

FRIENDLY SUMMONS

Held at

In the matter between:
and:

Case No – Saak No SPS18/0084/ZB

DUMISANI CELE
and:
SERVICE UPON DUMISANI CELE

Return in accordance with the provisions of the Magistrate's Court Act 32 of 1944, as amended

On this 12th day of July 2019 at 15:20 I served this SUMMONS TO APPEAR AS A WITNESS on Mr M Mathenjwa, admin clerk at 10TH FLOOR RENNIE HOUSE 41 MARGARET MNCADI AVENUE DURBAN 4001 by handing a copy thereof to the abovementioned after exhibiting a copy of the original and explaining the nature and exigency of the said process.

Rule 9(3)(a)

Appearance Date: 26 JULY 2019.

D Cele not in.

Note: No original received.

Sheriff Fees Baljogelde	Date Datum	17.07.2019	Tax Invoice Number Belastingfaktuur Nr.	I 264772		
			Description	Qty	Vat	Amount
			REGISTRATION	1	1.50	10.00
			Return	1	2.40	16.00
			Service	1	9.45	63.00
			Traveling per km	1	6.00	40.00
			Facsimile/e-mail Received	4	5.70	38.00
			Copies	8	4.80	32.00
			Admin. Handling Fee	1	52.50	350.00
			Postage Costs	1	3.00	20.00
			VAT / BTW 15%			85.35
			DEVAN MOODLEY Deputy Sheriff G S Ndlovu Sheriff – Balju Durban Coastal P O Box 47148 Greyville, Durban 4023 Tel: 031 312 1155 Fax: 031 312 1170 Accounts: accounts@sdco.co.za Attachments: attachments@sdco.co.za Shipping: ria@sdco.co.za Other queries: reception@sdco.co.za Payments: Bank: FNB Durban Name: Sheriff Durban Coastal Business Account BrCode: 220126 AccNo: 623 7682 9150			
VAT Reg No. BTW Reg Nr.	4410263935	Please pay by EFT. Bank Charges for cheques will be levied at R42.00 and cash at R7.50 per R100.00 effective from 1 March 2017. You may require that this invoice be taxed and vouched.		Total Totaal	654.35	
COMMISSION OF INQUIRY INTO STA 17 EMPIRE ROAD PARK TOWN JOHANNESBURG 2193			Account No. ♦ Rekening Nr. Your Reference ♦ U Verwysing My Reference ♦ My Verwysing Ret: 379148/Thando Mkhize/2		5885	VatReg NONE
			Clerk of the court:			



2nd floor, Hillside House
17 Empire Road,
Parktown
Johannesburg
2193
Tel (International): +27 (10) 214-0651
Tel (Tollfree): 0800 222 097
Email: inquiries@sastatecapture.org.za
Web: www.sastatecapture.org.za

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

8 July 2019

The Sheriff of Durban Coastal

Mr GS Ndlovu

4 Arbuckle Road

Morningside

4000

By Email: reception@sdco.co.za

Dear Sirs

URGENT SAME DAY SERVICE OF SUMMONS

***SERVE ON MR DUMISANI CELE PERSONALLY, IF UNAVAILABLE SERVE ON AN OFFICIAL IN
HIS OFFICE ***

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

1. Enclosed herewith is an original Summons in terms of section 3(2) of the Commissions Act 8 of 1947 ("marked "O") ("**the Summons**") and a copy of the original Summons (marked "C"), to be served **urgently** on **Tuesday 9 July 2019** on Mr Dumisani Cele.

2. Please serve the attached Summons on the following address:

MR DUMISANI CELE
10TH FLOOR RENNIE HOUSE
41 Margaret Mncadi Avenue
Durban
40001

3. Please contact Lerato Radebe on 010 214 0651/060 7491 422 or email lerator@commissionsc.org.za when service is complete, so that we may arrange for urgent collection of the return of service and original Notice. Alternatively, should the return of service be sent via your offices please ensure that such return is sent to the offices of the Commission of Inquiry into State Capture at:

17 Empire Road, Parktown
Hillside House, 2nd & 3rd floor
Johannesburg

Marked for the attention of Adv. Andre Lamprecht and Ms Lerato Radebe

4. We tender your costs for urgent service. Please process all costs through the account of the Department of Justice.
5. Thank you for your assistance.

Yours faithfully



MR PETER PEDLAR

ACTING SECRETARY

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



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

**SUMMONS TO:
APPEAR AS A WITNESS**

This summons is issued in terms of section 3(2) of the Commissions Act 8 of 1947, read with:

- Proclamation 3 published in Government Gazette No. 41403 on 25 January 2018
- Government Notice No. 105 published in Government Gazette No. 41436 on 9 February 2018 (as amended)
- Rules of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State published in Government Gazette No. 41774 on 16 July 2018

Tracking reference:

SPS18/0084/ZB

To the sheriff or his/her deputy of Durban Coastal

INFORM: MR DUMISANI CELE

OF

10TH FLOOR RENNIE HOUSE

41 MARGARET MNCADI AVENUE,

DURBAN

4001

That he is hereby directed to:

- a) appear before the Commission personally at 4th floor, Hill on Empire, 16 Empire Road, Parktown, Johannesburg on or about **26 JULY 2019** at **09h30** for the purpose of giving evidence before the Commission and being questioned about the following matter being investigated:

Allegations of state capture, corruption and fraud at the Vrede Dairy farm during 2012-2013.

Your failure to comply with the requirements set out in paragraphs a) above without sufficient cause constitutes an offence under section 6(1) of the Commissions Act 8 of 1947, as amended.

DATED at Parktown on this 08 day of July 2019.



Mr Peter Pedlar

ACTING SECRETARY:

Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud
in the Public Sector including Organs of State.



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

8 July 2019

The Sheriff of Bloemfontein West

Mr CH De Wet

Third Street

Arboretum

Bloemfontein

By Email: jennifer@sheriff-bfn.co.za

Dear Sirs

URGENT SAME DAY SERVICE OF SUMMONS

***SERVE ON DR TAKISI JANKI MASITENG PERSONALLY, IF UNAVAILABLE SERVE ON AN
OFFICIAL IN HIS/HER OFFICE ***

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

1. Enclosed herewith is an original Summons in terms of section 3(2) of the Commissions Act 8 of 1947 ("marked "O") ("**the Summons**") and a copy of the original Summons (marked "C"), to be served **urgently** on **Tuesday 9 July 2019** on Dr Takisi Janki Masiteng.

2. Please serve the attached Summons on the following address:

DR TAKISI JANKI MASITENG

8 Pollie- Perel Street

Pellissier

Bloemfontein

3. Please contact Lerato Radebe on 010 214 0651/060 7491 422 or email lerator@commissionsc.org.za when service is complete, so that we may arrange for urgent collection of the return of service and original Notice. Alternatively, should the return of service be sent via your offices please ensure that such return is sent to the offices of the Commission of Inquiry into State Capture at:

17 Empire Road, Parktown

Hillside House, 2nd & 3rd floor

Johannesburg

Marked for the attention of Adv. Andre Lamprecht and Ms Lerato Radebe

4. We tender your costs for urgent service. Please process all costs through the account of the Department of Justice.
5. Thank you for your assistance.

Yours faithfully



MR PETER PEDLAR

ACTING SECRETARY

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



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**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
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**SUMMONS TO:
APPEAR AS A WITNESS**

This summons is issued in terms of section 3(2) of the Commissions Act 8 of 1947, read with:

- Proclamation 3 published in Government Gazette No. 41403 on 25 January 2018
- Government Notice No. 105 published in Government Gazette No. 41436 on 9 February 2018 (as amended)
- Rules of the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State published in Government Gazette No. 41774 on 16 July 2018

Tracking reference:

SP18/0085/ZB

To the sheriff or his/her deputy of Bloemfontein West

INFORM: DR TAKISI JANKI MASITENG

OF

8 POLLIE - PEREL STREET,

PELLISSIER,

BLOEMFONTEIN

That he is hereby directed to:

- a) appear before the Commission personally at 4th floor, Hill on Empire, 16 Empire Road, Parktown, Johannesburg on **23 – 24 JULY 2019** at **09h30** for the purpose of giving evidence before the Commission and being questioned about the following matter being investigated:

Allegations of state capture, corruption and fraud at the Vrede Dairy Farm, including matters related to the appointment of ESTINA (Pty) Ltd to implement the Vrede Dairy Farm project.

