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Office of the
Commissioner



South African Revenue Service

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Mr Yunus Carrim, MP
The Chairperson
Standing Committee on Finance (SCoF)

Pretoria Head Office
299 Bronkhorst Street,
Nieuw Muckleneuk, 0181
Private Bag X923,
Pretoria, 0001

Dear Mr Carrim,

Leakage on the Financial Intelligence Centre Report on Mr Makwakwa

1. SARS was invited to appear before the Standing Committee on Finance (SCoF) on the 5th December 2017. The reason, amongst others, was to discuss the current matter of Mr Makwakwa's disciplinary outcome and the processes followed therein.
2. During the presentation, Honourable Member Mr Lees of the Democratic Alliance displayed what he said was a copy of the FIC report containing financial transactions of Mr Makwakwa's bank accounts.
3. We placed on record that we were of the view that the Committee was in illegal possession of the FIC report. Both the Chairperson of SCoF and Advocate Jenkins, the legal advisor to the Committee, maintained that the alleged FIC report is in the public domain having been made public by 'Daily Maverick' newspaper and that Advocate Jenkins himself distributed same to some members of the Committee.
4. SARS objected, and declined to discuss the report.
5. We have sought legal guidance and have been advised that the Daily Maverick website, and/or those who distributed the report, may have violated the FIC Act.
6. SARS believes that we are obligated to report the matter to the FIC Director and we will proceed to report the matter urgently.
7. Lastly, SARS attempted to access and retrieve the alleged report from the Internet and the Daily Maverick website without any success.
8. SARS therefore requests Advocate Jenkins through your office to please send us a link to demonstrate the report being in the public domain.

Sincerely,


TOM MOYANE
COMMISSIONER

DATE: 08 December 2017

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