

PART ONE

NORTH WEST

**Joint Presentation to the ADHOC Committee in Parliament
on matters dealt with by the
Inter-Ministerial Task Team (IMTT)**

11 June 2021



**REBUILDING AN INDEPENDENT,
PROFESSIONAL, ACCOUNTABLE AND CREDIBLE NPA**

2021/06/08





TOTAL NUMBER OF CASES : 51

| | |
|---|------------------------|
| • MATTERS IN COURT: | 15 |
| <i>NUMBER OF ACCUSED INVOLVED:</i> | <i>21</i> |
| • FOR DECISION WITH NPA AND GUIDANCE | 10 |
| • UNDER INVESTIGATION: | 14 |
| • FINALISED: | 12 |
| • TOTAL AMOUNT INVOLVED: | R 2 371 281 878 |





DECLINED TO PROSECUTE

- Mmabatho CAS 134/03/2018(Ayamah Consulting) by Adv Smit SC.
- Mogwase CAS 292/1/2017 (Moses Kotane Municipality) by Adv Smit SC

Both cases have been taken for review





PROVISIONAL WITHDRAWAL

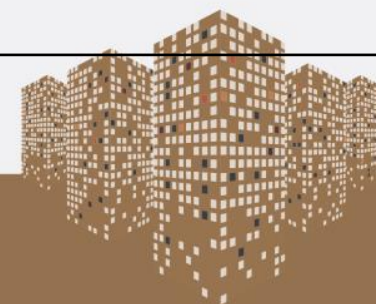
- Orkney CAS 15/11/2010, Orkney CAS 17/11/2020 & Orkney CAS 18/11/2020 combined in one court case. On 19 April 2021 case was withdrawn subsequent to consultation with witnesses. Fraud at Dr Kenneth Kaunda District Municipality

DPP queries have been complied with and the cases have been forwarded back to DPP for decision on 2021-06-07



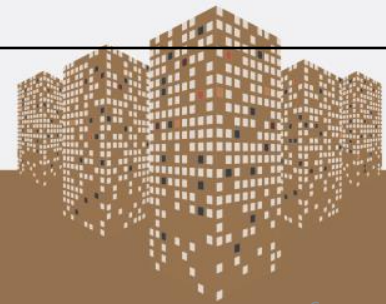
1.

| | | |
|--------------------------------|---|--|
| Case number | VENTERSDORP CAS 63/07/2011 | <p><u>Background of Case (Summary)</u></p> <p>The municipality was going to host a Gala Dinner where three (3) quotations were sourced for catering. One of the councillors of Ventersdorp Local Municipality connived with the service provider to send cover quotes ensuring that they received the tender. Furthermore they inflated prices that was agreed upon.</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-08-26 for trial</p> |
| Offence | Fraud | |
| Loss involved | R 44 400-00 | |
| Persons/Entity involved | <p>Ventersdorp Local Municipality</p> <p>Accused:</p> <p>i) Arnold Sidu: Councillor</p> <p>ii) Solomon Sidu: Company Director</p> | |
| Status of case | Court | |



2-3.

| | | |
|--------------------------------|--|---|
| Case number | WOLMARANSTAD CAS 07/07/2015 & 11/09/2015 | <p><u>Background of Case (Summary)</u></p> <p><u>CAS 07/07/2015</u> The suspect was the Chief Traffic Officer whereby he connived with the truck owner to defraud the municipality by issuing fraudulent license disks. During his appointment he did not disclose to the municipality that he had a previous conviction of fraud.</p> <p><u>CAS 11/09/2015</u> The accused issued fraudulent licence discs to a member of public and requested an amount of R 125.000.00.</p> <p><u>Current Status:</u> The case is remanded to 2021-05-31. The accused did not appear in court and J50 was issued.</p> |
| Offence | Corruption & Fraud | |
| Loss involved | R 345 000 (CAS 07/07/2015) R 152 000-00 | |
| Persons/Entity involved | <p>Maquassi Hills Local Municipality</p> <p>Accused:</p> <p>i) Windy Judas Mahlangu (Former Chief Traffic Officer)</p> | |
| Status of case | Court | |



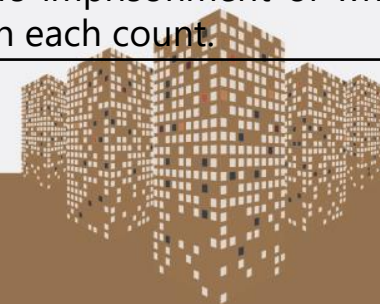
4.