Your failure to comply with the requirements set out in paragraphs a) above without sufficient cause constitutes an offence under section 6(1) of the Commissions Act 8 of 1947, as amended.

DATED at Parktown on this 08 day of July 2019.


Mr Peter Pedlar

ACTING SECRETARY:

Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State.

LETTERS WRITTEN TO WITNESSES

Imameleng I. Matete

From: Boipelo B. Ratshikana
Sent: Wednesday, 17 July 2019 12:44
To: masiteng@fs.agric.za
Subject: Confirmation letter to Dr Masiteng
Attachments: Scan_20190717_114038.pdf

Dear Dr Masiteng

Please find attached letter for your attention and kindly acknowledge receipt.

Kind Regards,

Boipelo Ratshikana
Executive Assistant to the Secretary
COMMISSION OF INQUIRY INTO STATE CAPTURE
Hillside House, 2nd Floor, 17 Empire Road, Parktown, Johannesburg, 2193
Tel: 010 214 0651 | Mobile: 071 319 7843 | [Email: boipelor@commissionsc.org.za](mailto:boipelor@commissionsc.org.za) | www.sastatecapture.org.za





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

16 July 2019

Tracking reference: RPS15/0015/IM

To: Dr Takisi Masiteng

Per email: Masiteng@fs.agric.za

Dear Dr Masiteng

**RE: CONFIRMATION OF YOUR ATTENDANCE AT THE COMMISSION OF INQUIRY
INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN THE
PUBLIC SECTOR INCLUDING ORGANS OF STATE ("THE COMMISSION")**

1. As you are well aware, you have been requested to give evidence at the Commission and in this regard, to your knowledge as to matters relating to the Vrede Integrated Dairy Project.
2. We have now been allocated dates for the hearing of evidence relating to the Vrede Integrated Dairy Project and will require your attendance as follows:
3. On Tuesday 23 July 2019, and at 17:00 we will require your attendance at our offices, situated at the 3rd floor, Hillside House, 17 Empire Road, Parktown, Johannesburg for purposes of a consultation with the evidence leaders in preparation of the evidence you will be providing at the commission.

4. On Wednesday 24 July 2019, and at 08:00 we will require your attendance at the inquiry for the hearing of your evidence at our offices, situated at the 3rd floor, Hillside House, 17 Empire Road, Parktown, Johannesburg, and you will be required to remain in attendance until its conclusion 16:00 or until such time as you are excused .
5. Finally, we would once again wish to thank you for your preparedness to give evidence, and to attend the inquiry on the dates as set out above.

Yours faithfully,



Ms Kwezi Brigitte Shabalala
ACTING SECRETARY

**Judicial Commission of Inquiry into Allegations of State Capture, Corruption, and Fraud
in the Public Sector including Organs of State.**

Imameleng I. Matete

From: Boipelo B. Ratshikana
Sent: Wednesday, 17 July 2019 11:57
To: dumisani.cele@durban.gov.za
Subject: Confirmation letter to Mr Cele
Attachments: Scan_20190717_113847.pdf

Dear Mr Cele

Please find attached letter for your attention and kindly acknowledge receipt.

Kind Regards,

Boipelo Ratshikana
Executive Assistant to the Secretary
COMMISSION OF INQUIRY INTO STATE CAPTURE
Hillside House, 2nd Floor, 17 Empire Road, Parktown, Johannesburg, 2193
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**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

16 July 2019

Tracking reference: RPS15/0017/IM

To Mr. Dumisani Cele

Per email: dumisani.cele@durban.gov.za

Dear Mr. Cele

**RE: CONFIRMATION OF YOUR ATTENDANCE AT THE COMMISSION OF INQUIRY
INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN THE
PUBLIC SECTOR INCLUDING ORGANS OF STATE ("THE COMMISSION")**

1. As you are well aware, you have been requested to give evidence at the Commission and in regards to your knowledge as to matters relating to the Vrede Integrated Dairy Project.
2. We have now been allocated dates for the hearing of evidence relating to the Vrede Integrated Dairy Project and will require your attendance as follows:
3. At this stage it is not necessary to have a consultation.
4. On Friday 26 July 2019, and at 08:00 we will require your attendance at the inquiry for the hearing of your evidence at our offices, situated at the 3rd floor, Hillside House,

17 Empire Road, Parktown, Johannesburg, and you will be required to remain in attendance until its conclusion 16:00 or until such time as you are excused .

5. Finally, we would once again wish to thank you for your preparedness to give evidence, and to attend the inquiry on the dates as set out above.

Yours faithfully,



Ms Kwezi Brigitte Shabalala
ACTING SECRETARY

**Judicial Commission of Inquiry into Allegations of State Capture, Corruption, and Fraud
in the Public Sector including Organs of State.**

Imameleng I. Matete

From: Boipelo B. Ratshikana
Sent: Wednesday, 17 July 2019 12:00
To: tshepangmahlangu9905@gmail.com
Subject: Confirmation letter Mr Dhlamini
Attachments: Scan_20190717_113908.pdf

Dear Mr Dhlamini

Please find attached letter for your attention and kindly acknowledge receipt.

Kind Regards,

Boipelo Ratshikana
Executive Assistant to the Secretary
COMMISSION OF INQUIRY INTO STATE CAPTURE
Hillside House, 2nd Floor, 17 Empire Road, Parktown, Johannesburg, 2193
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**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

16 July 2019

Tracking reference: RPS15/0019/IM

To Mr. Ephraim Dhlamini

Per email: tshepangmahlanqu9905@gmail.com

Dear Mr. Dhlamini

**RE: CONFIRMATION OF YOUR ATTENDANCE AT THE COMMISSION OF INQUIRY
INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN THE
PUBLIC SECTOR INCLUDING ORGANS OF STATE ("THE COMMISSION")**

1. As you are well aware, you have been requested to give evidence at the Commission and in regards to your knowledge as to matters relating to the Vrede Integrated Dairy Project.
2. We have now been allocated dates for the hearing of evidence relating to the Vrede Integrated Dairy Project and will require your attendance as follows:
3. At this stage we do not need to have a consultation.
4. On Tuesday 23 July 2019, and at 08:00 we will require your attendance at the inquiry for the hearing of your evidence at our offices, situated at the 3rd floor, Hillside House,

17 Empire Road, Parktown, Johannesburg, and you will be required to remain in attendance until its conclusion 16:00 or until such time as you are excused .

5. Finally, we would once again wish to thank you for your preparedness to give evidence, and to attend the inquiry on the dates as set out above.

Yours faithfully,



Ms Kwezi Brigitte Shabalala
ACTING SECRETARY

**Judicial Commission of Inquiry into Allegations of State Capture, Corruption, and Fraud
in the Public Sector including Organs of State.**

Imameleng I. Matete

From: Boipelo B. Ratshikana
Sent: Wednesday, 17 July 2019 12:34
To: ad.radebe@gmail.com
Subject: Confirmation letter to Mr Radebe
Attachments: Scan_20190717_113953.pdf

Dear Mr Radebe

Please find attached letter for your attention and kindly acknowledge receipt.

