistent with all your other evidence is there any possibility whatsoever that those three persons were not integrally involved in the unlawful activities of Bosasa?

MR ANGELO AGRIZZI: Those three persons were integrally involved in the unlawful activities of Bosasa.

10 **ADV PAUL JOSEPH PRETORIUS SC:** And there is evidence to show that?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Have you ever heard any explanation of why they were not arrested?

MR ANGELO AGRIZZI: I have heard rumours. I cannot comment – I cannot give an opinion on that.

ADV PAUL JOSEPH PRETORIUS SC: Let us deal then with paragraph 156. You deal there with Mr Seopela. Tell the Chair about those matters please.

MR ANGELO AGRIZZI: Where I first met Mr Seopela we were having a breakfast with Danny Mansell and Andries Van Tonder was with me and the Watson kids were with us
20 and Gavin Watson was there and Papa Leshabane was there and we were having breakfast at Tasha's. And in the corner of my – in the corner there was Sesinye Seopela standing. And Gavin called him over and that is when I first met him and I was told how influential he was. He came from a stable where he was trained by Peter Bokaba and he was a driver for him and a bodyguard for him. But he was extremely secretive over who he worked with. He – you could see he was trained up to keep his

mouth closed and not discuss it. But I was well aware that he had met with various ministers. I knew he had access to ministers. You can see in the one video that was published by the press which was after I had left in Imbezo they refer to him as the commander. Because he would command and deal with the various people. So he was – Gavin always refers to him as commander.

ADV PAUL JOSEPH PRETORIUS SC: What was the extent of the relationship between Gavin Watson and Mr Seopela?

MR ANGELO AGRIZZI: No extremely close. Exceptionally close. I mean I eluded to – I had mentioned in the first one he even paid – his brother one day fell ill and his
10 brother had a heart – heart problem and – I know the company made the payment to sort out his brother and pay for his brother and everything. So I remember that. Gavin even knew his mother and would speak to his mother over the phone and things like that.

ADV PAUL JOSEPH PRETORIUS SC: Did Watson and Seopela – that is Gavin Watson ever work on bids or tenders?

MR ANGELO AGRIZZI: No most definitely. In the one video that was put out by the press Gavin actually stands up and in Imbezo and he actually calls Seopela and he says come up here and Seopela is never in the press. He does not like to be seen and he is always in the background and he inadvert – you could see he was not comfortable
20 in the video of coming up and he says now commander tell them what we have to do at nights. And they talk about having to caucus tenders at night and Joe Gumede gets pulled into the conversation. He says yes and Joe you have to – we have to go around fixing up tenders with people at night because they have been submitted incorrectly. I was not at that meeting but it was on the video.

ADV PAUL JOSEPH PRETORIUS SC: Do you have any personal knowledge of

money being transferred and cash between yourself or anyone else and Mr Seopela?

MR ANGELO AGRIZZI: I would have to meet Seopela. He would phone me and he would say have you got the payment ready for IDT's payment for instance. And I would say yes I have got it ready, where must I meet you? And he would say well meet me at a garage or at a restaurant or whatever but he would never take the money there. He would say now we would have lunch maybe but then after that he would say, follow me and I would have to follow him in his car and he would stop on a non-descript road – he was very clever – and he would say alright stop here and then I would have to open my boot and I would have to give him the bags and he always had a lot of junk in his boot,
10 clothes and old t-shirts and everything. Then he would move them aside, put them inside and then put all the junk – it really looked bad and put that on top of it. And I once asked him I said, so why do you do this? He says, no if I get stopped then they won't check my boot.

ADV PAUL JOSEPH PRETORIUS SC: Alright you have given evidence previously in regard to the contents of paragraph 160. Please just deal very briefly with paragraph 159 if you would?

MR ANGELO AGRIZZI: 159. Chair Sesinye Seopela was instrumental in arranging the very first meeting with Vincent Smith where I was asked to accompany Gavin Watson. So it is actually a bit – it is a bit wrong that because he was instrumental in arranging
20 the first meeting I had with Vincent Smith. A previous meeting had taken place with Gavin Watson already. So the meeting I am talking about here is the first meeting at the hotel where we went up the first floor and had the Fishmonger food that Seopela ordered from Nico. It is that one.

ADV PAUL JOSEPH PRETORIUS SC: If you would then have regard to paragraphs 162 to 164 it is there on record you have dealt with much of it but please have a look at

those paragraphs and then tell the Chair what you believe is important from those paragraphs please?

MR ANGELO AGRIZZI: Chair I started calling Mr Seopela the 2.5% man because the transactions would always be 2.5% of the value of the contract. So I knew I had to make a provision and everybody I mean the people that worked in my bid office on the costings knew that 2.5% had to be added to the price because that was the amount that would have to be paid out in gratuities or gratification. And what was interesting was that even though Bosasa had provided him with the company credit card which he used and a fuel card and access to Blakes Travel on the VIP account sometimes he would
10 hire cars on the company account to attend certain meetings. So he would never go in the same car. I was one day very upset because the company had to buy him a white S5 Audi Cabriolet – not cabriolet sorry S5 coupe and I got to the airport one day and I recognised the car and there was a layer of dust on it and I – I thought why on earth would you park your – this car and not use it? Why hire a car and then park this car? Because I knew he was driving around in a C class Mercedes that was hired from Blakes Travel. I could not understand why he would do that. And then I started realising that he did not want to be tracked or anybody to see where he went. And this was important because especially when large amounts of cash were being paid out. Sometimes he would arrive in a Toyota Corolla or in a Mercedes. He would be very
20 careful in which vehicle he would arrive in. You actually lost track of how many vehicles but Blakes Travel and Avis will have the records of the different vehicles he had hired.

ADV PAUL JOSEPH PRETORIUS SC: Was Mr Seopela in possession of information in regard to the progress of the award of tenders and the SIU matter and other matters relating to the business of Bosasa?

MR ANGELO AGRIZZI: Most of the time. Chair at one stage every bit of information

that I got I would have to phone him and relay to him and he would always shout at me on the phone because I would use names. I just – this person says this. He would say, do not use names, use codes. So we started using code names for people. And what had happened was when I got information I would have to tell him or when myself, Gavin Watson were together with Seopela we would often have – meet at lunches then I would say to him, this is what this person has said and he would say I will check for you and he would come back to us and he would say yes but this is not really how it was meant and this is actually how it is happening. So he had a network second to none. I mean I was walking in Sandton Square one day with my – I was there myself. I

10 went to go and get a Vodacom contract for one of the kids and I remember bumping into him there and he was with one of the – is it NDPP's? One of the NDPP's. He was walking hand in hand with the guy. And he said oh do you know this person? First I did not recognise the person then he introduced me to the person. So he had influence. I mean he was walking around Sandton City with this gentleman with no bodyguards or anything in the open and introduced me to the person.