| | | |
|--------------------------------|---|---|
| Case number | ORKNEY CAS 62/11/2015 | <p><u>Background of Case (Summary)</u></p> <p>Docket was opened by the Municipal Manager.</p> <p>The complainant alleged that the Municipality entered into an agreement with Dual Point Media to produce a TV program to promote the municipality to the community. The company never produced the program and the suspect used the money to pay previous expenses.</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-06-23 for trial.</p> |
| Offence | Fraud | |
| Loss involved | R 10 000 000-00 | |
| Persons/Entity involved | <p>Dr Kenneth Kaunda District Municipality</p> <p>Accused:</p> <p>i) Ezra Ndwandwe (Service Provider)</p> | |
| Status of case | Court | |



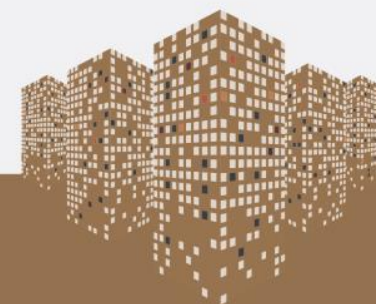
5.

| | | |
|--------------------------------|---|--|
| Case number | RUSTENBURG CAS 302/08/2014 | <p><u>Background of Case (Summary)</u></p> <p>The complainant alleged that three employees within the salary department employed at Rustenburg Local Municipality connived with their colleagues that monies will be deposited in their accounts as acting allowances, of which they will withdraw the money and share it amongst themselves.</p> <p><u>Current Status:</u></p> <p>The matter is remanded to the 2021-06-23 for trial for trial for Sendani and Motlhabane.</p> <p>VSP Sendani entered into an agreement with the municipality after the disciplinary hearing and paid an amount to R57, 767.60</p> <p>On 2019-08-26, Ramoseseane Elias Selokwane was found guilty and sentenced to 10 years imprisonment of which 5 years is suspended for 5 years on each count.</p> |
| Offence | Fraud | |
| Loss involved | R 418 990-00 | |
| Persons/Entity involved | <p>Rustenburg Local Municipality</p> <p>Accused:</p> <p>I. N Motlhabane, II. VSP Sendani, III. E Selokwane,</p> <p>(Finance Clerks)</p> | |
| Status of case | Court | |



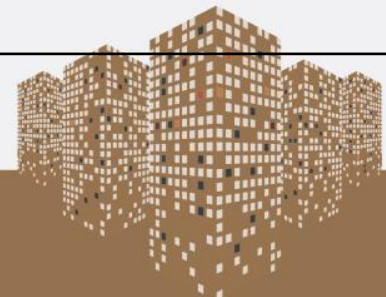
6.

| | | |
|--------------------------------|--|--|
| Case number | ORKNEY CAS 16/11/2010 | <p><u>Background of Case (Summary)</u></p> <p>The 2 officials misrepresented to the District Municipality by paying accommodation for non-existing students. The CFO discovered the said payment and it was not effected.</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-07-06 for trial.</p> |
| Offence | Fraud | |
| Loss involved | Potential Loss R 134 000-00 | |
| Persons/Entity involved | <p>Dr Kenneth Kaunda District Municipality</p> <p>Accused:</p> <p>I. O Bogatsu: Former Official</p> <p>II. S Motsiri: employee</p> | |
| Status of case | Court | |



7.

| | | |
|--------------------------------|--|---|
| Case number | MAHIKENG CAS 165/01/2018 | <p><u>Background of Case (Summary)</u></p> <p>The department of Health Advertised a vacancy for a HoD post. The appointed HoD misrepresented by submitting false information during his application. Information was received that the appointment was irregular as he did not make the requirement as per the Advert of the post. Preliminary investigations were conducted and proved that there was a prima facie case that needs further investigation.</p> <p><u>Current Status:</u></p> <p>The case remanded to 2021-08-10 for further trial in the High Court.</p> |
| Offence | Fraud | |
| Loss involved | Unknown | |
| Persons/Entity involved | <p>Department of Health</p> <p>Accused:</p> <p>i) Dr Lekalakala: former HoD of Health</p> <p>ii) Wendy Nelson: Former MEC of finance</p> | |
| Status of case | Court | |



8.