Kind Regards,

Boipelo Ratshikana
Executive Assistant to the Secretary
COMMISSION OF INQUIRY INTO STATE CAPTURE
Hillside House, 2nd Floor, 17 Empire Road, Parktown, Johannesburg, 2193
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**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

16 July 2019

Tracking reference: RPS15/0020/MM

To: Mr. Doctor Radebe

Per email: ad.radebe@gmail.com

Dear Mr. Radebe

**RE: CONFIRMATION OF YOUR ATTENDANCE AT THE COMMISSION OF INQUIRY
INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN THE
PUBLIC SECTOR INCLUDING ORGANS OF STATE ("THE COMMISSION")**

1. As you are well aware, you have been requested to give evidence at the Commission and in regards to your knowledge as to matters relating to the Vrede Integrated Dairy Project.
2. We have now been allocated dates for the hearing of evidence relating to the Vrede Integrated Dairy Project and will require your attendance as follows:
3. At this stage it is not necessary to have a consultation.
4. On Thursday 25 July 2019, and at 08:00 we will require your attendance at the inquiry for the hearing of your evidence at our offices, situated at the 3rd floor, Hillside House,

17 Empire Road, Parktown, Johannesburg, and you will be required to remain in attendance until its conclusion 16:00 or until such time as you are excused .

5. Finally, we would once again wish to thank you for your preparedness to give evidence, and to attend the inquiry on the dates as set out above.

Yours faithfully,



Ms Kwezi Brigitte Shabalala
ACTING SECRETARY

**Judicial Commission of Inquiry into Allegations of State Capture, Corruption, and Fraud
in the Public Sector including Organs of State.**

Imameleng I. Matete

From: Boipelo B. Ratshikana
Sent: Wednesday, 17 July 2019 12:03
To: tshepangmahlangu9905@gmail.com
Subject: Confirmation letter to Mr Ncongwane
Attachments: Scan_20190717_113926.pdf

Dear Mr Ncongwane

Please find attached letter for your attention and kindly acknowledge receipt.

Kind Regards,

Boipelo Ratshikana
Executive Assistant to the Secretary
COMMISSION OF INQUIRY INTO STATE CAPTURE
Hillside House, 2nd Floor, 17 Empire Road, Parktown, Johannesburg, 2193
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**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

16 July 2019

Tracking reference: RPS15/0018/IM

MR. MESHACK NCONGWANE

Per email: tshepangmahlangu9905@gmail.com

Dear Mr. Ncongwane

**RE: CONFIRMATION OF YOUR ATTENDANCE AT THE COMMISSION OF INQUIRY
INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN THE
PUBLIC SECTOR INCLUDING ORGANS OF STATE ("THE COMMISSION")**

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Yours faithfully,



Ms Kwezi Brigitte Shabalala
ACTING SECRETARY

**Judicial Commission of Inquiry into Allegations of State Capture, Corruption, and Fraud
in the Public Sector including Organs of State.**

Imameleng I. Matete

From: Boipelo B. Ratshikana
Sent: Wednesday, 17 July 2019 12:39
To: vredetrekkers@lantic.net; vredetrekkers@gmail.com
Subject: Confirmation letter to Mr Basson
Attachments: Scan_20190717_114011.pdf

Dear Mr Basson

Please find attached letter for your attention and kindly acknowledge receipt.

Kind Regards,

Boipelo Ratshikana
Executive Assistant to the Secretary
COMMISSION OF INQUIRY INTO STATE CAPTURE
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**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

16 July 2019

Tracking reference: RPS15/0016/IM

To: Mr Willie Basson

Per email: vredetrekkers@lantic.net
vredetrekkers@gmail.com

Dear Mr. Basson

**RE: CONFIRMATION OF YOUR ATTENDANCE AT THE COMMISSION OF INQUIRY
INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN THE
PUBLIC SECTOR INCLUDING ORGANS OF STATE ("THE COMMISSION")**

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2. We have now been allocated dates for the hearing of evidence relating to the Vrede Integrated Dairy Project and will require your attendance as follows:
3. On Wednesday 24 July 2019, and at 17:00 we will require your attendance at our offices, situated at the 3rd floor, Hillside House, 17 Empire Road, Parktown,

Johannesburg for purposes of a consultation with the evidence leaders in preparation of the evidence you will be providing at the commission.

4. On Thursday 25 July 2019, and at 08:00 we will require your attendance at the inquiry for the hearing of your evidence at our offices, situated at the 3rd floor, Hillside House, 17 Empire Road, Parktown, Johannesburg, and you will be required to remain in attendance until its conclusion 16:00 or until such time as you are excused .
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Yours faithfully,



Ms Kwezi Brigitte Shabalala
ACTING SECRETARY

**Judicial Commission of Inquiry into Allegations of State Capture, Corruption, and Fraud
in the Public Sector including Organs of State.**

**LETTERS INVITING THE PERSON
MENTIONED TO PROVIDE THEIR
VERSION**

Imameleng I. Matete

From: Boipelo B. Ratshikana
Sent: Thursday, 11 July 2019 14:34
To: victor@vnainc.co.za
Cc: Peter P. Pedlar; Ouma Thagane
Subject: Letter to Mr Nkhwashu
Attachments: Scan_20190711_134821.pdf

Dear Mr Nkhwashu

Please find attached letter for your attention and kindly acknowledge receipt.

Kind Regards,

Boipelo Ratshikana
Executive Assistant to the Secretary
COMMISSION OF INQUIRY INTO STATE CAPTURE
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**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
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10 July 2019

Tracking reference: RPS15/0007/IM

TO: MR. V NKHWASHU
C/O VICTOR NKHWASHU ATTORNEYS INC
LIBERTY LIFE OFFICE PARK
BUILDING NO. 1, FIRST FLOOR,
KATHERINE STREET
SANDTON
2001

Per email: victor@vnainc.co.za

Dear Mr. Nkwashu

**RE: THE COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF
STATE ("THE COMMISSION"): VREDE INTEGRATED DAIRY PROJECT:**

1. As you are aware, one of the aspects being investigated by the Commission, is the Vrede Integrated Dairy Project.

2. During the course of our investigations it appears that certain of the witnesses consulted, indicated that your client, Mr Ace Magashule played a role in the Vrede Integrated Dairy Project.
3. In this regard, and in the interests of affording your client an opportunity to provide the Commission with relevant information, we hereby invite your client to compile a sworn statement detailing the following information:
 - a. His knowledge of the Mohuma Mobung Project;
 - b. His knowledge of, and involvement, in the Vrede Integrated Dairy Project, including but not limited to all decisions related to the initiation of the dairy project, the identification of Estina (Pty) Ltd a partner and an implementing agent, the financial commitments anticipated and thereafter made to the implementing agents of the dairy project, the process followed in the selection of the implementing agents (including Estina (Pty) Ltd and the Free State Development Corporation), the selection of land for the dairy project and the manner in which the implementing agent was held to account;
 - c. His knowledge of the Investigation into the Vrede Integrated Dairy Project by National Treasury;
 - d. When the National Treasury Report into the Vrede Integrated Dairy Project dated 25 February 2014 came to his knowledge;
 - e. His relationship with the Gupta family who were known to reside in Saxonwold, Johannesburg prior to their departure from the country in or about 2018;
 - f. His knowledge of the involvement of the Gupta family in the Vrede Integrated Dairy Project;
 - g. Any visits and or discussions held by your client and PARAS Dairy of India, both in South Africa, and in India.
 - h. His response to all Rule 3.3 Notices received to date.
 - i. Any other information he may have relative to the Vrede Integrated Dairy Project.
4. Should your client wish to avail himself of this opportunity, we would wish such a sworn affidavit to be provided to this office on or before **25 July 2019**.
5. It is understood that some of the information may be confidential. To this end, the Commission assures you that it will treat any confidential information as confidential and protect its confidentiality during the process of conducting its investigations. You are required to submit the requested documents to the Commission as follows:

- 5.1 All printed documentation should as far as possible, be in A4 format. Any colour photographs should be scanned onto A4 print at 600dpi to ensure that we can easily feed them into a bulk scanner or easily print them again later.
- 5.2 All documents in digital form must be submitted in pre-OCR'ed PDF format as far as possible, that is, PDFs where the text can be selected and highlighted. If your scans are not of this type, kindly arrange such prior to submitting them.
- 5.3 It is preferable that you do not submit Word or Excel or similar documents unless they are primary evidence, as these can be tampered with. This is particularly relevant to affidavits.
- 5.4 All PDFs and other documents, including spreadsheets and word processing documents, in any format (e.g. Word, Excel), must be password-protected, unless they are on a locked drive (see (v) below). No emailed submissions should be sent with attachments unless the files are password protected.
- 5.5 All Flash Disks submitted must have "Bitlocker" turned on and a password created. Bitlocker can be accessed on a Windows computer by right-clicking the drive icon and choosing "turn on bitlocker". Please make sure that you write the password down. If you are using an Apple Mac, use Filevault. If you are using Linux, you can use Veracrypt. Please ensure that you provide the password to the SCC with your submission.
- 5.6 Flash disks must be in a separate sealed envelope attached to any paper versions of the submission. The password must not be in the same envelope, as if the envelope is lost, the password will give anyone access to the files.
- 5.7 If your paper submission is identical to the flash disk files, there is no need to submit paper printouts. If your paper version differs from the flash disk, kindly ensure that you scan all the paper versions and include them on a flash disk as well, named clearly, as per whether they are annexures, affidavits, etc.
- 5.8 All emailed documents must be password protected. The password must be sent by another means, e.g. Whatsapp, SMS, Telegram, Signal, or via a voice call. The email must be sent to evidence@commissionsc.org.za. Please call the commission at (010) 214-0651 to confirm receipt.
- 5.9 Faxed submissions are not accepted.
- 5.10 Posted submissions are not accepted.
- 5.11 CDROMs and DVDs are not accepted as they cannot be secured.

- 5.12 Couriered submissions are only accepted if they are in sealed containers and the submission arrives in a form which has not been tampered with. Ideally tamper-proof bags should be used.
- 5.13 If you are unable to send a flash disk, but a file is too large to send as an email attachment, kindly use one of the many cloud service providers such as Dropbox, WeTransfer, GoogleDrive, etc., to share the file. However, it is imperative that if you do this, you send the email link to only one recipient at SCC, and remind that recipient that the submission must be captured by the document archiving team as a first step.
- 5.14 Furthermore, all files sent via Cloud services **MUST** be password protected before you upload them, and the password again must be sent separately, e.g. via WhatsApp, SMS, Telegram, Signal, or via a voice call.
6. Finally, should you have any queries relating to this matter, these can be directed to either of the following investigators, currently undertaking the investigation into the Vrede Integrated Dairy Project:

Dr A Poore
Cell phone: 060 742 5273
E-mail: antoniop@commissionsc.org.za;

Advocate J Hershensohn
Cell phone: 060 748 1367
E-mail: johannah@commissionsc.org.za;

Yours faithfully,



Mr Peter Pedlar
ACTING SECRETARY
Judicial Commission of Inquiry Into Allegations of State Capture, Corruption, and Fraud
in the Public Sector including Organs of State.

Imameleng I. Matete

From: Boipelo B. Ratshikana
Sent: Thursday, 11 July 2019 14:07
To: alpheus@dengainc.co.za
Cc: Peter P. Pedlar; Ouma Thagane
Subject: Letter to Mr Denga
Attachments: Scan_20190711_134723.pdf

Dear Mr Denga

Please find attached letter for your attention and kindly acknowledge receipt.

Kind Regards,

Boipelo Ratshikana
Executive Assistant to the Secretary
COMMISSION OF INQUIRY INTO STATE CAPTURE
Hillside House, 2nd Floor, 17 Empire Road, Parktown, Johannesburg, 2193
Tel: 010 214 0651 | Mobile: 071 319 7843 | [Email: boipelor@commissionsc.org.za](mailto:boipelor@commissionsc.org.za) | www.sastatecapture.org.za





2nd floor, Hillside House
17 Empire Road,
Parktown
Johannesburg
2193
Tel (International): +27 (0) 214 0651
Tel (Tollfree): 0800 222 097
Email: inquiries@sastatecapture.org.za
Web: www.sastatecapture.org.za

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

10 July 2019

Tracking reference: RPS15/0008/IM

TO: MR. A DENGGA

C/O: DENGGA INC

Per email: alpheus@dengga.co.za

Dear Mr. Denga

**RE: THE COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF
STATE ("THE COMMISSION"): VREDE INTEGRATED DAIRY PROJECT:**

1. As you are aware, one of the aspects being investigated by the Commission, is the Vrede Integrated Dairy Project.
2. During the course of our investigations it appears that certain of the witnesses consulted, indicated that your client, Mr Mosebenzi Zwane played a role in the Vrede Integrated Dairy Project.
3. In this regard, and in the interests of affording your client an opportunity to provide the Commission with relevant information, we hereby invite your client to compile a sworn statement detailing the following information:

- a. His knowledge of the Mohuma Mobung Project;
 - b. His knowledge of, and involvement, in the Vrede Integrated Dairy Project, including but not limited to all decisions related to the initiation of the dairy project, the identification of Estina (Pty) Ltd a partner and an implementing agent, the financial commitments anticipated and thereafter made to the implementing agents of the dairy project, the process followed in the selection of the implementing agents (including Estina (Pty) Ltd and the Free State Development Corporation), the selection of land for the dairy project and the manner in which the implementing agent was held to account;
 - c. His knowledge of the Investigation into the Vrede Integrated Dairy Project by National Treasury;
 - d. When the National Treasury Report into the Vrede Integrated Dairy Project dated 25 February 2014 came to his knowledge;
 - e. His relationship with the Gupta family who were known to reside in Saxonwold, Johannesburg prior to their departure from the country in or about 2018;
 - f. His knowledge of the involvement of the Gupta family in the Vrede Integrated Dairy Project;
 - g. Any visits and or discussions held by your client and PARAS Dairy of India, both in South Africa, and in India.
 - h. His response to all Rule 3.3 Notices received to date.
 - i. Any other information he may have relative to the Vrede Integrated Dairy Project.
4. Should your client wish to avail himself of this opportunity, we would wish such a sworn affidavit to be provided to this office on or before **25 July 2019**.
5. It is understood that some of the information may be confidential. To this end, the Commission assures you that it will treat any confidential information as confidential and protect its confidentiality during the process of conducting its investigations. You are required to submit the requested documents to the Commission as follows:
- 5.1 All printed documentation should as far as possible, be in A4 format. Any colour photographs should be scanned onto A4 print at 600dpi to ensure that we can easily feed them into a bulk scanner or easily print them again later.
 - 5.2 All documents in digital form must be submitted in pre-OCR'ed PDF format as far as possible, that is, PDFs where the text can be selected and highlighted. If your scans are not of this type, kindly arrange such prior to submitting them.

- 5.3 It is preferable that you do not submit Word or Excel or similar documents unless they are primary evidence, as these can be tampered with. This is particularly relevant to affidavits.
- 5.4 All PDFs and other documents, including spreadsheets and word processing documents, in any format (e.g. Word, Excel), must be password-protected, unless they are on a locked drive (see (v) below). No emailed submissions should be sent with attachments unless the files are password protected.
- 5.5 All Flash Disks submitted must have "Bitlocker" turned on and a password created. Bitlocker can be accessed on a Windows computer by right-clicking the drive icon and choosing "turn on bitlocker". Please make sure that you write the password down. If you are using an Apple Mac, use Filevault. If you are using Linux, you can use Veracrypt. Please ensure that you provide the password to the SCC with your submission.
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- 5.7 If your paper submission is identical to the flash disk files, there is no need to submit paper printouts. If your paper version differs from the flash disk, kindly ensure that you scan all the paper versions and include them on a flash disk as well, named clearly, as per whether they are annexures, affidavits, etc.
- 5.8 All emailed documents must be password protected. The password must be sent by another means, e.g. Whatsapp, SMS, Telegram, Signal, or via a voice call. The email must be sent to evidence@commissionsc.org.za. Please call the commission at (010) 214-0651 to confirm receipt.
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- 5.12 Couriered submissions are only accepted if they are in sealed containers and the submission arrives in a form which has not been tampered with. Ideally tamper-proof bags should be used.
- 5.13 If you are unable to send a flash disk, but a file is too large to send as an email attachment, kindly use one of the many cloud service providers such as Dropbox, WeTransfer, GoogleDrive, etc., to share the file. However, it is imperative that if you do this, you send the email link to only one recipient at SCC, and remind that recipient that the submission must be captured by the document archiving team as a first step.