ADV PAUL JOSEPH PRETORIUS SC: Let us move then to Mr Gumede. We can – you deal with him in paragraphs 165 to 167.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Relate those passages to the Chair please?

20 **MR ANGELO AGRIZZI:** So the most important was Jonas Gumede was in charge of all the security aspects of the company including security at head office. The ACSA contract, the Post Office contract and he was the head of security and also made the head of – the chairman as well. But more importantly he fronted a lot for Gavin Watson.

ADV PAUL JOSEPH PRETORIUS SC: Sorry before you go on when you say he was

head of security is that the security within Bosasa or security contracts of Bosasa or both?

MR ANGELO AGRIZZI: Anything security related.

ADV PAUL JOSEPH PRETORIUS SC: So outside contracts...

MR ANGELO AGRIZZI: Outside and inside.

ADV PAUL JOSEPH PRETORIUS SC: As well as internal security?

MR ANGELO AGRIZZI: Correct. But he was also involved with Lindela. He was involved – these directors were involved in every aspect of the business. Joe Gumede also was responsible for the employees trust and there were other companies like side
10 companies like Better Fence, like Inkonzane, Ntsimbintle Mining where Joe was put on the board by Gavin and he held shareholding for Gavin via double agreements and type of thing as well.

ADV PAUL JOSEPH PRETORIUS SC: Alright. You mentioned earlier that you were introduced to the National Director of Public Prosecutions by Mr Seopela, is that correct?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Who was that?

MR ANGELO AGRIZZI: It was a gentleman by the name of Menzi Simelane. I cannot remember if at that stage he was or he had been moved or – I cannot remember at that
20 time.

ADV PAUL JOSEPH PRETORIUS SC: Okay.

MR ANGELO AGRIZZI: If he was still or he was not but that was the level of influence.

ADV PAUL JOSEPH PRETORIUS SC: Alright. Can we deal with the Department of Education?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Northern Cape, Kimberley.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Tell the Chair about those matters please?

MR ANGELO AGRIZZI: Chair one of the other directors Trevor Mtengwa who was a director of Sondolo IT he is the gentleman who was very close to Dudu Myeni. But – and this happened without my knowledge and then I found out about it and then I started confronting people about it. But we employed a technician called Bekke Ngena and Bekke Ngena's sister works for the Department of Education in the Northern Cape area that is what it is called.

10 **ADV PAUL JOSEPH PRETORIUS SC:** When you say we employed, who employed?

MR ANGELO AGRIZZI: Trevor Mtengwa.

ADV PAUL JOSEPH PRETORIUS SC: Ms Ngena.

MR ANGELO AGRIZZI: Trevor – I did not employ anybody. I just was there but Trevor Mtengwa employed him and at that stage it would have been Papa Leshabane, Joe Gumede that would have signed off.

MR ANGELO AGRIZZI: Yes but Mtengwa employ in his personal capacity or through a company?

MR ANGELO AGRIZZI: No it was through Sondolo IT that time.

ADV PAUL JOSEPH PRETORIUS SC: Yes. Continue please.

20 **MR ANGELO AGRIZZI:** So basically they tried to keep me out the loop but there was a CCTV and an access control contract that was awarded to them for about R10.5 million at this stage. I was totally out of the loop. I know for a fact there was no tender that was prepared for it. It was an estimate, a cost and it was forwarded and there was no tender process and it was made out to be an emergency requirement. I never flew down to Kimberley. The only time I ever went to Kimberley was when I went for a

conference with the company. But this specific tender was kept far away from me and it was during the latter part when I was just about to resign the first time.

ADV PAUL JOSEPH PRETORIUS SC: Well do you know about it?

MR ANGELO AGRIZZI: Yes I do.

ADV PAUL JOSEPH PRETORIUS SC: If it was far away from you?

MR ANGELO AGRIZZI: Yes I do. No it happened while I was there.

ADV PAUL JOSEPH PRETORIUS SC: Was that not far away?

MR ANGELO AGRIZZI: No it was there.

ADV PAUL JOSEPH PRETORIUS SC: That you know about it.

10 **MR ANGELO AGRIZZI:** It was – Advocate Pretorius what would happen is that things would happen but I would always have to find out about them because I would also have to sign off the accounts.

ADV PAUL JOSEPH PRETORIUS SC: Okay. Carry on please.

MR ANGELO AGRIZZI: So he approached me at one stage and mentioned that he had established a relationship with Bekke Ngena's sister and that she held this portfolio and that there were key departments. And the reason why he had come to me and spoken to me about it was because there were incidents where I actually wanted one of the – one of the operational personnel had reported to me that Bekke Ngena was not performing in the company. So I actually wanted disciplinary action taken. And that is
20 when Trevor Mtengwa came to me and he said to me that listen you cannot do anything there because his sister is this person and we working on this contract with the Department of Education. And he also then requested Bosasa to provide a bribe. He asked me...

ADV PAUL JOSEPH PRETORIUS SC: Do you know of this personally?

MR ANGELO AGRIZZI: Sorry.

ADV PAUL JOSEPH PRETORIUS SC: Did he speak to you about that?

MR ANGELO AGRIZZI: Trevor Mtengwa?

ADV PAUL JOSEPH PRETORIUS SC: Yes.

MR ANGELO AGRIZZI: Ja he did speak to me.

ADV PAUL JOSEPH PRETORIUS SC: Yes. Okay.

MR ANGELO AGRIZZI: You know at that stage he also said, we need to look after this woman. That was his words to me. And I said to him, I said you know there is protocols you have to follow you got to go speak to Gavin about this and you should be dealing with Gavin if it is a formal arrangement for a large contract. I said to him that is
10 what you got to do. And they were very, very allusive with this contract. They did not want me involved. But I – what I did establish was that we did do the installation because the client who the installation was done for ultimately complained vehemently and actually picked up the phone and phoned me one day and said that the systems are not working and has paid for nothing and he is not happy about it.

ADV PAUL JOSEPH PRETORIUS SC: So you were aware in relation to the Department of Education in the Northern Cape?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: That bribe money was requested to facilitate the award of certain contracts?

20 **MR ANGELO AGRIZZI:** Correct.

ADV PAUL JOSEPH PRETORIUS SC: Do you know whether bribe money was actually paid?

MR ANGELO AGRIZZI: Chair there was an amount of R1.250 million that was paid out.

ADV PAUL JOSEPH PRETORIUS SC: To whom and for what purpose?

MR ANGELO AGRIZZI: It was paid out to the sister of this Bekke Ngena and Trevor Mtengwa managed the project and he handled the bribery there. I did not even pack it. I just knew that – I asked him but where did you make provision for it? And they showed me in the costings that they had made provision for administration of R1.2 million.