| | | |
|--------------------------------|---|--|
| Case number | MAKAPANSTAD CAS 83/12/2015 | <p><u>Background of Case (Summary)</u></p> <p>The social worker working for the Department motivated for the NGO's involved in community projects to be assisted with funds to be able to sustain their projects for a longer period of time. After the NGO's had received the money from the Department she would later go around and solicited bribes from project managers.</p> <p><u>Current Status:</u></p> <p>The case remanded to 2021-07-21 for trial.</p> |
| Offence | Corruption | |
| Loss involved | R 45 902-00 | |
| Persons/Entity involved | <p>Department of Social Development</p> <p>Accused:</p> <p>i) Ms Mpolokeng Ditlhakanyane: Social Worker</p> | |
| Status of case | Court | |



9.

| | | |
|--------------------------------|---|--|
| Case number | ZEERUST CAS 54/03/2015 | <p><u>Background of Case (Summary)</u></p> <p>It is alleged that the service provider who was paid by cheque requested that he be paid by EFT and it was agreed that he would not use the cheques that was already issued to him. The service provider also used the cheque resulting in double payment fro the service rendered.</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-06-07 for a trial date to be arranged in Specialised Commercial Crime Court.</p> |
| Offence | Fraud | |
| Loss involved | R 1 965 343-46 | |
| Persons/Entity involved | <p>Ramotshere Moiloa Local Municipality</p> <p>Accused:</p> <p>i) KC Mongae: Service Provider</p> | |
| Status of case | Court | |



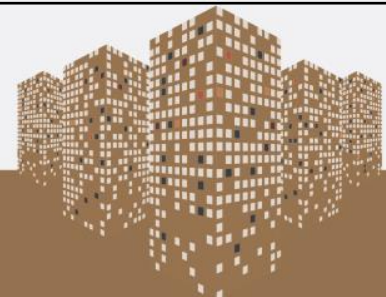
10.

| | | |
|--------------------------------|--|--|
| Case number | MMABATHO CAS 206/02/2018 | Background of Case (Summary) The Head of Department of Health signed a service level agreement with Cureva / Mediosa without following tender procedures. He further allowed an upfront payment of R30 million to be paid to the service provider without rendering any services. Current Status: The case is remanded to 2021-07-26 for trial in the High Court. |
| Offence | Fraud and Corruption | |
| Loss involved | R 30 000 000-00 | |
| Persons/Entity involved | Department of Health Accused: i) Dr Lekalakala: Former HoD of Health | |
| Status of case | Court | |



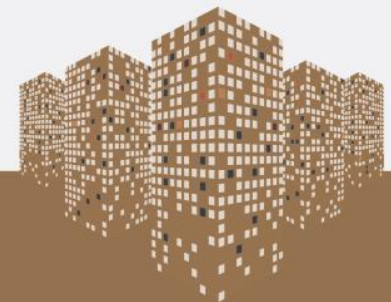
11.

| | | |
|--------------------------------|---|---|
| Case number | Setlagole CAS 09/10/2019 | <p><u>Background of Case (Summary)</u></p> <p>The acting Municipality Manager of Ratlou Local Municipality unlawfully appointed service providers without advertising tenders for renovation of the Municipality offices and renovation of the Community Hall at Madibogo village, The threshold of appointing service providers without following the bidding process of two hundred thousand rand (R200 000-00). The appointment of the service provider by the municipal manager to provide services to the value of R7.8 million was done and contravention of public finance management act and Ratlou municipality Supply Chain processes.</p> |
| Offence | Corruption | |
| Loss involved | R7.8 Million | |
| Persons/Entity involved | <p>Ratlou Local Municipality</p> <p>Accused:</p> <p>I. Mr SC Sejake: former Acting MM</p> | |
| Status of case | Court | <p><u>Current Status:</u></p> <p>The case is remanded to 2021-07-02 for trial.</p> |



12.

| | | |
|--------------------------------|--|---|
| Case number | POTCHEFSTROOM CAS 187/05/2020 | <p><u>Background of Case (Summary)</u></p> <p>The complainant alleged that the officials and the mayor of JB Marks connived to defraud the municipality by submitting false invoices for goods and services not rendered</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-06-17 for a trial date to be arranged in Specialised Commercial Crime Court.</p> |
| Offence/Charge | Fraud And Corruption | |
| Loss involved | R680 000.00 Actual | |
| Persons/Entity involved | <p>JB Marks Municipality</p> <p>Accused:</p> <ul style="list-style-type: none"> I. Mr Kgotso Khumalo (Mayor) II. Mr Hendry (Director of Municipal Service) III. Mr Mohou Shuping (Official) | |
| Status of case | Court | |



