

AFFIDAVIT

I, the undersigned,

SAREL JACOBUS FRANCIOS (KOBUS) MARAIS
(ID NUMBER 590626 5118 086)

Hereby make oath and state that:

AD DEPONENT

1.

1.1 I am an adult male member of the above details and of full legal capacity, employed as a Member of the Parliament at the Parliament of the Republic of South Africa, Plein Street, Cape Town, and residing at 4 Krige Street Langerug, Worcester.

1.2 Unless otherwise indicated, the facts contained in this affidavit are within my personal knowledge, and are to the best of my belief both true and correct.

AD PURPOSE

2.

2.1 I depose this affidavit in my capacity as a concerned citizen and as a Member of Parliament representing a sizable constituency that are directly affected by the incidents detailed hereunder.

2.2 This affidavit concerns alleged offences committed by several persons in terms of Regulations issued in terms of section 27(2) of the Disaster Management Act (Act No. 57 of 2002) ("the Regulations") published by Government Notice No. R 480 of 29 April 2020 as amended by Government Notices Nos. R. 608 of 28 May 2020, R. 714 of 25 June 2020, R. 714 of 25 June 2020, R.763 of 12 July 2020, R. 846 of 31 July 2020 and R. 891 of 17 August 2020 and section 80(3) of the Defence Act (Act No. 42 of 2002) ("the Defence Act").



BACKGROUND

3.

- 3.1 Attached hereto as Annexure "A" is an article that appeared on News24 on 15 September 2020, entitled "EXPLAINER | What you need to know about the ANC's flight to Zimbabwe".
- 3.2 In this article it is claimed that on Tuesday, 8 September 2020, the Minister of Defence and Military Veterans, Ms. Nosiviwe Mapisa-Nqakula, together with a delegation of senior ANC members, left the Waterkloof Air Force Base on a South African National Defence Force ("SANDF") Jet. The delegation was reportedly led by ANC Secretary General Ace Magashule, and which included the following persons:
- 3.1.1 Minister of Social Development and head of the ANC's National Executive Committee (NEC) Sub-Committee on International Relations, Ms. Lindiwe Zulu;
 - 3.1.2 NEC member, Ms. Nomvula Mokonyane;
 - 3.1.3 ANC's Head of Economic Transformation, Mr. Enoch Godongwana;
 - 3.1.4 NEC member, Mr. Tony Yengeni;
 - 3.1.5 ANC Spokesperson, Mr. Dakota Legoete; and
 - 3.1.6 ANC Chairperson, Mr. Gwede Mantashe.
- 3.3 The article also claims that purpose of the delegation was to fly to Zimbabwe to meet with a six-member Zimbabwe African National Union – Patriotic Front ("ZANU -PF") team, which represented the ruling party of Zimbabwe.

THE ALLEGED OFFENCES

4.

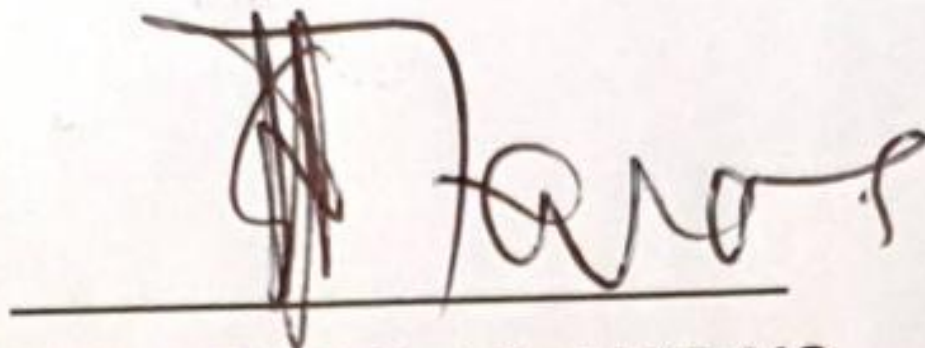
- 4.1 I hereby submit that the alleged actions of the individuals that formed part of the ANC delegation is a possible contravention of the Regulations as issued in terms of the Disaster Management Act (Act No. 57 of 2002), which currently, and on the date in question, prohibits all international passenger flights, except those flights authorized by the Minister of Transport.
- 4.2 I also submit that the alleged actions of the Minister was a possible contravention of section 80(3)(a) of the Defence Act (Act No. 42 of 2002) which prohibits her from

authorizing the conveyancing of any person who is not an officer or employee of the State acting in the execution of his or her duty as such, or any goods belonging to such person, by means of any vehicle, aircraft or vessel belonging to the Department; or from authorizing the use of any vehicle, aircraft, vessel, equipment, facility or any other property belonging to the Department of Defence and Military Veterans, by any person who is not an officer or employee of the State acting in the execution of his or her duty as such, if it is not in the public interest or in the case of an emergency, and in consultation with the Minister of Finance.

CONCLUSION

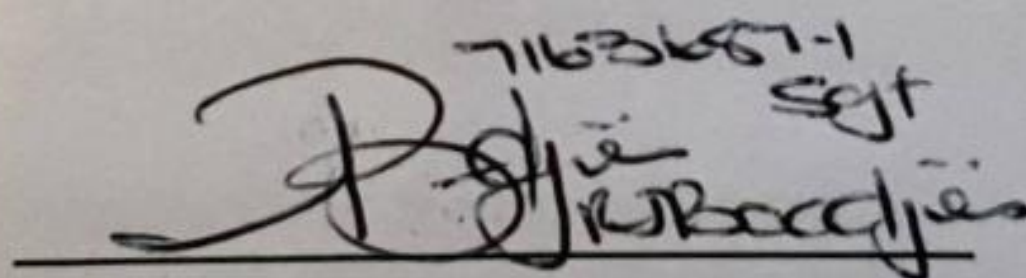
5.

5.1 In the light of the above, I request that these allegations be investigated as a matter of urgency.



DEPONENT: S.J.F. MARAIS

I CERTIFY THAT THIS AFFIDAVIT WAS SIGNED AND SWORN TO BEFORE ME AT SAPS Worcester ON THIS 16th DAY OF September 2020. THE DEPONENT HAVING ACKNOWLEDGED THAT HE/SHE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT AND I CERTIFY THAT THE REGULATIONS IN TERMS OF SECTION 10 OF ACT 16 OF 1963, AS PUBLISHED UNDER GN. R1258 OF 21 JULY 1972 AS AMENDED BY GN. R1648 OF 1977 AND GN. R1428 OF 1980 AND GN. R773 OF 1982, HAVE BEEN COMPLIED WITH.

7163657-1
Sgt


COMMISSIONER OF OATHS

FULL NAMES : Rudon John Boagjies
DESIGNATION : Sergeant.
AREA : Worcester SAPS.
ADDRESS : 33 Adderley Street, CBD Worcester.