ADV PAUL JOSEPH PRETORIUS SC: So...

MR ANGELO AGRIZZI: 25 million.

ADV PAUL JOSEPH PRETORIUS SC: So the bribe money was included in the contract price?

10 **MR ANGELO AGRIZZI:** It was always. Yes they...

ADV PAUL JOSEPH PRETORIUS SC: As always.

MR ANGELO AGRIZZI: Ja but it was reflected as an admin fee or as a extraordinary fee or something like that or software.

ADV PAUL JOSEPH PRETORIUS SC: And what was the purpose of the bribe? What contract was involved?

MR ANGELO AGRIZZI: Well the contract that was directly involved to that I saw was the contract to provide security and had access control systems and there was specifically bollards that were problematic for the client that needed to be installed as well.

20 **ADV PAUL JOSEPH PRETORIUS SC:** Where?

MR ANGELO AGRIZZI: At the Department of Education the main building.

ADV PAUL JOSEPH PRETORIUS SC: In Kimberley?

MR ANGELO AGRIZZI: In Kimberley.

ADV PAUL JOSEPH PRETORIUS SC: Was there other work provided for or provided by Bosasa in the Northern Cape?

MR ANGELO AGRIZZI: Chair normally with a new contract with opportunity I would be involved in it specifically. They excluded me on this one. I know that because what happened was there were flights arranged for Sunworx's people which was another company which was owned 51% by Sondolo IT which is a solar panel installation company. There was a deal done for the Department of Education as well for Sunworx. I was excluded from it and it was around the time when I had left. So I actually make mention that I know about it and I am sure the investigators will pick up on it but I cannot vouch for the information.

ADV PAUL JOSEPH PRETORIUS SC: Chair it is almost one o'clock. We will finish
10 today and hopefully earlier than four o'clock. But there are a couple of matters I would like to attend to over the lunch hour before the evidence is concluded.

CHAIRPERSON: Oh okay. Then we will adjourn for lunch and resume at two. We adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

CHAIRPERSON: Yes, let us proceed Mr Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: Thank you Chair. Mr Agrizzi at paragraph 174 and following you deal briefly with matters related to the Department of Justice and Constitutional Development. Would you tell the Chair briefly about that please?

20 **MR ANGELO AGRIZZI:** Chair the contract that was awarded to us was irregular. I was not involved with the award of it, but I was aware of the fact that it was irregular and it received a lot of resistance from the Procurement Department within the Department of Justice and the Finance Department within the Department of Justice and Constitutional Development. I relied, as the main Operations Officer I relied a lot on the feedback that was given to me by my various heads of department within the company.

The person responsible at that stage for the actual roll out of the contract was a Mr Trevor Mathenjwa and I was sure that he had everything under control, but however in 2016 the Court Managers were dissatisfied with the services that were being rendered. How I picked this up was I implemented a Customer Relations desk at the office which I would get my personal PA to at least make 10 calls a day to the various Court Managers to find out how they were happy, if they were happy or not. What concerned me was that all the records that started coming back was that people were very unhappy with the services and it concerned me because you know I expected everything to be on track. At the end of the day I had to deploy a special team to go out

10 into the offices of the various courts and to go and do a survey for me and to rectify the problem whatever the problem might be. They had paid a lot of money for the system and I was not going to allow it to be a bad installation on my part. We eventually did rectify it. However what concerned me the most was that we had been charging the Department of Justice and Constitutional Development for a monthly maintenance fee and these were just being signed off and paid. So it concerned me and why I am mentioning it and bringing it to the attention is that this type of things happen when people in charge are not doing their job because they are being captured or being looked after. So it is a major concern. It was a major concern for me that people were getting money, but because they were being looked after these problems never ever

20 got escalated. Eventually I believe the problem was sorted out, but to what extent it is now I do not know and I think there is still a maintenance fee involved that is still being charged and that covers the points that I wanted to raise as in addition to it that I had left out on my previous one.

ADV PAUL JOSEPH PRETORIUS SC: So is it correct that the services being provided were not in accordance with the contract standards?

MR ANGELO AGRIZZI: There was monitoring whatsoever.

ADV PAUL JOSEPH PRETORIUS SC: A maintenance fee was being paid by the Department of Justice to Bosasa?

MR ANGELO AGRIZZI: That is correct.

ADV PAUL JOSEPH PRETORIUS SC: But it was being followed up?

MR ANGELO AGRIZZI: No.

ADV PAUL JOSEPH PRETORIUS SC: Or reported or the defects were not being followed up or reported you say because people were being paid off?

MR ANGELO AGRIZZI: That is correct.

10 **ADV PAUL JOSEPH PRETORIUS SC:** Can we go then to USAASA School Tablet and Connectivity Project and tell the Chair briefly about that please?

MR ANGELO AGRIZZI: Chair I will just give you a little bit of background so that you are, you have perspective on this. Quite a few years ago I was involved with Sunward Park High School implementing e-learning so to speak where we had iPads for children and it worked successfully there. I was then approached by one of our Directors Fez Mzazi, Fezile is his full name, Mzazi who was a Director at Sondolo IT. He mentioned to me that he had contacts within USAASA who had been given the contract to award iPads for schools and there was a contract issued out for Gauteng Schools. It was a major contract and because Sunward Park High School had been so successful

20 we went ahead and we did the tender, but what I do have to declare here is that an initial sum of R500 000 was paid into cash which was handed by Fez Mzazi. I was in the vault when it was given to him and he was to go and sort out the people that worked in the procurement of this tender and Bosasa was then awarded or Sondolo was awarded a substantial portion of the tender. The tender was subsequently cancelled or it did not perform but because we had been awarded I think it was a total of 10 schools

the maintenance contract just continued running and they just continued paying the contract. The initial transaction though was concluded by Fez Mzazi and Gavin Watson's input in that. I was on the side line. I was making sure the operational management of it was taking place.

CHAIRPERSON: Who was issuing this tender, who was giving this contract, not USAASA [intervenes]?

MR ANGELO AGRIZZI: No, it was Sondolo IT.

CHAIRPERSON: No, I am not asking who was given. Who was giving?

MR ANGELO AGRIZZI: USAASA.

10 **CHAIRPERSON:** USAASA.

MR ANGELO AGRIZZI: It is called USAASA.

CHAIRPERSON: What does USAASA stand for? I thought it is a sports organisation. So I am sure I am wrong.

MR ANGELO AGRIZZI: No, it is a.

CHAIRPERSON: What does USAASA stand for? Do you know?

MR ANGELO AGRIZZI: USAASA I do not know, but they were dealing with it. USAASA.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Their offices were in, close to the Mall of Africa.

20 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: That is where their offices were.

CHAIRPERSON: But what are they about?

MR ANGELO AGRIZZI: They.

CHAIRPERSON: What is their business?

