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**AFFIDAVIT**

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I, the undersigned,

**JAMES ROBERT BOURNE LORIMER**

do hereby make oath and state that:

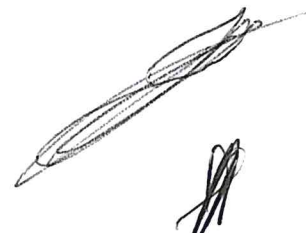
1.

I am an adult male Member of Parliament located at the Marks Building, 100 Plein Street, Cape Town and the facts contained herein are within my personal knowledge and are, to the best of my knowledge and belief, true and correct save where the contrary appears from the context.

2.

On 28 May 2017, it was reported in The Sunday Times that the Minister of Mineral Resources, Mosebenzi Zwane, stayed at the luxury "Oberoi Hotel" in Dubai, United Arab Emirates (UAE) in December 2015. The news article where these allegations are set out is attached hereto as Annexure "A". According to the said article, documentation shows that this stay was paid for by Sahara Computers. It is further alleged that the Minister during the aforementioned stay, also benefited from chauffeur services that were sponsored by parties, persons or entities who are not family or permanent companion(s) of the Minister.

The aforesaid article, further alleges that in December 2015, the Minister flew out of Zurich, Switzerland, to Dubai with Messrs Salim Essa and Tony Gupta amongst others. It is alleged that the Minister did not use the flight ticket purchased by the Department of Mineral Resources (DMR) for official business. Instead, the Minister benefited from travel sponsored by associates and/or entities of or related to Messrs Essa and Gupta amongst others.



3.

In January 2016, Mr Zwane's spokesperson confirmed that the Mr Zwane had travelled with a delegation from Gupta-owned Tegeta Exploration & Resources to visit Glencore in Switzerland to negotiate the purchase of Optimum Colliery. This is confirmed in an article attached hereto as Annexure "B".

Moreover, on 5 February 2016, according to an article in Fin 24, attached hereto as Annexure "C" Mr Zwane was asked whether "he is friends with the Gupta family". Mr Zwane's reply was as follows: "Let me put the record straight: I met with them, I've engaged them, I've engaged other big mining giants and will continue to do so in future".

5.

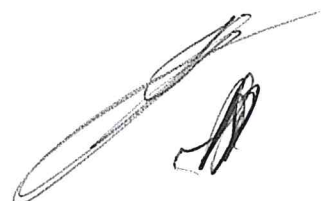
It is noteworthy that in April 2016, according to his reply to a Parliamentary Question (PQ) [Question 1079], hereto attached as Annexure "D", Minister Zwane did not deny that he undertook the trip to Dubai. He confirmed that he was in Dubai on official business to promote mining and investment opportunities in South Africa.

This suggests that the Minister travelled to Zurich and Dubai on official business as Minister of Mineral Resources.

6.

In April 2016, a parliamentary question was submitted to the DMR which asked the Minister the following question (hereto attached as Annexure "F" : *"Has (a) he and/or (b) his Deputy Minister ever (i) met with any (aa) member, (bb) employee and/or (cc) close associate of the Gupta family and/or (ii) attended any meeting with the specified persons (aa) at the Gupta's Saxonwold Estate in Johannesburg or (bb) anywhere else since taking office; if not, what is the position in this regard; if so, in each specified case, (aaa) what are the names of the persons who were present at each meeting, (bbb)(aaaa) when and (bbbb) where did each such meeting take place and (ccc) what was the purpose of each specified meeting?"*

The Minister stated that he had not met with any member, or close associate of the Guptas. He also stated that he had not attended a meeting with the said persons at the Gupta's Saxonworld Estate in Johannesburg.



7.

Again, the aforementioned reply (see Annexure "F"), is in direct conflict with Mr Zwane's own personal statements made to media as seen in Annexure "C". Furthermore, the same aforementioned reply is at odds with the statement(s) made by his spokesperson (see Annexure "B").

Therefore, based on the reply in Annexure "F", it appears that the Minister wilfully and intentionally mislead and/or made misrepresentations to parliament, by claiming that he had not met with any member, or close associate of the Guptas; and furthermore by claiming that he had not attended a meeting with the said persons at the Gupta's Saxonworld Estate in Johannesburg. This therefore warrants an investigation by the Ethics Committee.

8.


Moreover, In June 2017, according to his reply to a PQ [Question 1589], hereto attached as Annexure "E", Mr Zwane stated that the trip to Dubai was paid for and organised by the DMR.

However, this statement to Members of Parliament, is inconsistent with the allegations outlined in Annexure "A", which hold that the Minister's stay at the Oberoi Hotel, as well as his travel to Dubai from Zurich, and chauffeur services, were not paid nor organised by the DMR or any organ of state, as would be required for official engagements.


Therefore, it appears that once again, the Minister wilfully and intentionally mislead or misrepresented himself to Parliament by not disclosing the reply that his travels and accommodation in Dubai was *not* paid for the DMR. This therefore warrants an investigation by the Ethics Committee.

9.