13.

| | | |
|--------------------------------|--|---|
| Case number | CHRISTIANA CAS 37/09/2016 | <p><u>Background of Case (Summary)</u></p> <p>It is alleged that the former Director Technical Services was found to have contravened Section 171 (3) read with Section 77 and 78 of the Municipal Finance Management Act 56 of 2003 by sourcing quotations, invoices and recommended and approved payments without following SCM processes.</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-10-18 for trial.</p> |
| Offence/Charge | Fraud | |
| Loss involved | R 504 143.00 | |
| Persons/Entity involved | <p>Lekwa Teemane Local Municipality</p> <p>Accused:</p> <p>Kamogelo Brian Segapo (Former Technical Director)</p> | |
| Status of case | Court | |





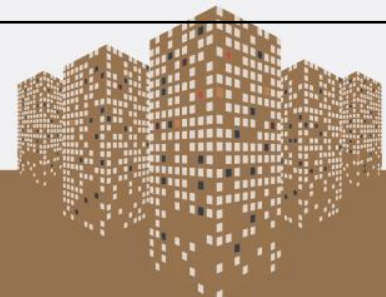
14.

| | | |
|--------------------------------|---|--|
| Case number | TAUNG CAS 94/11/2015 | <p>Background of Case (Summary)</p> <p>It is alleged that during 2014-2015 the suspect employed at Greater Taung Local Municipality requested service providers to submit quotations for the following services to be rendered to the municipality;</p> <ul style="list-style-type: none"> R95 000,00 ~ installations of Christmas lights R16 530,00 ~ erection of a sign board R27 480,00 ~ branded folders for the municipality R30 000,00 ~ advertisement on behalf of the municipality R30 000,00 ~ advertisement on behalf of the municipality R20 000,00 ~ advertisement on behalf of the municipality <p>The suspect manipulated the quotations received from the service providers by creating and submitting other false quotations to the for payments to bogus service providers.</p> <p>Current Status:</p> <p>J175 was issued on 2021-05-19 and served.</p> <p>The case is remanded to 2021-06-29 for first appearance.</p> |
| Offence | Fraud | |
| Loss involved | R 219 010.00 | |
| Persons/Entity involved | Greater Taung Local Municipality | |
| Status of case | Court | |



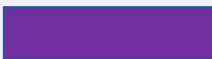


15.

| | | |
|--------------------------------|---------------------------------------|---|
| Case number | RUSTENBURG CAS 552/05/2016 | <p>Background of Case (Summary)</p> <p>It is alleged that a tender was awarded to Matshidiso Construction & Projects for the supply of paraffin to Rustenburg Local Municipality. It is further alleged that the initial procurement process was never done but a Sec 32(1) regulation was used to appoint the company. It was later discover that the municipality lied about the previous tender process they used to appoint the company. The value of the tender was R22 681 88.04</p> <p>Current Status:</p> <p>The J175 was issued on 2021-06-01. and served.</p> <p>The case is remanded to 2021-07-29 for first appearance.</p> |
| Offence | Fraud | |
| Loss involved | To be determined | |
| Persons/Entity involved | Rustenburg Local Municipality. | |
| Status of case | Court | |



CLOSED CASES

| | | |
|----------------------------------|---|----|
| • <u>Number of cases closed:</u> | | 12 |
| ❖ Guilty: |  | 5 |
| ❖ Not Guilty : |  | 1 |
| ❖ DPP declined to prosecute : |  | 6 |

The following 2 cases were taken for review:

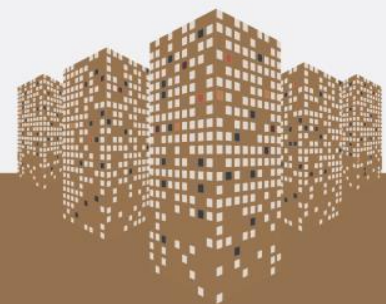
- ✓ Mmabatho 134/03/2013
- ✓ Mogwase 292/01/2017)



CLOSED CASES

1.