MR ANGELO AGRIZZI: They implementation, I think they are like an implementation

agent similar to the IDT. For some or other reason Gauteng had got them to do, they are in communications and that type of [intervenes].

CHAIRPERSON: They are not a Government body?

MR ANGELO AGRIZZI: It is a Government body.

CHAIRPERSON: It is a Government body?

MR ANGELO AGRIZZI: Yes, USAASA.

CHAIRPERSON: Okay, thank you.

MR ANGELO AGRIZZI: So the initial amount was paid. I do not have all the details of the contract at this stage because they are contained in all my files.

10 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: However pursuant to being awarded the first initial part of the contract there was a meeting that took place that was arranged by Gavin Watson.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And it was with the person, the senior person I think at the stage was the CEO of Bosasa.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: I remember having the meeting. I was called to the Sandton Square. There is a restaurant called Pigalle upstairs and I was called into a meeting within a closed off glass area and we had a meeting around a table and at that meeting

20 the gentleman said listen look after me. I look after you. I do not know if he.

CHAIRPERSON: Who said that?

MR ANGELO AGRIZZI: The gentleman on the other side of the table who was with Gavin Watson.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: All I remember is he was well built gentleman.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And, I am just giving you this because this is one of the things that happened.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And that basically at that meeting he was told categorically in front of me you know Gavin Watson said to him I will look after you financially. Do not worry and the guy did have, he accepted it. He said yes we can work together. It was just before I left. So.

CHAIRPERSON: Yes.

10 **MR ANGELO AGRIZZI:** I do not know what has transpired since then.

CHAIRPERSON: Yes, okay.

MR ANGELO AGRIZZI: But I add it in just so that you are aware.

CHAIRPERSON: Yes. No, thank you. Thank you.

ADV PAUL JOSEPH PRETORIUS SC: Mr Agrizzi just for the record it maybe that the correct acronym is USAASA and that is the, just bear with me a moment. The Universal Service and Access Agency of South Africa which is a State Owned Entity established under the Electronic Communications Act.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: To provide digital education.

20 **MR ANGELO AGRIZZI:** Correct.

ADV PAUL JOSEPH PRETORIUS SC: At all levels. Then if you would go on and deal with Mogale City please.

MR ANGELO AGRIZZI: Chair these incidents of capture do not only happen on the larger national departments, but they happen right at municipality level and so much more prevalent was the level at Randfontein Municipality where sometimes tenders

were just not even issued out. They were ordered on emergency type provisions and these kind of tenders although they might only be 10 or 12 or R13 million add up, because at the end of the day you see that municipalities are bankrupt because of this type of action and that is why I think it is important to raise it. There were numerous irregularities that have occurred within Randfontein Municipality. For some time I actually avoided doing any business with the municipalities. I had been, we had been offered at that stage security contracts. I turned them down. There was at a stage where the Directors had meetings with Municipal Managers. I refused to attend. I refused to put in tenders or I would overprice tenders so that we had no chance of
 10 getting them anyway, because I just felt that it was wrong on the people in the municipality area to actually put them under that type of thing, but the most recent installation occurred just when I left. I refused the installation. I said I would not do it, because it was without a tender, but then what happened is in March they started installing the camera system and I just want to allude quickly to this whole Dahua issue. Dahua is a company from China that grew exceptionally fast, but I refused to utilise their product because I believe that it was inferior.

ADV PAUL JOSEPH PRETORIUS SC: Did you have these powers to refuse as you say?

MR ANGELO AGRIZZI: Not entirely, but I would motivate why we could not use them.
 20 So I would motivate it partially. I would kick up a storm. I would just say that you know there is way no we can use this product because of A, B, C and D and nine times out of 10 I would have the support of the Senior Technical Team who I had around me. So it was very difficult then for the Directors to put pressure on me.

ADV PAUL JOSEPH PRETORIUS SC: In any event I interrupted you. Please continue.

MR ANGELO AGRIZZI: Not a problem. Alright. So in March 2017 there was an employee who we employed called Mr Riaan van der Merwe who approached me. Now in March 2017 I had already, I had not gone back to Bosasa yet, but they were paying me so I just let them carry on phoning me and that and I would offer advice and that. At that stage I had asked that my resignation be made official and I had actually done a letter to Mr Brian Biebuyck and said this is the format I want. I want this to be told to all the staff at the Board Meeting at the staff meetings and the Board Meeting. So it was official that I had left. They refused to do it. As a matter of fact they only notified the staff of my leaving in August 2017, if I recall correctly and they just said that I had left.

10 **CHAIRPERSON:**

ADV PAUL JOSEPH PRETORIUS SC: Can we deal with the contents at paragraph 188?

MR ANGELO AGRIZZI: Sorry. Sorry, Chair I get distracted.

“In March 2017 an employee of Sondolo IT
Mr Riaan van der Merwe approached me to arrange a meeting
between the local CEO of Dahua...”

His name is not there, but it is Mr Kwon. I have never met him.

20 “...and Andile Ramaphosa. Dahua is Dahua Technology a
provider of video surveillance products and services. I did not
attend this meeting albeit I accepted the meeting invite.”

So even though I accepted the meeting, I pressed yes. I did not intend, I had no intention of attending the meeting. I actually said in the message back to say that Leon van Tonder should be at the meeting.

“The agreement with the municipal person...”

And this is what I know first-hand from seeing it and from actually getting in the car and

being driven by one of the technicians to the site.

“...the municipal person dealt with was that that a proportionate amount of cash would be paid to himself in respect of the provision on the system. Dahua System would also be provided for his personal residence at no charge. Evidence of the installation can be seen at the property situated in Randfontein. So the property itself and the person’s house I actually went to and I could not believe that they had done it again and I went and I had a look at it. I had a look at the
10 installation at the Randfontein Municipality and it is exactly what it is. So the camera system the system used at Randfontein Municipality is the same system that has been put into the house of the person who signed off the order without going through the tender process.”

Now this happened after my departure and why I am raising this Chair is that you understand that even though I was there it was going to happen. If I was not there it was still going to happen anyway. They had a way of doing it, but I visited the site. I actually went to the site. One of the whistle blowers had told me about this and I think they might be coming to give testimony and I went to the residence and I can confirm
20 that the same product has been installed exactly the same installation process has happened at the other installations with other people’s houses. The only difference this time was that the installation was done with using the Dahua brand and I have given the addresses and information to the Commission investigators to have a look at.

ADV PAUL JOSEPH PRETORIUS SC: The next heading you have there is Mr Gwede Mantashe. Please deal with that.