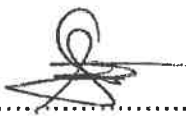
5.14 Furthermore, all files sent via Cloud services **MUST** be password protected before you upload them, and the password again must be sent separately, e.g. via WhatsApp, SMS, Telegram, Signal, or via a voice call.

6. Finally, should you have any queries relating to this matter, these can be directed to either of the following investigators, currently undertaking the investigation into the Vrede Integrated Dairy Project:

Dr A Poore
Cell phone: 060 742 5273
E-mail: antoniop@commissionsc.org.za;

Advocate J Hershensohn
Cell phone: 060 748 1367
E-mail: johannh@commissionsc.org.za;

Yours faithfully,



.....

Mr Peter Pedlar
ACTING SECRETARY
Judicial Commission of Inquiry into Allegations of State Capture, Corruption, and Fraud
in the Public Sector including Organs of State.

CORRESPONDENCE IN REGARD TO RULE 3.3

Shannon S. Van Vuuren

From: Warren Redcliffe
Sent: Wednesday, 17 July 2019 10:22
To: mosesmail123@gmail.com; moremi@treasury.fs.gov.za
Cc: Leah L. Gcabashe; Shannon S. Van Vuuren; Zinhle Z. Buthelezi
Subject: Statement

Dear Mr. Moremi.

Thank you for your telephone call this morning.

I have now communicated to Advocate Gcabashe SC that you intend providing a statement to the Commission.

As discussed, Advocate Gcabashe will be available on Sunday 21 July 2019 to meet with you at the offices of the Commission, which is located (as per the letterhead) at:

**Hillside House
17 Empire Road
Parktown
Johannesburg**

Advocate Gcabashe's mobile number is: [REDACTED] should you need to make contact with her.

Accommodation will be arranged for you in Johannesburg. The details will be provided to you in due course.

Kind regards.

Warren Redcliffe
COMMISSION OF INQUIRY INTO STATE CAPTURE
Hillside House, 17 Empire Road, Parktown,
Johannesburg, 2193 | Gauteng | South Africa |
Email: warrenr@commissionsc.org.za | www.sastatecapture.org.za



Shannon S. Van Vuuren

From: Shannon S. Van Vuuren
Sent: Tuesday, 16 July 2019 09:14
To: Leah L. Gcabashe
Cc: Brigitte Shabalala; Warren Redcliffe; Boipelo B. Ratshikana
Subject: FW: Notice in Terms of Rule 3.3/Radebe

Hi Leah

Please find the response from Moremi TM below, who appears in need of advice in exercising his/her rights as per the Rules of the Commission.

Moremi appears keen to submit his/her version - and as far as I know the Commission can assist a person in preparing a statement/affidavit for the Commission but beyond that the Commission does not offer legal services.

We will call Moremi and advise him/her of his/her options as per the Rules, whereafter we will follow up with an email and update you.

I trust this is in order.

Kind regards,

Shannon Van Vuuren

Legal Advisor: Operations & Investigative Support COMMISSION OF INQUIRY INTO STATE CAPTURE Hillside House, 17 Empire Road, Parktown, Johannesburg, 2193 | Gauteng | South Africa |
 Email: shannonv@commissionsc.org.za | www.sastatecapture.org.za

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

From: Boipelo B. Ratshikana
Sent: Tuesday, 16 July 2019 08:13
To: Warren Redcliffe <WarrenR@commissionsc.org.za>
Cc: Shannon S. Van Vuuren <ShannonV@commissionsc.org.za>
Subject: FW: Notice in Terms of Rule 3.3/Radebe

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

From: Moses Moremi <mosesmail123@gmail.com>
Sent: Monday, 15 July 2019 20:19
To: Boipelo B. Ratshikana <BoipeloR@commissionsc.org.za>
Subject: Re: Notice in Terms of Rule 3.3/Radebe

Boipelo good evening

Our telephone conversation today bears reference.

I have read the statements of both Messrs A.J Venter and A.L Radebe. I am in agreement and do not dispute any paragraph on the statement of Mr Venter relating to what I have asked him then as a State Law Advisor to advice me.

In the statement of Mr Radebe, my name or my title then "Municipal Manager" is not mentioned at all.

When this project started around May/June 2012, I was the Municipal Manager and only left the municipality on the 14th February 2014. I have the recollection of this project from inception up to level when infrastructure were erected.

Paragraph 5 of Rule 3.3 gives me 3 options i.e. 5.1, 5.2 and 5.3.

Paragraph 8 of the same Rule also indicate what the chairperson may direct me to do.

I therefore need guidance as to what is expected of me by the Commission after having supplied me with statements from Mr Venter and Mr Radebe? Should I also provide a version of what transpired when I was the MM or attend the hearing when the witnesses are presenting their cases.

In the event that I must provide my version, do I do it alone or the commission will send someone to interview me.

Please advice accordingly ASAP, considering the scheduled date of testimonies.

Regards

Moremi TM

On 7/15/19, Boipelo B. Ratshikana <BoipeloR@commissionsc.org.za> wrote:

> Dear Mr Moremi

>

> Please find the attached Rule 3.3. Notice for your attention.

>

> Thank you for your co-operation

>

>

> Kind Regards,

> Boipelo Ratshikana

> Executive Assistant to the Secretary

> COMMISSION OF INQUIRY INTO STATE CAPTURE Hillside House, 2nd Floor, 17

> Empire Road, Parktown, Johannesburg, 2193

> Tel: 010 214 0651 | Mobile: 071 319 7843 | Email:

> boipelor@commissionsc.org.za<mailto:Email:

> boipelor@commissionsc.org.za> |

> www.sastatecapture.org.za<http://www.sastatecapture.org.za/>

>

> [cid:image001.jpg@01D43FA0.47EFEB90]

>

>

Shannon S. Van Vuuren

From: Warren Redcliffe
Sent: Friday, 12 July 2019 17:02
To: Leah L. Gcabashe
Cc: Johann J. Hershensohn; Antonio A. Pooe; Shannon S. Van Vuuren; Peter P. Pedlar; Boipelo B. Ratshikana
Subject: FW: Notice in terms of Rule 3.3: Evidence of Mr. Roy Jankielsohn (Vrede Dairy) - EC Rockman (former MEC Finance, Free State Province)

Dear Leah.

Find below correspondence received from Ms. E. Rockman.

I have been advised that you are the evidence leader on this matter.

I trust that this is in order. Please let me know how I may be of assistance in this matter.

Kind regards.