In terms of the Parliamentary Code of Ethical Conduct ("the Code") the following should be disclosed by members: Section 9.11 makes provision for disclosures pertaining to Travel: "9.11.1 a brief description of the journey; 9.11.2 particulars of the sponsor; and 9.11.3 the estimated value of travel, accommodation and subsistence and travel allowances". Furthermore, section 9.3 of the Code provides that "The following kinds of financial interests are registrable interests and must be disclosed: 9.3.8 foreign travel (other than personal visits paid by the Member, business visits unrelated to the Member's role as a public representative, and official and formal visits paid for by an organ of State or the Member's



party"





Furthermore, Section 9.2.1 states that "Members must disclose to the Registrar, on the form prescribed for this purpose by the Committee, particulars of all their registrable interests". Section 9.2.2 also prescribes that the Member must submit the first disclosure "within 60 days of the opening of Parliament or 60 days of the appointment as a Member who was not a Member at the opening of Parliament. If a Member has no registrable interests, a "nil" return must be submitted". Section 9.2.3 continues that "after the first disclosure Members must disclose annually at a time determined by the Committee".

10.

The Register of Members' Interest released in 2015, attached hereto as Annexure "G" as well as 2016, attached hereto as Annexure "H" reveals that no details pertaining to the Mr Zwane's trips to Zurich and Dubai, and to the alleged sponsors, were disclosed to the Joint Committee on Ethics and Members' Interests.

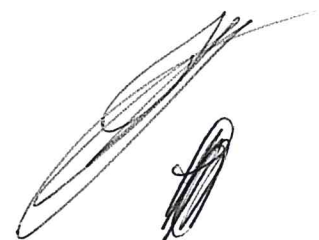
According to the attached Register of Member's Interests it seems to be apparent that Mr Zwane not only failed to disclose these benefits, but further, that he has failed to submit and/or disclose *any* registrable interests since his appointment as a Member of Parliament in September 2015. In other words, Mr Zwane did not disclose anything. This therefore warrants an investigation by the Ethics Committee as it clearly evident that Mr Zwane failed to comply with his obligations.

11.

As stated in section 10 of the Code of Conduct: "A Member breaches the Code if the Member 10.1.1.1 contravenes or fails to comply with the requirements of the provisions for disclosing interests".

12.

The "POWERS, PRIVILEGES AND IMMUNITIES OF PARLIAMENT AND PROVINCIAL LEGISLATURES ACT 4 OF 2004" makes provision that prohibit acts in respect of Parliament and members: Section 7(a), "a person may not improperly interfere with or impede the exercise or performance by Parliament or a House or committee of its authority or functions"; whilst Section 7(b) holds that Members may not improperly interfere with the performance by a member of his or her functions as a member"

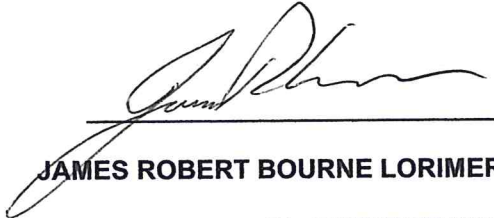
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By misleading and making *misrepresentations* to parliament, Mr Zwane has breached the abovementioned Act, as Members could not execute their functions with falsified or misrepresented information.

13.

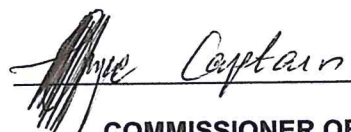
In light of the information set out in this affidavit, I hereby request an investigation into this alleged breach by Minister Mosebenzi Zwane by the Joint Committee on Ethics and Members' Interests.

  
JAMES ROBERT BOURNE LORIMER

ID: 6202195071085

I certify that the Deponent acknowledged that he knows and understands the contents of this affidavit, which affidavit was undersigned in my presence and certified in CAPE TOWN on this 26<sup>th</sup> day of June 2017. The Regulations contained in Government Notice R 1258 of 21 July 1972, as amended by Government Notice R 1648 of 19 August 1977, have been complied with.



  
COMMISSIONER OF OATHS  
Mangae Lesiba Andries

## ANNEXURE A

# Exposed: Explosive Gupta e-mails at the heart of state capture

28 May 2017 - 02:05 BY THANDUXOLO JIKA



The Gupta family has been caught up in a new controversy.

*Image: MARTIN RHODES*

A series of damning e-mails seen by the Sunday Times show that the Guptas run South Africa.

The explosive evidence comes as President Jacob Zuma fights for his political life amid mounting confirmation of state capture and growing opposition in his own party to his links with the family.

The e-mails show the extent of Gupta control over cabinet ministers and parastatal CEOs and board members. The correspondence also gives insight into the role of Zuma's son Duduzane in presidential matters. Duduzane is a close Gupta associate and is believed to have made billions through this partnership.

Another series of explosive e-mails show that the Guptas were central to a scheme for Zuma and his family to acquire residency in Dubai in the United Arab Emirates.

However, Zuma yesterday denied the claim, saying his only home was in Nkandla.