MR ANGELO AGRIZZI: Chair I thought it would be apt for me to add certain pertinent points that might not have been covered in my first submission to the Commission.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: The one thing is I can tell you without a shadow of a doubt is that all those installations were paid by Bosasa Operations and not by a Director as alluded to and the reason I say that is because how this whole thing started was that firstly it was kept away from me by Papa Leshabane. They had arranged with one of the other technical heads, Francois Cronje, to go out and to a site survey at a property in Boksburg, Sunny Park. I think it is around there and the first installation what they
10 did was they appointed a contractor. So they got a subcontractor to come and do the installation. I did not know about this until such time as the subcontractor needed to be paid and I as a rule I do not believe one should use subcontractors if you are in that business yourself. So why subcontract out. I do not believe it is a good thing. Rather create the work inside the company and create the profits inside the company, but they had used a subcontractor. So I refused to sign this off for the subcontractor and I queried this as it was a concern to me. Francois Cronje then submitted the invoices again to me, but he was being very evasive. At one stage I had actually suspended him because of similar instances as well where they kept things away from me and they did not tell me the truth. So only after I start to really scratch and query the matter did
20 Papa Leshabane approach me and he said he had arranged this with Gavin Watson. So bearing in mind at that time already they were very cautious of me and they would rather divert directly to Gavin. So I confronted Gavin Watson on this. You know, why are you doing this. Why are you, you know, not telling me about these things and he said to me no, no he has never done it. He never knew about it and pushed the buttons a little bit more and then I found out that he admitted to me that he did authorise it. So I

was annoyed about it and I took, I said no there is no subcontractors to be used, but I knew that Papa Leshabane had committed the company to doing the installations and I then got Richard Le Roux to continue with it and he made the payments which he got money from Jacques van Zyl the cash money, because everything was paid in cash and he bought the equipment and he installed it. So there is no possibly way that Leshabane could have made a donation of that amount to them. The other thing that one needs to consider is that people are banding around amounts of R14 000 for an installation of R15 000. Chair that is not nearly where it is. The actual installation of that type of size and the costings are available and the Commission has done a great
 10 job by going to the, even the lodges where the people had to be accommodated to do these installations and get there, but you are looking for a total installation for instance at Carla of R145 000 excluding VAT and that is a basic installation. That is what happens when you get professionals out to do, you are talking CAT 5 cabling, fibre all that type of thing. These are top notch installations where you can actually view your house on a cellphone. So they are top notch.

ADV PAUL JOSEPH PRETORIUS SC: Just before you go on.

MR ANGELO AGRIZZI: Sorry.

ADV PAUL JOSEPH PRETORIUS SC: Do you have personal knowledge of the quality of installations done for various officials?

20 **MR ANGELO AGRIZZI:** Yes, I do.

ADV PAUL JOSEPH PRETORIUS SC: You also have knowledge of the pricing?

MR ANGELO AGRIZZI: Yes, I do.

ADV PAUL JOSEPH PRETORIUS SC: Your estimate of the total cost of installations for three sites for Mr Mantashe, what would that be approximately?

MR ANGELO AGRIZZI: Conservatively, R650 000.

CHAIRPERSON: All three put together?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Yes.

ADV PAUL JOSEPH PRETORIUS SC: And your calculations are set out in paragraph 198?

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: 199 and 200?

MR ANGELO AGRIZZI: Correct and let me give you.

CHAIRPERSON: So with regard to the; okay, let me maybe ask this way. Was the
10 equipment, the lights, the fencing that was used always the same for all the people who
benefited from what I think you previously called special projects or maybe one of the
witnesses said special projects. Was it the same equipment or did it differ?

MR ANGELO AGRIZZI: The equipment was exactly the same. It was Cathexis.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: IP recorders.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And it would have been either Hikvision cameras.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Or Samsung cameras.

20 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: That was the standard. Now again they might use Bosch, but
as far as I recall Bosch was not being used for special projects.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So it was a standard system I believe when I ran Operations
that one must always stick to the standard.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And operate like a conveyor belt.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: So if your people are trained on that system.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Then implement that system.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And it would not have deviated and we would not have used DVTEL or one of the other cheaper brands in the market.

10 **CHAIRPERSON:** Hm.

MR ANGELO AGRIZZI: So the important part was for me when I looked at this report and I actually spoke to Richard Le Roux afterwards. I said to him you know one thing you guys always forget is you forget to quantify labour.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: You forget to quantify ancillary costs.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: You forget to quantify the transport.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And those are the expensive costs.

20 **CHAIRPERSON:** Hm.

MR ANGELO AGRIZZI: The accommodation for instance.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Those are really expensive costs.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Staffing salaries, so a technician always looks at the cost of

the equipment.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And he will say oh that is R150 000 or R300 000.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: But the other R300 000 is made up in salaries, wages.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: Accommodation, all that type of thing.

CHAIRPERSON: Hm. So you saw some of this equipment. So you know exactly what you are talking about?

- 10 **MR ANGELO AGRIZZI:** What would happen is after doing an installation they would have to bring me a report. It did not matter if it was private projects or any projects.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: I would want a file with the scope.

CHAIRPERSON: Hm.

MR ANGELO AGRIZZI: And the job completed so I could evaluate if it had been done properly or not.

CHAIRPERSON: Hm, and when it comes to payment you say there is absolutely no doubt in your mind the payment came from Bosasa?

MR ANGELO AGRIZZI: Chair the payments were covered up in cash.

- 20 **CHAIRPERSON:** Yes.

MR ANGELO AGRIZZI: So the account that the technicians opened up at Regal and these suppliers.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Were opened up, they opened it up in my name.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So I can go to Regal and I can pull all the invoices for the investigators.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: Everything is in, actually it is a COD account.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: But they put it under my name.

CHAIRPERSON: Yes. Okay, thank you.

ADV PAUL JOSEPH PRETORIUS SC: You mention in paragraph 205 Bosasa's purpose in assisting Mr Mantashe.

- 10 **MR ANGELO AGRIZZI:** What I think is important is that one understands that at first Gavin was elusive. He said to me he did not know about, then he admitted it and when he admitted to me he explained to me why. He says well I am telling you now it was done because Mr Mantashe is a brilliant connection to have. At that stage he was the SG and who controls the rest of the people as the SG. That is what I was told.

ADV PAUL JOSEPH PRETORIUS SC: But you do not mention any assistance that Mr Mantashe actually gave.

MR ANGELO AGRIZZI: You know it exactly the same situation with Minister Mokonyane. You know, I did not know what other assistance behind the scenes is happening. I do not know these things.

- 20 **ADV PAUL JOSEPH PRETORIUS SC:** May we deal then with the Mpumalanga Department of Health. You mention that in paragraphs 206 to 210.