| | | |
|--------------------------------|--|---|
| Case number | BLOEMHOF CAS 187/03/2014 | <p><u>Background of Case (Summary)</u></p> <p>The municipality had assets which were worn out and wanted to dispose them off. They then appointed an auction company to dispose the properties and the auction took place; of which the auctioneer did not pay the municipality the proceeds.</p> <p><u>Current Status:</u></p> <p>The accused pleaded guilty and was sentenced on 2020-11-18 as follows:</p> <p>Count 1: 5 years imprisonment</p> <p>Count 2: 3 years wholly suspended for 5 years</p> |
| Offence | Theft | |
| Loss involved | R 255 000-00 | |
| Persons/Entity involved | <p>Lekwa Teemane Local Municipality</p> <p>Accused:</p> <p>i) MT Molefe (Auctioneer)</p> | |
| Status of case | Guilty | |



CLOSED CASES

2.

| | | |
|--------------------------------|---|--|
| Case number | Mmabatho CAS 159/2/2014 | <p><u>Background of Case (Summary)</u></p> <p>The complainant alleged that they appointed an actioner to sell property belonging to Botshelo water, and the auctioneer did not pay the proceeds to Botshelo water</p> <p><u>Current Status:</u></p> <p>The accused pleaded guilty and was sentenced on 2020-11-18 as follows:</p> <p>Count 1: 5 years imprisonment</p> <p>Count 2: 3 years wholly suspended for 5 years.</p> |
| Offence/Charge | Fraud | |
| Loss involved | R 1 035 000.00 | |
| Persons/Entity involved | <p>Accused:</p> <p>I. Mr MT Molefe (Auctioneer)</p> | |
| Status of case | Guilty | |



CLOSED CASES

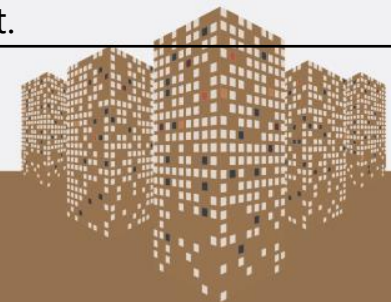
3.

| | | |
|--------------------------------|---|--|
| Case number | KLERKSDORP CAS 392/06/2015 | <p>Background of Case (Summary)</p> <p>Matlosana Local Municipality complained that certain municipal employees at the Financial Section, Indigent Unit were manipulating the system. It was further alleged that payments were done to volunteers at the Indigent Unit without them doing any work. The volunteer will then be contacted and the money would be withdrawn from the bank account and handed over to the municipal employee.</p> <p>Current Status:</p> <p>Accused pleaded guilty on 2019-02-08 and was sentenced as follows:</p> <ul style="list-style-type: none"> -Accused to repay R68 530 in terms of Sec 300 of ACT 51/1977 to Matlosana Local Municipality. -All counts taken together for the purpose of sentences and he was sentenced to a fine of R50 000.00 or 3yrs imprisonment. He was further sentenced to 3yrs which was suspended to 5yrs on condition that he does not commit any crime of the same nature during the period of suspension. |
| Offence | Fraud | |
| Loss involved | R 97 285-00 | |
| Persons/Entity involved | <p>Matlosana Local Municipality</p> <p>Accused:</p> <p>i) Boitumelo Lekgwenyane</p> | |
| Status of case | Guilty | |

CLOSED CASES

4.

| | | |
|--------------------------------|--|---|
| Case number | RUSTENBURG CAS 302/08/2014 | <p><u>Background of Case (Summary)</u></p> <p>The complainant alleged that three employees within the salary department employed at Rustenburg Local Municipality connived with their colleagues that monies will be deposited in their accounts as acting allowances, of which they will withdraw the money and share it amongst themselves.</p> <p><u>Current Status:</u></p> <p>The matter is remanded to the 2021-03-29 for trial for two of the three accused.</p> <p>One accused entered into an agreement with the municipality after the disciplinary hearing and paid an amount to R57, 767.60.</p> <p>On 2019-08-26, Ramoseseane Elias Selokwane was found guilty and sentenced to 10 years imprisonment of which 5 years is suspended for 5 years on each count.</p> |
| Offence | Fraud | |
| Loss involved | R 418 990-00 | |
| Persons/Entity involved | <p>Rustenburg Local Municipality</p> <p>Accused:</p> <p>i. Ramoseseane Elias Selokwane</p> | |
| Status of case | Guilty (Duplicate) | |



5.