Warren

From: Elzabe Rockman <elzabe.rockman@gmail.com>
Sent: Friday, July 12, 2019 12:58 PM
To: Secretary <Secretary@commissionsc.org.za>
Subject: Notice in terms of Rule 3.3: Evidence of Mr. Roy Jankielsohn (Vrede Dairy) - EC Rockman (former MEC Finance, Free State Province)

Adv André Lamprecht / Sharon van Vuuren

Good afternoon,

The Notice in terms of Rule 3.3 in respect of evidence to be given by the hon. Mr. R. Jankielsohn in respect of Vrede Dairy dated 25 June 2019 and emailed on 26 June 2019 has reference. Please be advised as follows;

- 1) I made available documentation (compiled by Free State Provincial Treasury) with regard to the Vrede Dairy matter to Dr. Antonio Pooe on 20 March 2019. In a further engagement with Adv. Herschenschon and Dr Pooe, I made them aware of particular circumstances that may impact on my engagement with the Commission.
- 2) I applied to the Office of the Premier, Free State provincial government, for legal assistance in this matter on 28 June 2019. I have not received a formal response to the request made but was informed verbally by the Director-General on 10 July 2019 that the matter will soon be finalized.
- 3) I am in the process of compiling an affidavit with further supporting documentation relating to the Vrede Dairy matter. The affidavit will broadly address (i) the framework documentation relating to the project, (ii) resolutions of the Executive Council in relation to the project (iii) issues relating to the budget, audit and accounting treatment of the project and (iv) correspondence, submissions and reports relating to the project. I, however, require additional time to be able to finalize this affidavit and access additional documentation from both provincial government and the provincial legislature. The purpose of the affidavit is to make additional information available to the Commission.
- 4) I herewith confirm that I do not wish to cross-examine Mr. Jankielsohn at this stage.
- 5) I do, however, wish to indicate that Mr. Jankielsohn's reference to a report of National Treasury (paragraph 18.26 and subsequent references) may be contradicted by audit reports of the Auditor General in respect of the Free State

Department of Agriculture for the 2013/14, 2014/15 and 2015/16 financial years. The Office of the Auditor General will be able to further elaborate on this matter.

I trust that you will find this in order

Elzabe Rockman
Former MEC Finance, Free State Province

Shannon S. Van Vuuren

From: Shannon S. Van Vuuren
Sent: Thursday, 11 July 2019 16:40
To: 'shungu@vnainc.co.za'; 'victor@vnainc.co.za'
Cc: Peter P. Pedlar; Boipelo B. Ratshikana; Trudi T. McCracken; Warren Redcliffe
Subject: RE: ZONDO COMMISSION OF ENQUIRY- ACE MAGASHULE
Attachments: Commission Regulations.pdf; Rules of the Commission.pdf; Terms Of Reference - Commission.pdf; 11 July 2019 Magashule-Jankielsohn.pdf

Tracking:	Recipient	Delivery
	'shungu@vnainc.co.za'	
	'victor@vnainc.co.za'	
	Peter P. Pedlar	Delivered: 2019/07/11 16:40
	Boipelo B. Ratshikana	Delivered: 2019/07/11 16:40
	Trudi T. McCracken	Delivered: 2019/07/11 16:40
	Warren Redcliffe	Delivered: 2019/07/11 16:40

Dear Sirs

Please find attached hereto correspondence marked for your attention (totalling 3 pages) including the three attachments referred to therein.

Please acknowledge receipt hereof.

Yours faithfully,

Shannon Van Vuuren

Legal Advisor: Operations & Investigative Support

COMMISSION OF INQUIRY INTO STATE CAPTURE

Hillside House, 17 Empire Road, Parktown,

Johannesburg, 2193 | Gauteng | South Africa |

Email: shannonv@commissionsc.org.za | www.sastatecapture.org.za



From: Shungu Masawi <shungu@vnainc.co.za>
Sent: Wednesday, 10 July 2019 15:34
To: Boipelo B. Ratshikana <BoipeloR@commissionsc.org.za>
Cc: Professionals <professionals@vnainc.co.za>
Subject: ZONDO COMMISSION OF ENQUIRY- ACE MAGASHULE

Good Day,

Please find attached hereto a letter for your attention.

Kind Regards,



Shungu Masawi | Associate

C: +27 82 641 5546

VICTOR NKHWASHU
ATTORNEYS Inc.

171 Katherine Street | Liberty Life Office Park Building No.1 | First Floor |

T: +27 11 262 2046 | Fax to email: 0865 958 172

shungu@vnainc.co.za | www.vnatorneys.co.za

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2nd floor, Hillside House
17 Empire Road,
Parktown
Johannesburg
2193
Tel (International): +27 (10) 214-0651
Tel (Tollfree): 0800 222 097
Email: inquiries@sastatecapture.org.za
Web: www.sastatecapture.org.za

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

11 July 2019

To: Mr. V Nkhwashu

Victor Nkhwashu Attorneys Inc. (Your Ref: VNA/VA/374/04/19)

By email: victor@vnainc.co.za / simon@vnainc.co.za

Dear Mr. Nkhwashu

RE: NOTICE IN TERMS OF RULE 3.3 – MR ES MAGASHULE

1. This letter is in response to your letters dated 27 June and 10 July 2019 to the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State ("the Commission").

RULE 3.3 PROCESS ISSUES

2. I have consulted the evidence leaders with regard to your request for what you refer to as a "*complete record of representations*", which will enable your client to "*prepare a response, make representations or interrogate the witness*", as noted in paragraphs 3 and 4 of your letter dated 27 June 2019.
3. The Rules Governing the Proceedings of the Commission ("the Rules") provide for the exercise of due process rights by an implicated party. Rule 3.3 provides for the Commission to notify an implicated person that a particular witness will be tendering evidence that implicates or may implicate him or her. Such notification must be given in writing and within a reasonable time.

4. The issuance of the Rule 3.3 notice, with the relevant annexures, to Mr. Magashule complies with this rule. Paragraph 2 of the Rule 3.3 notice clearly records that the subject matter of the evidence to be tendered concerns conduct relative to the Vrede Integrated Dairy Project in the Free State Province.
5. Rule 3.3.2 provides for an implicated party to be notified of the respects in which a party is or may be implicated in wrongful and/or unlawful conduct, and, in notifying such party, to furnish the witness statement or relevant portions of the statement. There is no obligation for the Commission to, prior to the hearing, furnish the full statement and annexures of a witness who is to give evidence.

EXERCISING RIGHTS

6. In ensuring that a party who wishes to interrogate the evidence of a witness is able to fully exercise his or her rights, the Commission facilitates the uploading of the full statement of a witness, with annexures, on the Commission's website, as soon as possible after that witness has concluded giving evidence. These documents, along with the transcript of the proceedings, is thus made available to any party seeking to interrogate the matters traversed in the totality of the witnesses' evidence before the Commission.
7. Should an implicated party wish to give evidence personally or by way of calling a witness to give evidence on his or her behalf, or to cross examine a witness, an application to do so must be lodged with the Commission within two weeks from the date of the Rule 3.3 notice, in according with Rule 3.4.
8. Please note that Regulation 10(6) provides for the Chairperson of the Commission to *"direct any person to submit an affidavit or affirmed declaration or to appear before the Commission to give evidence or to produce any document in his or her possession or under his or her control which has a bearing on the matter being investigated, and examine such person"*.
9. Access to the totality of the evidence that Mr. R Jankielsohn will be tendering at the Commission is assured. Mr Magashule will have the opportunity to fully understand the context within which he is or may be implicated, and prepare a response in answer to any allegations made against him, once all the evidence, including the oral testimony of Mr. Jankielsohn, has been tendered.

10. In the event that he elects to cross examine Mr. Jankielsohn, he is encouraged to make application to do so on the strength of the documentation that has currently been furnished. He will, however, not be bound to relying on that documentation only, should leave be granted, but will also be entitled to have the benefit of the full transcript of proceedings.

CONCLUSION

11. In conclusion, I point out that Rule 6 provides generally for any party, including an implicated person, to place a version before the Commission. This is a self-standing provision, whether or not a party is implicated in wrongful or unlawful conduct that is under investigation by the Commission. Should Mr. Magashule elect to follow this route, i.e. tell the Commission what he knows of the origins and implementation of the Vrede Integrated Dairy Project, he is invited to do so.
12. As matters stand currently, and with respect to the Vrede Integrated Dairy Farm Project, the Commission has elected to proceed on the basis that it will provide relevant extracts of the statements of witnesses with annexures, in compliance with Rule 3.3.
13. Please find herewith a copy of the Terms of Reference, Regulations, and Rules of the Commission for your ease of reference.
14. We trust that the above will be of assistance and look forward to your cooperation and assistance.