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Along with Gupta brothers Ajay, Atul and Tony, Sahara CEO Ashu Chawla emerges as a key player in the intricate web of state capture.

On several occasions Zuma has asked his critics to come forward with proof that he has done something wrong. In December he asked "Tell me what is it that I have done wrong?" while addressing a youth league rally, adding that his removal would be a victory for white monopoly capital.

Two weeks ago, on May 14, Zuma reiterated his position: "If I am not told what I have done wrong, I cannot correct my mistakes because I don't know what I have done wrong."

### **WATCH: 9 things revealed from the Gupta e-mails**

In the wake of Zuma's repeated denials of any wrongdoing, the Sunday Times today publishes evidence of the Gupta family's unprecedented control over government affairs.

Mr President, here is the proof!

#### **The e-mails reveal that the Guptas:**

- Were sent Mosebenzi Zwane's CV a month before he was appointed minister of mineral resources;
- Intervened to have the powers of the then communications minister, Faith Muthambi, strengthened and were forwarded a presidential proclamation detailing her powers by Muthambi herself before it was signed by Zuma;
- Received confidential information on cabinet meetings from Muthambi;
- Paid for Des van Rooyen's trip to Dubai after his appointment to the cabinet in December 2015;
- Arranged for Denel director Dan Mantsha to be chauffeured around Dubai;
- Paid for a deluxe suite for Matshela Koko - subsequently appointed acting CEO of Eskom - at the luxurious Oberoi Hotel in Dubai;
- Were asked by an SAA board member to get him onto the board of Transnet;
- Had staff coach Zwane on how to handle media conferences, including questions about his relationship with the Guptas. He flew on a Gupta jet to Dubai and they picked up the tab for his accommodation; and
- Had their company's CEO, Nazeem Howa, prepare notes for ANC Youth League president Collen Maine advising him on how to respond to media questions.

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- Here they are: The emails that prove the Guptas run South Africa

## HERE ARE SOME OF THE DETAILS UNCOVERED BY THE SUNDAY TIMES:

- **A second home for Zuma in Dubai**

On January 16 last year two draft letters were circulated from Tony Gupta to Chawla and then to Duduzane Zuma with subject lines: "JZ letter to Crown Prince AUH" and "JZ letter to Sheikh Mohammed".

In one of the letters prepared for Zuma, he writes to "His Highness Crown Prince of Abu Dhabi, General Sheikh Mohammed Bin Zayed Al Nahyan", congratulating him on initiatives for the developing and planning of Abu Dhabi. In the second letter Zuma commends "His Highness Vice President and Prime Minister, Sheikh Mohammed Bin Rashid Al Maktoum" for his "dynamic rule and visionary leadership".

He continues to sing both their praises and then requests their "guidance and direction" for making the United Arab Emirates his second home.

"It is with this sentiment that I am happy to inform you that my family has decided to make the UAE a second home. It will be a great honour for me and my family to gain your patronage during our proposed residency in the UAE."

Two months after the draft letters, Zuma added Dubai at the last minute to his Saudi Arabia state visit. There he met Sheikh Mohammed Bin Rashid Al Maktoum, to discuss a "number of regional issues".

At the time, the Sunday Times reported that sources close to the Presidency confirmed that the Dubai stopover was indeed added at the last minute.

- **The ministers**

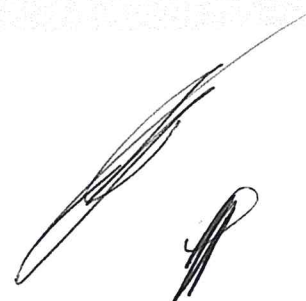
### **Des van Rooyen**

E-mail correspondence prove that Van Rooyen repeatedly lied when he said he paid for a private trip to Dubai shortly after his appointment to the cabinet in December 2015.

At a press conference in April 2016 Van Rooyen vehemently denied that his December 21 trip was done at short notice, saying it was planned long before his brief appointment as finance minister and later minister of cooperative governance and traditional affairs.

At the time he said: "It was a private visit, I paid for that myself. You know I didn't have enough [money]. I was supposed to stay for a week, but you know, it was in and out".

The e-mail correspondence, however, shows that the trip was sponsored by the Guptas and booked just a day before his departure on December 21.





Reservations e-mails from the luxurious five-star Oberoi Hotel to Chawla confirm that bookings were done by the Gupta-owned company.

Van Rooyen was chauffeur-driven with a Jaguar XJ L from the airport to the hotel and booked a deluxe suite, which costs about R6,000 a night. The room reservations from the e-mails indicate that the booking at the hotel was for two adults.

Chawla sent Van Rooyen's reservation confirmation to Salim Essa, a Gupta associate who owns shares in several of the family's companies.

The Sunday Times reported last year that Van Rooyen's advisers - two days after his appointment as finance minister - leaked confidential cabinet information to Essa, saying "Gents Finally".