MR ANGELO AGRIZZI: Chair I have added some of these in because they are small, but these are examples of how it happens and the facts. So in 2016, November I was then informed by Joe Gumede that he was the Chairperson of the Bosasa Group and I had just come back to Bosasa and he had been successful in negotiating a deal for

security at the hospitals in Mpumalanga. At that stage he wanted to arrange payment for the coordinator or the person who worked on the contract for the Department of Health in Mpumalanga as he had promised a success fee over to the person. So that arrangement was made. He had committed himself and that; I immediately, I was annoyed because I said number one, you discuss these things before you make promises. So I do not really want to even deal with it. I said to him that you know I just find this thing is getting a bit too much now. I had come back. Gavin Watson had promised me one of the reasons he got me back was he said no things are going to change, but here exactly the same thing was happening. So I was very annoyed about

10 it and I voiced my opinion on it with Gavin Watson. I said it should not be entertained and that in my opinion was also where my relations with Joe Gumede which had been very good before. I mean we had gone driving together. We had stayed at hotels on holidays together. We had, he had had suppers at my house. You know and that is where our relationship started breaking down was because I just let my, I let them have my attitude which was I have had enough of this guys. I am sick and tired of this. You promised me it would not happen anymore. You got me back on false pretences and that was in November and I remember I was totally discontented with the whole situation. Joe Gumede then mentioned to Gavin Watson, he said I am getting to clever and he raised his discontent openly in a meeting to say that listen I do not want to work

20 with this guy anymore.

ADV PAUL JOSEPH PRETORIUS SC: But you were aware you say or you were told in paragraph 209 that a, what I presume is a gratification, was in fact paid?

MR ANGELO AGRIZZI: Yes it was.

ADV PAUL JOSEPH PRETORIUS SC: And there was also a request I understand from your statement that you attend to the servicing of a vehicle?

MR ANGELO AGRIZZI: This is.

ADV PAUL JOSEPH PRETORIUS SC: Of this person involved.

MR ANGELO AGRIZZI: This is the second servicing of a vehicle and I spoke to Frans Vorster afterwards because I refused to sign it. I said I am not doing it. I refuse to sign it. I said you can get it paid, get Gavin to sign it or Joe Gumede to sign it and that is.

ADV PAUL JOSEPH PRETORIUS SC: Then you knew of the gratification?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: And you processed the request to
10 Gavin Watson?

MR ANGELO AGRIZZI: Correct. No, I did not even process it to him. I said I am not doing it myself. I then forwarded Joe Gumede the document back. I gave it back to him. He then had it signed off by Gavin Watson to get payment and that same document is where Gavin Watson actually he scratches out the name of the person, but you can still read it of who the repairs where. I think the repairs were quite considerable and he then signs the, Gavin Watson signs the document for the person and Frans Vorster then had to process payment on it. So that document is available as well.

ADV PAUL JOSEPH PRETORIUS SC: The fact that Gavin Watson signed that
20 document and also the document you referred to earlier, the Gillingham agreement, you recall that?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Was that the exception?

MR ANGELO AGRIZZI: Totally and I can tell you why it was the exception, it was because I had tested the patience of Gavin Watson and the Directors in terms of this

corruption far enough and this was by, it was done out of spite to say oh well I bring it to me Joe. I will sign it. I will get it paid and, because nobody in accounts would sign if there was not a signature on it and that is where scratched out a name and he actually signed the document and if I am not mistaken I think Frans Vorster mentions the document in his affidavit as well.

ADV PAUL JOSEPH PRETORIUS SC: You then deal with the company that is being referred to by other witnesses, Lamazest.

MR ANGELO AGRIZZI: Chair Lamazest happened really, it was a pinnacle when there was a major concern about the investigation on the SIU side and when Gavin saw that

10 visibly the; certain of the and I am going to use the word we used at Bosasa, the Whites were concerned and they would raise the issues, and Lamazest was created to basically look after the White employees, the senior White management and it would be a company that would be established that would charge a fee to Bosasa for special skills. That then changed and he had actually called myself and Andries van Tonder into a meeting and I think the meeting was at Andries van Tonder's office where he said look he is establishing this company. This is to look after us because he cannot give us direct shareholding, but this is now the company that will have a long term agreement with Bosasa and we can then have the dividends of this company which at that stage was nothing untoward. It was a company. It would be registered and we charged for

20 scarce skills, but he did not want anybody else to know about it. He did not want the Directors to know about and it had to be formed hush, hush. Peet Venter was involved with the forming of that company and that entity, the registering of it and all that, but it was never used for those intended purposes. So Lamazest became a mechanism to pull funds out of the Bosasa Group of Companies and to be able to pay for services, building kids homes and various other things that were not related to the company's

business and it became a real bone of contention in the company because we were told then that you know it is not possible to remunerate Andries van Tonder, myself from Lamazest, but we should rather look at a new arm's length company and the promises that were made were just not kept. So this entity was used as a cover up for expenses strictly just for the family and for nothing else, for their own benefit and their own enrichment. So that is how the profits were taken. Most of the profits were taken out of the Bosasa Group of Companies and that is Lamazest.

ADV PAUL JOSEPH PRETORIUS SC: There are three issues that I would still like you to deal with please, the legal team would like you to deal with, firstly the war room that
10 you spoke of, the assistance given to the governing party in relation to elections.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: We've taken from the media, News 24 a screenshot of a video of which I presume you're aware?

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Would you look at it please, we've marked it Annexure MM.

CHAIRPERSON: Why must this take such a long route?

ADV PAUL JOSEPH PRETORIUS SC: Yes.

MR ANGELO AGRIZZI: I'm sorry I didn't follow the long route Chair.

20 **CHAIRPERSON:** The (indistinct) should just have gone there, why must it go all the way that side. It should have – it needed to go to the witness and Ms Refile is the closest of everybody.

ADV PAUL JOSEPH PRETORIUS SC: Sorry Chair, if there's another exhibit I definitely will pass it to him the next time.

CHAIRPERSON: No that's alright, I'm sure she will pass it to the witness.

ADV PAUL JOSEPH PRETORIUS SC: Having dealt with that matter, in respect of the apologies Chair.

CHAIRPERSON: No that's alright.

ADV PAUL JOSEPH PRETORIUS SC: Can we go to Exhibit MM. I put this before you firstly to confirm is this the type of installation to which you referred in your evidence to assist the ruling party on their election campaigns.

MR ANGELO AGRIZZI: Well the screen shot you've got is only about 30% of it, so yes you will see there I mean distinctively all the screens have got the logo on, each cubicle, I think there are 30 cubicles of 32 in total, plus to the left of this you've got a big
10 boardroom, but that's only 30% of it, so this doesn't warrant actually the size that it was.

ADV PAUL JOSEPH PRETORIUS SC: Yes but what is significant about this it shows the quantity of flat screen TV's and computers that would have been used in the centre.

MR ANGELO AGRIZZI: No but you've missed out on the biggest of all and that was the screen that is the size of chair's backdrop, sorry, I'm just ...(intervention)

ADV PAUL JOSEPH PRETORIUS SC: So with your additions it would give some indication of the expense involved?