Yours faithfully,



Mr. Peter Pedlar

Acting Secretary

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

Shannon S. Van Vuuren

From: Boipelo B. Ratshikana
Sent: Wednesday, 10 July 2019 15:44
To: Shannon S. Van Vuuren
Subject: FW: ZONDO COMMISSION OF ENQUIRY- ACE MAGASHULE
Attachments: ACE MAGASHULE FOLLOW UP LETTER FOR DOCUMENTS 5 JULY 2019.pdf

From: Shungu Masawi <shungu@vnainc.co.za>
Sent: Wednesday, 10 July 2019 15:34
To: Boipelo B. Ratshikana <BoipeloR@commissionsc.org.za>
Cc: Proffessionals <proffessionals@vnainc.co.za>
Subject: ZONDO COMMISSION OF ENQUIRY- ACE MAGASHULE

Good Day,

Please find attached hereto a letter for your attention.

Kind Regards,



Shungu Masawi | Associate
C: +27 82 641 5546

VICTOR NKHWASHU
ATTORNEYS Inc.

171 Katherine Street | Liberty Life Office Park Building No.1 | First Floor |
T: +27 11 262 2046 | Fax to email: 0865 958 172
shungu@vnainc.co.za | www.vnattorneys.co.za

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burg | 2001
262 2046 | Fax to email: 0865 958 172

YOUR REF

10 JULY 2019

OUR REF: VNA/VN/374/04/19

MR. P PEDLAR

ACTING SECRETARY: ZONDO COMMISSION

PER EMAIL: BoipeloR@commissionsc.org.za

Dear Sir

RE: NOTICE IN TERMS OF RULE 33.3 – MR. ELIAS SEKGOBELO MAGASHULE

1. The above as well as our correspondences to you dated 27 June 2019 to which we are yet to receive the courtesy of a response.
2. We wish to place it on record that the longer it takes for our client to receive the requested documentation, the more the prejudice he suffers.
3. Kindly let us have the requested documents urgently to enable our client to adequately prepare his defence if necessary.
4. Our client's rights remain strictly reserved herein.

Yours faithfully,

VICTOR NKHWASHU ATTORNEYS INC.

victor@vnainc.co.za

{TRANSMITTED ELECTRONICALLY}

Shannon S. Van Vuuren

From: Shannon S. Van Vuuren
Sent: Friday, 28 June 2019 09:21
To: Leah L. Gcabashe
Cc: Peter P. Pedlar; Trudi T. McCracken; Warren Redcliffe; Boipelo B. Ratshikana
Subject: FW: NOTICE IN TERMS OF RULE 3.3 - ACE MAGASHULE
Attachments: ace magashule letter to MR. PEDLAR ZONDO COMMISSION 27 JUNE 2019.pdf

Good day Leah

Please find attached herewith correspondence from Ace Magashule's attorneys.

They claim that in order to fully consider his position in this matter they require the full affidavit of Mr. Jankielsohn (particularly pages 6 and 7 of the affidavit) and all the annexures (annexures RJ3-RJ7; annexures RJ9 - RJ10; annexures RJ15- RJ19).

Please advise as to whether we may provide same to these attorneys.

Thanks & kind regards,

Shannon Van Vuuren

Legal Advisor: Operations & Investigative Support

COMMISSION OF INQUIRY INTO STATE CAPTURE

Hillside House, 17 Empire Road, Parktown,

Johannesburg, 2193 | Gauteng | South Africa |

Email: shannonv@commissionsc.org.za | www.sastatecapture.org.za



From: Boipelo B. Ratshikana
Sent: Friday, 28 June 2019 08:29
To: Shannon S. Van Vuuren <ShannonV@commissionsc.org.za>
Subject: FW: NOTICE IN TERMS OF RULE 3.3 - ACE MAGASHULE

From: Shungu Masawi <shungu@vnainc.co.za>
Sent: Thursday, 27 June 2019 21:27
To: Boipelo B. Ratshikana <BoipeloR@commissionsc.org.za>
Cc: Victor Nkhwashu <victor@vnainc.co.za>; Simon Senosi <simon@vnainc.co.za>
Subject: NOTICE IN TERMS OF RULE 3.3 - ACE MAGASHULE

Good Day,

Please find attached hereto an urgent letter for your attention.

Kind Regards,



Shungu Masawi | Associate
C: +27 82 641 5546

VICTOR NKHWASHU
ATTORNEYS Inc.

171 Katherine Street | Liberty Life Office Park Building No.1 | First Floor |
T: +27 11 262 2046 | Fax to email: 0865 958 172
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burg | 2001
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YOUR REF

27 JUNE 2019

OUR REF: VNA/VN/374/04/19

MR. P PEDLAR

ACTING SECRETARY: ZONDO COMMISSION

PER EMAIL: BoipeloR@commissionsc.org.za

Dear Sir

RE: NOTICE IN TERMS OF RULE 33.3 – MR. ELIAS SEKGOBELO MAGASHULE

1. The above matter refers.
2. We have received further emails attaching correspondences in relation to the Rule 33.3 that was served on us and our client, Mr. Elias 'Ace' Magashule.
3. We wish to reiterate our request for the complete record of representations in this matter. Our client can only be in a position to fully exercise his rights after having read through the full affidavit by Mr. Jankielsohn together with the annexures referred to in the affidavit.
4. This will give context to the representations and ensure that he is able to prepare a response, make representations or interrogate the witness.

5. In light of the foregoing, kindly furnish us with the full affidavit of Mr. Jankielsohn particularly pages 6 and 7 of the affidavit and ALL the annexures referred to in the affidavit of Mr. Jankielsohn as follows
- a. Annexures RJ3-RJ7;
 - b. Annexures RJ9 -RJ10;
 - c. Annexures RJ15- RJ19.
6. Our client's rights remain strictly reserved herein.

Yours faithfully,

VICTOR NKHWASHU ATTORNEYS INC.

victor@vnainc.co.za

{TRANSMITTED ELECTRONICALLY}



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burg | 2001
262 2046 | Fax to email: 0865 958 172

YOUR REF

27 JUNE 2019

OUR REF: VNA/VN/374/04/19

MR. P PEDLAR

ACTING SECRETARY: ZONDO COMMISSION

PER EMAIL: BoipeloR@commissionsc.org.za

Dear Sir

RE: NOTICE IN TERMS OF RULE 33.3 – MR. ELIAS SEKGOBELO MAGASHULE

1. The above matter refers.
2. We have received further emails attaching correspondences in relation to the Rule 33.3 that was served on us and our client, Mr. Elias 'Ace' Magashule.
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5. In light of the foregoing, kindly furnish us with the full affidavit of Mr. Jankielsohn particularly pages 6 and 7 of the affidavit and ALL the annexures referred to in the affidavit of Mr. Jankielsohn as follows
- a. Annexures RJ3-RJ7;
 - b. Annexures RJ9 -RJ10;
 - c. Annexures RJ15- RJ19.
6. Our client's rights remain strictly reserved herein.

Yours faithfully,

VICTOR NKHWASHU ATTORNEYS INC.

victor@vnainc.co.za

{TRANSMITTED ELECTRONICALLY}

Shannon S. Van Vuuren

From: Shannon S. Van Vuuren
Sent: Thursday, 11 July 2019 16:44
To: 'peterthabethe@gmail.com'
Cc: Peter P. Pedlar; Boipelo B. Ratshikana; Warren Redcliffe; Trudi T. McCracken
Subject: Thabethe - Notice in Terms of Rule 3.3/Jankielsohn
Attachments: Commission Regulations.pdf; Rules of the Commission.pdf; Terms Of Reference - Commission.pdf; 11 July 2019 Thabethe-Jankielsohn.pdf

Tracking:	Recipient	Delivery
	'peterthabethe@gmail.com'	
	Peter P. Pedlar	Delivered: 2019/07/11 16:45
	Boipelo B. Ratshikana	Delivered: 2019/07/11 16:45
	Warren Redcliffe	Delivered: 2019/07/11 16:45
	Trudi T. McCracken	Delivered: 2019/07/11 16:45

Dear Mr. Thabethe

Please find attached hereto correspondence marked for your attention (totalling 3 pages) including the three attachments referred to therein.