It has been widely claimed that Van Rooyen's appointment as finance minister was influenced by the Guptas. He even arrived at the Treasury with two advisers said to be linked to the Guptas, Mohamed Bobat and Ian Whitley. The two moved with him to cooperative governance.

The Sunday Times also reported that Van Rooyen visited the Gupta compound in Saxonwold, Johannesburg, for seven consecutive days before his appointment as finance minister.

- **Gupta e-mail scandal: 'We've done no wrong'**

## **Mosebenzi Zwane**

The Guptas hand-picked Zwane as mineral resources minister a month before Zuma appointed him to his cabinet in September 2015.

On July 31 2015, one France Oupa Mokoena, from Koena Consulting and Property Developers, e-mailed Tony Gupta to say: "Please find attached the CV of Mr Mosebenzi Zwane for your attention."

Three months after his appointment, Zwane stood up embassy officials when he left Zurich for Dubai in a Gupta-owned plane, on December 2.

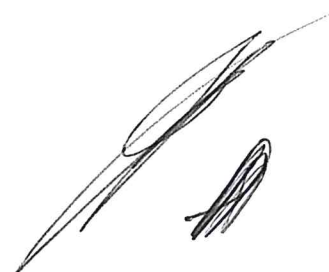
Zwane, a staunch Gupta defender, was on a working trip in Zurich where he helped to facilitate the sale of the Optimum coal mine in Mpumalanga to a company owned by the Guptas and Duduzane Zuma.

E-mail correspondence between Chawla and the crew flying the Gupta plane reveal that Zwane flew out of Zurich with Essa, Tony Gupta and other people.

This was despite a flight ticket on an Emirates flight being booked by his department to fly him to Dubai.

E-mails from the Oberoi Hotel to Chawla confirm that Zwane's stay at the five-star hotel overlooking the Burj Khalifa was paid for by Sahara.

Zwane was chauffeured around in a BMW 7 Series. Chawla advised hotel reservations to charge the cost of the chauffeur services to a certain Mr Singh.

A handwritten signature and a set of initials, both in dark ink, located at the bottom right of the page.



Further evidence of the Guptas' influence and hold over Zwane is contained in another e-mail last year.

With a subject line reading "Zwane questions", former Oakbay CEO Howa e-mailed Tony Gupta and Duduzane Zuma on February 2 last year.

"I need some help on some of the answers. I think we should also prepare for a question of his role around the Waterkloof landing.

"Perhaps I can sit with someone at his side to help me polish and add to the answers. Lets chat when you have a chance to review."

#### **Howa drafted questions that included:**

- "Given this perfect storm, you have been described as unsuited to the role of minister of mineral resources given your inexperience?"
- "Critics have slammed your appointment as proof of government's alarming lack of urgency in dealing with SA's ailing mining sector and its ambiguous regulatory framework?"
- "Your appointment seems to be really irregular? You were silently moved from MEC for Agriculture to mining minister. what do you think the president saw in you to give him the confidence to appoint you?"
- "Analysts say the mining industry is at its lowest ebb ever and this can be directly attributable to legislation, policies, ideology, corruption, inefficiency, political demagoguing, organisations not adhering to the constitution and draconian labour legislation. What is your comment?"
- "What about the rumours of your being captured by the Guptas and your appointment was made for you to do their bidding?"
- "What is your relationship with the Guptas?"

Howa then requested further information and asked for further input from Tony Gupta and Duduzane Zuma.

Zwane was one of the ministers at the forefront of trying to force South African banks to reopen closed Gupta accounts.

- **State capture bombshell: DA weighs up legal action**

#### **Faith Muthambi**

Former communications minister Faith Muthambi, now the minister in charge of the public service, corresponded directly with Tony Gupta, as well as his staff, on government policy.





A series of e-mails show that the minister, who is a close ally of the president, alerted the Guptas to various changes in government policies relating to her department - even before they had been officially approved by Zuma.

One e-mail sent to Tony Gupta in January 2014 contains a proclamation - which she says is to be signed by Zuma - transferring functions under other ministers to herself.

They include those under the Electronic Communications Act, the Sentech Act and the Broadband Infraco Act.

In July that year, she sent two e-mails to Chawla.

In the first e-mail, with the subject line "Proclamation New July 18", she writes: "These sections must be transferred to the Minister of Communications."

The regulations listed in the e-mail give the communications minister wide-ranging power over the Independent Communications Authority of South Africa, including the power to make policies and issue policy direction and oversee applications for electronic communications network licences, radio frequency plans and commercial broadcasting licences.

In a second e-mail sent minutes later, with the subject line "Responsibility for InfraCo and Sentech", she writes: "Sentech's signal distribution must rest with the Ministry of Communications."

Attached is a document transferring powers, functions and duties of the minister of public enterprises in the Broadband Infraco Act and the Sentech Act to herself. Both e-mails were subsequently forwarded by Chawla to Duduzane Zuma.

On July 29 2014, Muthambi sent an e-mail to Chawla, with an attachment containing a memo from Telecommunications and Postal Service Minister Siyabonga Cwele, in which he expresses concerns about proposed amendments to broadcasting digital migration policy.