MR ANGELO AGRIZZI: Geez it was millions.

CHAIRPERSON: But apart from the size does the picture that one see in Exhibit MM reflect more or less what that war room as I think you called, was it the war room?

20 **MR ANGELO AGRIZZI:** Ja.

CHAIRPERSON: Does it reflect more or less what would have been inside?

MR ANGELO AGRIZZI: No, no this is an exact, this is one section, what I'm saying is that this is not the whole section, this is only 30% of the ...(intervention)

CHAIRPERSON: But it certainly is part of this ...(intervention)

MR ANGELO AGRIZZI: Yes most definitely, as a matter of fact the gentleman, the

young gentleman sitting behind the computer screen there was one of the programmers that was responsible for programming, for writing a program and there was a brilliant young lady called Elise Eland, that wrote the program to actually manage the Call Centre for the ANC and it would give them live time what is happening in the Call Centre and what is happening on the ground.

CHAIRPERSON: Yes. For how long was this operation there in 2012 in Mangaung?

MR ANGELO AGRIZZI: I don't know if this was Mangaung or this was national.

CHAIRPERSON: Oh, oh, okay.

MR ANGELO AGRIZZI: This looks like national.

10 **CHAIRPERSON**: Oh this would have been national.

MR ANGELO AGRIZZI: Yes that was national.

CHAIRPERSON: National.

MR ANGELO AGRIZZI: So Mangaung was exactly the same.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: And Mangaung I think lasted two months and I think this was National, it probably lasted two/three months as well.

CHAIRPERSON: Oh I thought when you spoke about Mangaung I thought that you were talking about an operation that was maintained for the duration of the elective conference in Mangaung in 2012?

20 **MR ANGELO AGRIZZI**: No running up, run up to it as well.

CHAIRPERSON: Oh. So where would it have been stationed in for example in relation to or ahead of the Mangaung conference where would this operation have been stationed?

MR ANGELO AGRIZZI: At Bosasa Head Office.

CHAIRPERSON: At Bosasa Head Office.

MR ANGELO AGRIZZI: So the Call Centre at Bosasa Head Office houses I think there's a 100 call centre seats, so it's split in two, on the one side is operational and on the left hand – on the right hand side is operational, on the left hand side was reserved for this type of operation.

CHAIRPERSON: Yes, so – but – and whenever you have run this type of operations on different elective conferences or elections it would have been from Bosasa offices.

MR ANGELO AGRIZZI: That's correct.

CHAIRPERSON: Okay, and in terms of cost you talk of millions, are you able to indicate, maybe you have already done so, indicate what kind of cost may have, one
10 may been talking about for a particular election or elective conference?

MR ANGELO AGRIZZI: Chair you've caught me out now and I don't want to lie to you.

CHAIRPERSON: Yes, yes.

MR ANGELO AGRIZZI: But it is reflected, the actual amount is reflected in this report.

CHAIRPERSON: Okay.

MR ANGELO AGRIZZI: So it's on the news report.

CHAIRPERSON: Okay the one you are talking about?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Okay, okay and that report you said is with some ...(intervention)

MR ANGELO AGRIZZI: With news – I saw it in the same report and I still commented
20 how accurate they actually were, but it was in quite a few million.

CHAIRPERSON: Okay, okay, no thank you.

ADV PAUL JOSEPH PRETORIUS SC: You will recall yesterday Mr Agrizzi that you gave evidence concerning Mr Gillingham, his suspension and ultimate resignation and the assistance given by Bosasa, you placed that evidence on record.

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: I might have missed the detail, I am not sure that I did, but you mentioned BDK Attorneys.

MR ANGELO AGRIZZI: That's correct.

ADV PAUL JOSEPH PRETORIUS SC: Who paid their fees in respect of Mr Gillingham?

MR ANGELO AGRIZZI: Their fees were paid by the arm's length company called Synco Prop, so what would happen is Synco Prop invoiced Bosasa, Bosasa would pay Synco Prop and Synco Prop would pay the account. If I can just add there that was the arm's length company with the hole in the ground, that we were given as a gift.

10 **ADV PAUL JOSEPH PRETORIUS SC:** Yes, yes I remember that evidence. Then Mr Agrizzi you mentioned yesterday and this was not in your statement, that an amount, I think it was R12million, was or some amount was paid and you said you used the words "to the top six".

MR ANGELO AGRIZZI: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Please provide the Chair with detail in that regard, as much as you can.

MR ANGELO AGRIZZI: Chair I have asked that the investigation team pull the bank accounts of Bosasa and you will see the exact amount, now I said R10million, I can't remember if it R8million, R10million or R12million but I do remember the cheque vividly
20 because what happened was a delegation went to present the cheque to the top six.

CHAIRPERSON: A delegation from Bosasa?

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So it was Gavin Watson, Sesinyi Seopela, if I'm not mistaken Etu Marobba was part of the delegation and there was one or two of the other directors,

either Pappa or Joe that went with. We had to make sure that the money was in the bank so that the cheques would clear. I remember sitting in the meeting where the amounts were discussed to the value of eight or twelve million Rand and I don't want to quote a figure and I'm not sure but it was a substantial amount I recall.

That amount will reflect in the bank accounts of Bosasa as being paid.

CHAIRPERSON: Was it a cash cheque?

MR ANGELO AGRIZZI: Chair if I remember correctly it was a cheque directed to the ANC.

CHAIRPERSON: So it would have had their – you would have remembered if it was a
10 cash cheque for such a big amount.

MR ANGELO AGRIZZI: And it's very easy to track because we would have got, I remember Andries van Tonder I think it was or myself that would have phoned the bank and told them to arrange clearance on that cheque.

CHAIRPERSON: Yes.

MR ANGELO AGRIZZI: So it was a substantial amount and it was on a weekend that they attended this meeting and in lieu of that we got some t-shirts and some blankets and I don't know what else.

CHAIRPERSON: Yes, yes, and you can't remember, or can you, roundabout what year was this?

20 **MR ANGELO AGRIZZI**: 2004/2005/2006 around that period of time.

CHAIRPERSON: Okay, okay, but now yesterday you talked about the top six, and that may have given the impression that maybe you were talking about individuals in the top six, you are talking about the organisation.

MR ANGELO AGRIZZI: Yes, I don't mean individuals.

CHAIRPERSON: Ja, you don't mean individuals.

MR ANGELO AGRIZZI: No definitely not.

CHAIRPERSON: Ja, but also if it was written as a cheque and the organisation was there it would seem that it was not one of the situations where Bosasa would not like it to be traced back to them.

MR ANGELO AGRIZZI: No it was, I mean ...(intervention)

CHAIRPERSON: So they were – they may have just been donating.