Please acknowledge receipt hereof.

Yours faithfully,

Shannon Van Vuuren

Legal Advisor: Operations & Investigative Support

COMMISSION OF INQUIRY INTO STATE CAPTURE

Hillside House, 17 Empire Road, Parktown,

Johannesburg, 2193 | Gauteng | South Africa |

Email: shannonv@commissionsc.org.za | www.sastatecapture.org.za



From: Peter Thabethe <peterthabethe@gmail.com>
Sent: Friday, 28 June 2019 09:06
To: Boipelo B. Ratshikana <BoipeloR@commissionsc.org.za>
Subject: Re: Notice in Terms of Rule 3.3/Jankielsohn

Dear Boipelo Ratshikana

Please take note that the sworn affidavit of Mr Roy Jankielsohn has the following missing pages:

Pages 2, 3, 5, 6, 7 10, 11, 12, 14 and 15.

The above pages were not contained in the annexure sent to me.

Kind Regards

Peter Thabethe

On 26 Jun 2019, at 16:45, Boipelo B. Ratshikana <BoipeloR@commissionsc.org.za> wrote:

<Annexure 'A'.pdf>



2nd floor, Hillside House
17 Empire Road,
Parktown
Johannesburg
2193
Tel (International): +27 (10) 214-0651
Tel (Tollfree): 0800 222 097
Email: inquiries@sastatecapture.org.za
Web: www.sastatecapture.org.za

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

11 July 2019

To: Mr. Peter Thabethe

By email: peterthabethe@gmail.com

Dear Mr. Thabethe

RE: NOTICE IN TERMS OF RULE 3.3 – P THABETHE

1. This letter is in response to your email dated 28 June 2019 to the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State ("the Commission").

RULE 3.3 PROCESS ISSUES

2. I have consulted the evidence leaders with regard to your request for pages 2, 3, 5, 6, 7, 10, 11, 12, 14, and 15.
3. The Rules Governing the Proceedings of the Commission ("the Rules") provide for the exercise of due process rights by an implicated party. Rule 3.3 provides for the Commission to notify an implicated person that a particular witness will be tendering evidence that implicates or may implicate him or her. Such notification must be given in writing and within a reasonable time.
4. The issuance of the Rule 3.3 notice, with the relevant annexures, complies with this rule. The pages that were furnished to you are the relevant pages where reference is made to your conduct.

5. Rule 3.3.2 provides for an implicated party to be notified of the respects in which a party is or may be implicated in wrongful and/or unlawful conduct, and, in notifying such party, to furnish the witness statement or relevant portions of the statement. There is no obligation for the Commission to, prior to the hearing, furnish the full statement and annexures of a witness who is to give evidence.

EXERCISING RIGHTS

6. In ensuring that a party who wishes to interrogate the evidence of a witness is able to fully exercise his or her rights, the Commission facilitates the uploading of the full statement of a witness, with annexures, on the Commission's website, as soon as possible after that witness has concluded giving evidence. These documents, along with the transcript of the proceedings, is thus made available to any party seeking to interrogate the matters traversed in the totality of the witnesses' evidence before the Commission.
7. Should an implicated party wish to give evidence personally or by way of calling a witness to give evidence on his or her behalf, or to cross examine a witness, an application to do so must be lodged with the Commission within two weeks from the date of the Rule 3.3 notice, in according with Rule 3.4.
8. Please note that Regulation 10(6) provides for the Chairperson of the Commission to *"direct any person to submit an affidavit or affirmed declaration or to appear before the Commission to give evidence or to produce any document in his or her possession or under his or her control which has a bearing on the matter being investigated, and examine such person"*.
9. Access to the totality of the evidence that Mr. R Jankielsohn will be tendering at the Commission is assured. You will have the opportunity to fully understand the context within which you are or may be implicated, and prepare a response in answer to any allegations made against you, once all the evidence, including the oral testimony of Mr. Jankielsohn, has been tendered.
10. In the event that you elect to cross examine Mr. Jankielsohn, you are encouraged to make application to do so on the strength of the documentation that has currently been furnished. You will, however, not be bound to relying on that documentation only, should leave be granted, but will also be entitled to have the benefit of the full transcript of proceedings.

CONCLUSION

11. In conclusion, I point out that Rule 6 provides generally for any party, including an implicated person, to place a version before the Commission. This is a self-standing provision, whether or not a party is implicated in wrongful or unlawful conduct that is under investigation by the Commission. Should you elect to follow this route, i.e. tell the Commission what you know of the origins and implementation of the Vrede Integrated Dairy Project, you are invited to do so.
12. As matters stand currently, and with respect to the Vrede Integrated Dairy Farm Project, the Commission has elected to proceed on the basis that it will provide relevant extracts of the statements of witnesses with annexures, in compliance with Rule 3.3.
13. Please find herewith a copy of the Terms of Reference, Regulations, and Rules of the Commission for your ease of reference.
14. We trust that the above will be of assistance and look forward to your cooperation and assistance.

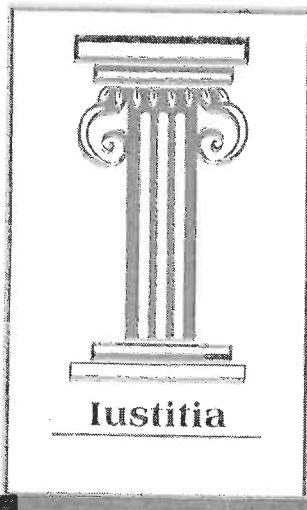
Yours faithfully,



Mr. Peter Pedlar

Acting Secretary

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



Moroka Attorneys

•Babueledi•Prokureurs•Amagqwetha•

P.O. Box 43469,
Heuwelsig,
9332

84 Pres Reitz Ave,
Westdene,
Bloemfontein

051 447 2460

051 447 2461

051 447 2462

083 262 0036

Our Ref : L Tielai/AZ0013/pj

Your Ref : The Secretary

Date : 19 July 2019

THE SECRETARY

c/o ZONDO COMMISSION

2ND FLOOR, HILLSIDE HOUSE

17 EMPIRE ROAD

PARKTOWN

JOHANNESBURG

2193

By Email: inquiries@sastatecapture.org.za

Dear Sir/Madam,

RE: NOTICE IN TERMS OF RULE 3.3 OF THE RULES OF THE JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN PUBLIC SECTOR INCLUDING ORGANS OF STATE (THE COMMISSION)

1. The above Notice bears reference.
2. Kindly be informed that we hold instructions to act on behalf of the following clients, Ms Motlagomang Mamiki Qabathe, Ms Olly Mlamleli and Mr Msebenzi Zwane.

• M.K. Moroka (B.Lur LLB)

Ass. By: S L L Motlogeloa (B.Com) (LLB) • T Malgas (LLB) • L. Tielai (LLB)

C.M Blomkamp (LLB) (Conveyancer) (Notary) • A Leeuw (LLB)

• M T C Mhlekwa (LLB) • CL Makgoe (LLB)

CA's: • O Lekabe (LLB) • T Masoetsa (LLB)

3. Our instructions are to inform the office of the Secretary of the Commission that, pursuant to the receipt of Notice, Moroka Attorneys representatives will attend to the hearing on 22 July 2019 on behalf of the above clients, when Mr Jankielsohn shall be giving his evidence.
4. We believe that it will therefore, be in the interest of justice for our clients to only make an election of whether to give evidence, cross examine the witness or call any witnesses on their behalf, once the evidence of Mr Jankielsohn has presented his evidence in its totality, especially because the rule 3.3 notice served on our clients is incomplete and/or its missing certain pages.
5. The relevant application will then be made to the Chairperson of the Commission accordingly.

Yours Faithfully,



MOROKA ATTORNEYS

Per: Ms L Tlelai

Email: litsoanelo@moroka.co.za