In her message to Chawla - which was meant for Tony Gupta - Muthambi writes: "Despite my request, the cde is determined to table the matter in cabinet tomorrow ... He called me that he was coming to Cape Town this morning ... I hope he still on his way."

Chawla forwarded the e-mail to Tony Gupta the same day.

Muthambi was appointed public service and administration minister in March in a midnight cabinet reshuffle. As communications minister, she was accused of allowing the SABC to be plundered and run into the ground.

She was widely condemned for failing to halt former chief operating officer Hlaudi Motsoeneng's abuse of power at the broadcaster.

## • Youth League

**Collen Maine**

A handwritten signature in black ink, consisting of a long, sweeping horizontal stroke followed by a smaller, more complex scribble underneath.



The e-mails show that former Oakbay CEO Howa prepared notes for ANC Youth League president Maine advising him on how to respond to media questions.

Howa's notes, which were sent to Tony Gupta and Duduzane Zuma, detail how Maine should respond to questions about the anti-Gupta revolt within the ANC, state capture, his attacks on banks, #FeesMustFall, his relationship with North West premier Supra Mahumapelo, and an incident in which he allegedly shoved R200 notes down a journalist's cleavage.

In the e-mail, Howa writes: "Maybe I can sit with young man to work on this."

The Howa notes instruct Maine to sing the praises of the Guptas.

On his view on the anti-Gupta revolt in the ANC, Howa advises Maine to say: "I hold no brief for the Guptas, but I'm celebrating how they have entered areas previously closed to anyone other than the pre-94 controllers of our economy. Today, we have a progressive newspaper and tv channel thanks to their investment. I have been there to be interviewed and I have been impressed by the number of young African people employed there.

"Our country needs job creation and it looks like they are doing it."

## • The CEO

### **Matshela Koko**

Sahara Computers paid for Koko's accommodation at the Oberoi Hotel in Dubai last year. At the time he was the Eskom group executive in charge of generating power .

Koko was chauffeur-driven around Dubai during his one-day visit.

He checked in on Monday January 4 last year and left the hotel the following day.

The e-mails show the confirmation of his booking was sent to Sahara Computers CEO Chawla.

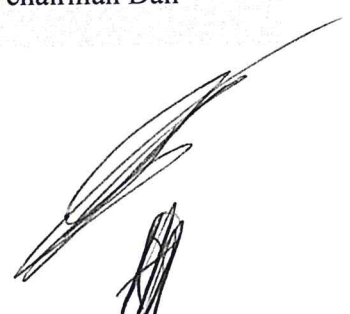
Koko's trip took place a month after another Gupta-owned company, Tegeta Exploration and Resources, took over operations at the Optimum coal mine - supplier of coal to Eskom power stations.

Koko - who took over as acting group CEO after Brian Molefe's controversial departure last year - is on suspension following allegations that Eskom awarded tenders worth R1-billion to a company where his stepdaughter was a director.

## • The Directors

### **Dan Mantsha**

On January 3 last year, Chawla confirmed travel arrangements for Denel board chairman Dan Mantsha.

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Mantsha was booked into the Oberoi Hotel in Dubai and Chawla arranged a concierge service for Mantsha to an exclusive housing estate in Dubai.

Earlier this month Finance Minister Malusi Gigaba canned a multibillion-rand deal involving a Gupta-linked company.

The deal - in which the Guptas were expected to make billions - involved setting up a joint venture between Denel and VR Laser Asia to form a new company called Denel Asia.

Denel believed the joint venture would help it "find new markets for our world-class products, especially in the fields of artillery, armoured vehicles, missiles and unmanned aerial vehicles".

Gupta business associate Salim Essa is the sole shareholder of VR Laser Asia.

He is also a director of VR Laser RSA, a company owned by Duduzane Zuma and Tony Gupta through an entity called Westdawn Investments.

Ajay Gupta's son Kamal Kant Singhala was a director of VR Laser RSA but has resigned.

### **Rajesh Naithani**

When Rajesh Naithani was dumped as an SAA board member in October 2014, he sent an e-mail to Chawla asking him to tell Tony Gupta to "get me in at Transnet".

Gigaba, who was then public enterprises minister, had appointed Naithani to the SAA board in September 2012.

Two years later it appears from e-mail correspondence that Naithani had caught wind that his days at the national airline were numbered.

In an e-mail to Chawla on September 26 2014, Naithani attaches his CV "for possible positions in boards". He adds "kindly make necessary changes".

On October 15, he writes: "I received a mail in which they have said that they will be removing seven directors from SAA which includes me.

"Please convey this to Tony Bhai [Bhai means brother in Hindi].

"Please also request him that if this does not work he may kindly get me in Transnet."

On November 19, he again e-mails Chawla: "I got the e-mail that presently I am no more a member at SAA. You may show it to Tony Bhai please."

### **THE PRESIDENT RESPONDS**

President Jacob Zuma denied that he was planning to move to the United Arab Emirates but failed to respond to questions about his cabinet ministers' communications with the Guptas.