MR ANGELO AGRIZZI: They were donating and ...(intervention)

CHAIRPERSON: And of course ...

MR ANGELO AGRIZZI: We know.

10 **CHAIRPERSON:** Yes, okay so there would be, should be easy to find records of that but you say it was a donation.

MR ANGELO AGRIZZI: Yes.

CHAIRPERSON: Ja ,okay.

ADV PAUL JOSEPH PRETORIUS SC: And the reference to the top six would not be accurate, I assume that you meant to refer to the organisation as a whole?

MR ANGELO AGRIZZI: That's what I meant, they mentioned to me that there's a specific sitting called the top six.

CHAIRPERSON: Oh.

20 **MR ANGELO AGRIZZI:** And that's the sitting that they had to go and present to, so there was a formal, there was a conference that was taking place, and what happened was they went there and they went and presented it to the top six, which was a formal body, I don't know the politics, I'm not a political student but apparently there's a grouping called the Top Six people in the ANC.

CHAIRPERSON: Mmm.

ADV PAUL JOSEPH PRETORIUS SC: But you are clear that the donation was to the

organisation as a whole?

MR ANGELO AGRIZZI: No, that's what I read right from the start, I am not saying it went to people.

ADV PAUL JOSEPH PRETORIUS SC: Okay.

CHAIRPERSON: Okay.

ADV PAUL JOSEPH PRETORIUS SC: Then just one more point please of a very general nature.

CHAIRPERSON: I'm sorry Mr Pretorius, so from your understanding it might have been handed to what you were told the Top Six or one or more of those people who
10 would have received it on behalf of the organisation?

MR ANGELO AGRIZZI: Correct.

CHAIRPERSON: Ja, okay.

MR ANGELO AGRIZZI: I'm sorry if I made it – I didn't mean to confuse anybody.

CHAIRPERSON: Yes, yes, okay.

ADV PAUL JOSEPH PRETORIUS SC: One more point of a general nature please Mr Agrizzi you've given detailed evidence of the practices of corruption in which you say Bosasa was involved over a long period of time.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: You yourself have conceded ...(intervention)

20 **MR ANGELO AGRIZZI:** Yes.

ADV PAUL JOSEPH PRETORIUS SC: That in one degree or another you were involved or aware of the corruption from the inception of the period right up until your resignation.

MR ANGELO AGRIZZI: Correct.

ADV PAUL JOSEPH PRETORIUS SC: Your involvement in corrupt activities may have

differed from time to time, but in essence you were either aware or participated throughout the period?

MR ANGELO AGRIZZI: You are correct.

ADV PAUL JOSEPH PRETORIUS SC: For what period of time did these activities continue?

MR ANGELO AGRIZZI: They really became prevalent from 2005, that I started picking up things, 2004/2005, right the way through to when I left.

ADV PAUL JOSEPH PRETORIUS SC: So that's at least 13 years?

MR ANGELO AGRIZZI: Ja.

10 **ADV PAUL JOSEPH PRETORIUS SC**: Right. Chair I have no further questions.

CHAIRPERSON: Thank you. Mr Agrizzi through your – throughout your evidence yesterday and today there have been areas where you have indicated that there are documents that would assist you and would assist the Commission that you have not been able to get. I am concerned that you have not been able to get documents that may well be very relevant to the work of the Commission after so many months since you came out publicly about the issues that you have testified about, which from what I think you said last time may have been August last year when you came out publicly, is that right?

MR ANGELO AGRIZZI: When I made my public to the world.

20 **CHAIRPERSON**: To the world ja. I am keen that such documents as might be relevant to the work of the Commission should be obtained as soon as possible, unless there is a valid reason why we should not get them. I therefore would like, and I know that your counsel is listening as well and Mr Pretorius is listening, I would like that if at all possible a list of all the documents that you believe are relevant that are somewhere that you – in respect of which you wish to be assisted to get them, that a list be put

together and be furnished to the Commission's Legal team so that – and they would make a copy available to me, so that we can have a timeframe within which efforts, serious efforts must be made to get the documents that are relevant and then I can be informed through the legal team how much progress is being made.

We don't have a lot of time to finish the work of the Commission so I would like that to happen and as I say your counsel hears what I am, Mr Pretorius is also hearing that, so that as soon as possible we can have a full picture out of the experiences and activities that you have told the Commission about, but Mr Pretorius is that fine from your side?

- 10 **ADV PAUL JOSEPH PRETORIUS SC:** Investigations are ongoing and there are various sources of documents that at present are being explored and some of the outcome of that may be available as soon as Monday.

CHAIRPERSON: Okay, okay, thank you. Otherwise you are done with your questions?

ADV PAUL JOSEPH PRETORIUS SC: Done for today, earlier than expected Chair, we in fact thought that the evidence might continue into Monday.

CHAIRPERSON: Yes, yes.

ADV PAUL JOSEPH PRETORIUS SC: So we are well ahead of schedule.

- CHAIRPERSON:** Yes, yes. Thank you very much Mr Agrizzi for coming back, and thank you for continuing to – offering to continue to assist the Commission with further
20 issues that need to be investigated. I understand that there are people who may be – may have been implicated in your evidence that have applied or will be applying for leave to cross-examine you, those applications will be dealt with in due course, and if leave is granted to them to cross-examine you, you certainly would be asked to come back and make yourself available.

Thank you very much, you are excused.

MR ANGELO AGRIZZI: Thank you Chair and thank you very much for the way I have been treated by the Commission and the investigators and I will continue to help all the relevant legislative, the Hawks, the Police, SARS and the Commission with any information that I can assist with, but thank you very much, I hope it helps build this country.

CHAIRPERSON: Yes, no thank you very much.

MR ANGELO AGRIZZI: Thank you, thank you Advocate Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: Thank you Mr Agrizzi. Chair it may be appropriate to put on record that the various applications that are being received in
10 terms of the rules particularly in relation to the first tranche of evidence given by Mr Agrizzi have been received, processed and have now been passed on to the Legal team of Mr Agrizzi for his comment and decisions will be made after presentation to you in coming days.

CHAIRPERSON: Yes okay, no that's fine. So once there have been responses or once Mr Agrizzi has commented you will let me know and I will deal with them in due course.

ADV PAUL JOSEPH PRETORIUS SC: Yes Chair.

CHAIRPERSON: Ja, thank you. On Monday should we start at normal time?

ADV PAUL JOSEPH PRETORIUS SC: Yes please Chair, the witness who will attend
20 on Monday is away this weekend and needs to be interviewed finally before proceedings start on Monday, so there will be pressure, but there is no pressure on time for the conclusion of the evidence relating to Bosasa.

CHAIRPERSON: Yes, okay. We are going to adjourn for today then, and we will start at ten o'clock on Monday, we adjourn.

INQUIRY ADJOURNS TO 1 APRIL 2019