A large, stylized handwritten signature, possibly 'Zuma', is written in black ink. To its right is a smaller, more chaotic scribble or signature.



He said he had no plans to leave South Africa when he retires.

"I have my home in Nkandla and I have no intention of living anywhere else. When I retire I will go home to Nkandla. This is a pure fabrication. Duduzane has never spoken to me about living in any other country. He has never shown me any letter. It's shocking in the extreme. It's absolute mischief aimed at sowing confusion," said Zuma.

However, he had no explanation for why these claims were made in e-mails to Duduzane.

A spokesman for Mosebenzi Zwane, Martin Madlala, declined to answer pointed questions. He said the minister of mineral resources had travelled to promote investment.

"The visit came at a time when commodity prices were depressed, as well as responding to specific invitations from major investment companies, including Glencore. Engagements and road shows undertaken by the minister serve an important role of promoting mining in South Africa, as well as providing a platform to clarify policy and regulatory issues within the mining and minerals sectors. The minister continues to hold meetings with key mining stakeholders as he has adopted an open-door policy," said Madlala.

Madlala did not answer questions about Zwane travelling in a Gupta aircraft with Rajesh "Tony" Gupta and Salim Essa, nor why he was being driven around in a luxury car paid for by a Gupta-owned company.

Legadima Leso, a spokesman for Minister of Co-operative Governance Des van Rooyen, said the minister would comment once he was back in the country today.

"Minister is out of the country attending a conference on disaster risk reduction," said Leso.

When contacted for comment Maine said: "That is rubbish, I don't respond to rubbish".

A large, stylized handwritten signature in black ink, followed by a smaller, more compact set of initials or a second signature below it.

## ANNEXURE B

# Mining: Minister's Gupta trip

28 JANUARY 2016 - 09:42 CHARLOTTE MATHEWS



Mosebenzi Zwane travelled to Switzerland with Gupta delegates. Picture: GCIS

**MINERAL** resources minister Mosebenzi Zwane travelled with a delegation from Gupta-owned Tegeta Exploration & Resources to visit Glencore in Switzerland to negotiate the purchase of Optimum Colliery, his spokesman confirmed last week.

But the minister derived no personal benefit, he said.

Optimum Colliery was placed in business rescue last year after closing down its export operations because they were no longer economically viable. It was also slapped with a R2.5bn penalty by Eskom for delivering sub-specification coal.



The mine was sold to Tegeta in December for about R2.15bn. Glencore agreed to advance R400m so that the mine's R2.55bn of bank debt could be repaid. Eskom has said it will pursue its rights to penalties.

Tegeta is one of the interests of the Gupta family, who are close friends of president Jacob Zuma. The Guptas also have stakes in Sahara Computers, a major supplier to government; The New Age newspaper, which takes a pro-government stance; and various mining services and coal mining operations, including JSE-listed Oakbay Resources & Energy, the owner of a gold and uranium mine near Klerksdorp.

Asked if the minister had joined the Tegeta delegation to Switzerland, Tegeta director Nazeem Howa said it was "absolute rubbish". Asked if the minister was part of the buying consortium, he again said it was "absolute rubbish".

Asked the same questions, minister Zwane's spokesman said the minister had a policy of engaging directly with industry stakeholders to avert crises, specifically to avoid job losses.

"Minister Zwane has committed himself to ensuring that his office has an open-door policy. This, in part, requires travelling to meet with all stakeholders to represent government's position on these pertinent matters. He will continue to do so.

"No personal benefit is accrued from these. The minister and department remain committed to delivering on, and upholding, the Batho Pele principles."

Both Glencore and Optimum's business rescue practitioner, Piers Marsden, declined to comment.

James Lorimer, Democratic Alliance spokesman on mineral resources, said the minister's visit with the Gupta family played into people's fears that this minister had been put in place because he was in the pockets of the Guptas. He added that instead of involving himself in this matter, the minister could take various other actions to protect jobs, such as making his department operate efficiently and honestly and changing the mining framework so it was conducive to investment.

Lorimer said Zwane's intervention in commercial negotiations was not unusual as trade & industry minister Rob Davies did so frequently.

"When government picks winners it has a low success rate and it opens itself up to accusations of cronyism. Someone in this position has to be sensitive to that perception and should be more cautious in his actions."



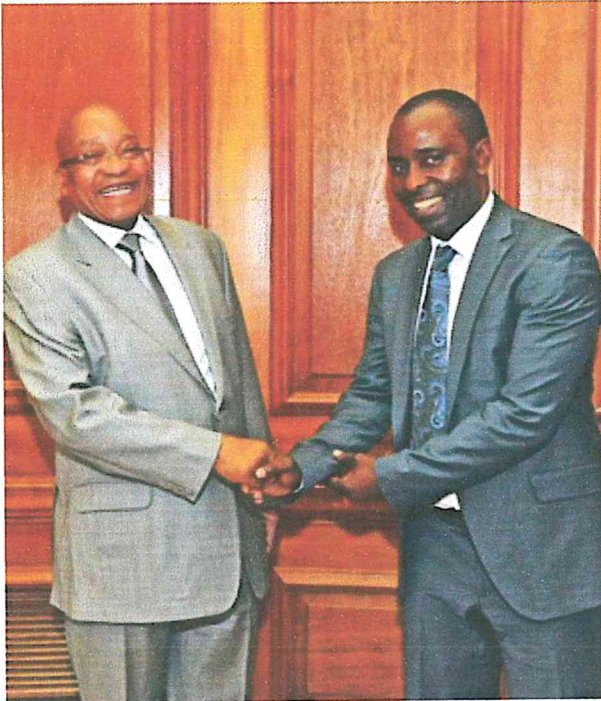


## ANNEXURE C

### Mines minister denies Gupta favours in Glencore talks

Feb 05 2016 12:19

Andre Janse van Vuuren



President Jacob Zuma and Mosebenzi Zwane, the new minister of mineral resources, at the swearing-in ceremony in Parliament.

Picture: Siyabulela Duda / GCIS

Johannesburg - Mines Minister Mosebenzi Zwane said he didn't 'unduly' favour a company controlled by friends of President Jacob Zuma in talks over the sale of Glencore's [JSE:GLN](#) Optimum coal mine.

Glencore is selling the mine to Tegeta Exploration & Resources, a company controlled by the Gupta family who are in business with one of Zuma's sons, after the Baar-based firm placed the operation under bankruptcy protection.

While Glencore said it worked with "stakeholders," including the government, to facilitate Optimum's sale, the Sunday Times reported that Zwane met CEO Ivan Glasenberg for talks at the Dolder Grand Hotel in Zurich about the matter.

Zwane's involvement in the sale was for the purpose of preserving Optimum's 3 000 jobs, he said on Friday at a presentation arranged in Johannesburg by TNA Media, another company controlled by the Gupta family. When asked whether he took part in talks between Glencore and Tegeta, Zwane said he flew to Zurich on a commercial flight without the presence of the Guptas.

"My job is to ensure that I engage with the stakeholders without having favourites," Zwane said. "I will not

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favour any businessperson - whether the Guptas - unduly so, but I will not hesitate to help in instances, especially like Optimum Coal, where a business was put in business rescue.”

### **Business empire**

The Gupta family have built a business empire spanning computer equipment, media and mining since Atul Gupta arrived in South Africa from Uttar Pradesh, India in 1993. He runs the businesses together with his brothers Ajay and Rajesh.

Zwane was appointed as minister by Zuma in September.

On Friday, Zwane was asked whether he is friends with the Gupta family.

“Let me put the record straight: I met with them, I’ve engaged them, I’ve engaged other big mining giants and will continue to do so in future,” he said. “One of my responsibilities is to attract investment in the country and you can’t attract investment in the country if you’re not talking to people like the Guptas.”

The sale of Optimum to Tegeta was beneficial for economic transformation in South Africa, Zwane said, referring to a government policy aimed at accelerating black-ownership of businesses as a way to redress disparities caused by apartheid.

“Tegeta is composed of the majority black shareholders,” Zwane said, without elaborating further on the ownership of the company. “We have to come together as leaders and come up with mechanisms so that we transform.”

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ANNEXURE D

D

**MINISTRY OF MINERAL RESOURCES  
REPUBLIC OF SOUTH AFRICA**

**NA QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER: 1079 : NW1325E**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 22 April 2016  
INTERNAL QUESTION PAPER NUMBER: 12**

**1079. Ms M O Mokause (EFF) to ask the Minister of Mineral Resources:**

(1) Was he in Dubai at any time in December 2015; if so, (a) when and (b) what was the purpose of his visit;

(2) whether he held any meetings while in Dubai; if so, (a) what was the purpose of the specified meetings and (b) was any of the specified meetings with the President, Mr Jacob G Zuma? NW1210E

**Reply**

(1) Yes, Official trip to promote mining and investment opportunities in South Africa. The trip was also as opportunity to be apprised about the work done with African countries on matters pertaining to stemming the flow of illicit diamonds, and precious metals.

(2) Yes (a) To promote mining investment opportunities, as well as South Africa, as a preferred destination; (b) No.

**Approved/not approved**

**Mr MJ Zwane, MP**

**Minister of Mineral Resources**

**Date Submitted: 11/05/2016**





**MINISTRY OF MINERAL RESOURCES  
REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER: 1589**

**ADVANCE NOTICE NO: NW1794E**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 09 June 2017**

**INTERNAL QUESTION PAPER NUMBER: 21**

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**1589. Mr M G P Lekota (Cope) to ask the Minister of Mineral Resources:**

- (1) (a) What is his position regarding allegations that (i) a certain family (details furnished) was involved in his appointment as the Minister of Mineral Resources and (ii) his CV was forwarded to a certain person (name furnished) and (b) what is his relationship with the specified family;
- (2) who (a) organised his trip to Dubai in December 2015 and (b) paid for the trip? NW1794E

**Reply**

1. a). The President appoints Ministers and assigns their powers and functions and may dismiss them.

1. b). They are mining industry stakeholders.

2 a and b). The trip was organized and paid for by the Department of Mineral Resources.

Approved/Not Approved

**Mr MJ Zwane, MP  
Minister of Mineral Resources**

**Date Submitted:-...../...../2017**





MINISTRY OF MINERAL RESOURCES  
REPUBLIC OF SOUTH AFRICA

**QUESTION NUMBER: 940**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 08 April 2016**

**INTERNAL QUESTION PAPER NUMBER: 10**

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**940. Mr T J Brauteseth (DA) to ask the Minister of Mineral Resources:**

Has (a) he and/or (b) his Deputy Minister ever (i) met with any (aa) member, (bb) employee and/or (cc) close associate of the Gupta family and/or (ii) attended any meeting with the specified persons (aa) at the Gupta's Saxonwold Estate in Johannesburg or (bb) anywhere else since taking office; if not, what is the position in this regard; if so, in each specified case, (aaa) what are the names of the persons who were present at each meeting, (bbb)(aaaa) when and (bbbb) where did each such meeting take place and (ccc) what was the purpose of each specified meeting? NW1068E

**ANSWER**

The Minister has not met with any member, nor close associate of the Guptas. He has also not attended a meeting with a specified person at the Gupta's Saxonworld Estate in Johannesburg.

Ministry

**Reply**

Approved/not approved

**Mr MJ Zwane, MP**

**Minister of Mineral Resources**

ANNEXURE G

# **PARLIAMENT RSA**

## **JOINT COMMITTEE ON ETHICS AND MEMBERS' INTERESTS**



**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA

## **REGISTER OF MEMBERS' INTERESTS**

2015

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**7. BENEFITS**

Nothing to disclose.

**8. TRAVEL**

Nothing to disclose.

**9. LAND AND PROPERTY**

Description	Location	Extent
Flat	Berea, Johannesburg	3 Bedroomed
House	Sandton	

**10. PENSIONS**

Source	Public/Private	Value
Special Pension	Public	

**11. CONTRACTS**

Nothing to disclose.

**12. TRUSTS**

Nothing to disclose.

**13. ENCUMBERANCES**

Nothing to disclose.

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**Zwane, Lungelwa (ANC)****1. SHARES AND OTHER FINANCIAL INTERESTS**

No	Nature	Nominal Value	Name of Company
			Outright Advertising

**2. REMUNERATED EMPLOYMENT OUTSIDE PARLIAMENT**

Nothing to disclose.

**3. DIRECTORSHIP AND PARTNERSHIPS**

Nothing to disclose.

**4. CONSULTANCIES OR RETAINERSHIPS**

Nothing to disclose.

**5. SPONSORSHIPS**

Nothing to disclose.

**6. GIFTS AND HOSPITALITY**

Nothing to disclose.

**7. BENEFITS**

Nothing to disclose.

**8. TRAVEL**

Nothing to disclose.

**9. LAND AND PROPERTY**

Description	Location	Extent
Lot 396 14	Port Shepstone	3 000sq.m.

**10. PENSIONS**

Source	Public/Private	Value
Old Mutual	Private	

**11. CONTRACTS**

Nothing to disclose.

**12. TRUSTS**

Nothing to disclose.

**13. ENCUMBERANCES**

Nothing to disclose.



**PARLIAMENT RSA**

**JOINT COMMITTEE ON ETHICS AND  
MEMBERS' INTERESTS**



**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA

**REGISTER OF MEMBERS' INTERESTS**

**2016**

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9. **LAND AND PROPERTY**  
Nothing to disclose.

10. **PENSIONS**  
Nothing to disclose.

11. **CONTRACTS**  
Nothing to disclose.

12. **TRUSTS**  
Nothing to disclose.

13. **ENCUMBERANCES**  
Nothing to disclose.

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**Zwane, Lungelwa (ANC)**

1. **SHARES AND OTHER FINANCIAL INTERESTS**  
Nothing to disclose.

2. **REMUNERATED EMPLOYMENT OUTSIDE PARLIAMENT**  
Nothing to disclose.

3. **DIRECTORSHIP AND PARTNERSHIPS**  
Nothing to disclose.

4. **CONSULTANCIES OR RETAINERSHIPS**  
Nothing to disclose.

5. **SPONSORSHIPS**  
Nothing to disclose.

6. **GIFTS AND HOSPITALITY**  
Nothing to disclose.

7. **BENEFITS**  
Nothing to disclose.

8. **TRAVEL**  
Nothing to disclose.

9. **LAND AND PROPERTY**

Description	Location	Extent
Residential	Umtwentweni	2 000sq.m.

10. **PENSIONS**

Source	Public/Private	Value
Pension Fund	Public	

11. **CONTRACTS**  
Nothing to disclose.

12. **TRUSTS**  
Nothing to disclose.

13. **ENCUMBERANCES**  
Nothing to disclose.