| | | |
|--------------------------------|---|---|
| Case number | VRYBURG CAS 72/02/2012 | <u>Background of Case (Summary)</u> |
| Offence | Corruption, Money Laundering, Fraud and contravention of MFMA | <p>It is alleged that during 2007, Naledi Local Municipality made an application for the approval of housing projects in respect of Vryburg extensions 25 and 28. The application was approved by the Department of Local Government and Housing. The Municipal Manager appointed Khasu Engineering Services without following procurement processes for the establishment of the three thousand (3 000) low cost houses. It is further alleged that the service provider submitted claims for the work not done. Investigation revealed that roads, earthworks, storm water and streetlights were not constructed even though completion certificates were submitted and payments amounting to eighty seven million rand (R87, 000, 000.00) which resulted to an overpayment of sixty million rand (R60, 000, 000.00).</p> <p>Current Status:</p> <p>Accused Zwelakhe Erick Phukwana was convicted on 2021-02-11 and sentenced to:</p> <p>Count no 1: 6 years imprisonment, Count no 2: 5 years imprisonment (suspended), Count 3 and 4: 10 years imprisonment and 8 years suspended.</p> |
| Loss involved | R60 000 000.00 | |
| Persons/Entity involved | <p>Naledi Local Municipality</p> <p>Accused:</p> <p>Zwelakhe Erick Phukwana</p> | |
| Status of case | Guilty | |

2021/06/08

CLOSED CASES

6.

| | | |
|--------------------------------|-------------------------------------|---|
| Case number | WOLMARANSTAD CAS 92/12/2010 | Background of Case (Summary) The municipality advertised a tender for refuse trucks whereby the complainant was one of the service providers that bid for the tender. The complainant alleges that he was approached by the employees of the municipality whereby they promised to influence the committee to award the said tender to him for benefit. |
| Offence | Corruption | |
| Loss involved | R 8 000-00 | |
| Persons/Entity involved | Matlosana Local Municipality | |
| Status of case | Not Guilty | |
| | | Current Status: Matter was before court on 2019-04-24. Accused: Not guilty. |



CLOSED CASES

7.

| | | |
|--------------------------------|---------------------------------|---|
| Case number | POTCHEFSTROOM CAS 81/05/2011 | <p>Background of Case (Summary)</p> <p>Docket was opened by the Department of Education North West in Potchefstroom. The complainant alleges that two tenders were awarded during 2007. These two tenders were awarded to four companies. During investigations by the Department of Education it was discovered that two of these four companies were front companies. During the investigation it was discovered that the officials appointed the service providers without following tender procedures.</p> <p>Current Status:</p> <p>The DPP declined to prosecute.</p> |
| Offence | Fraud | |
| Loss involved | R 70 000 000-00 | |
| Persons/Entity involved | Department of Education | |
| Status of case | Declined to prosecute | |



CLOSED CASES

8-9

| | | |
|--------------------------------|---|---|
| Case number | HARTBEESPOORDAM CAS 174/06/2016 & CAS 175/06/2016 | <p>Background of Case (Summary)</p> <p>Docket was opened by the Department of Water and Sanitation North West in Hartbeespoortdam. The complainant alleges that the suspects contravened sec 57 (e) of the PFMA, by appointing a company to upgrade the road at Hartbeespoortdam and Lindleyspoort dam whereas the terms of the contract does not make provisions for such services. It was also found the same service provider had received other tenders without following tender procedures.</p> <p>Current Status:</p> <p>The DPP declined to prosecute.</p> |
| Offence | Fraud | |
| Loss involved | R 18 000 000-00 | |
| Persons/Entity involved | Department of Water & Sanitation | |
| Status of case | Declined to prosecute | |



CLOSED CASES

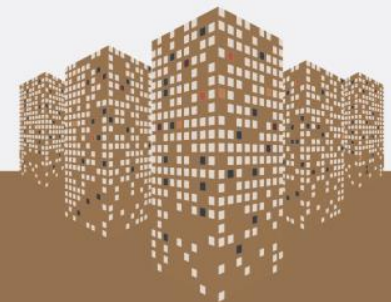
10.

| | | |
|--------------------------------|---|---|
| Case number | MOGWASE CAS 204/03/2013 | <p>Background of Case (Summary)</p> <p>The Department appointed a contractor to disburse an amount of R1.5m to create projects to alleviate poverty for 100 indigent's community members but the contractor disbursed for only 22 indigents. The said contractor failed to return to the site to continue with the project as agreed in the service level agreement and stole the remaining amount.</p> <p>Current Status:</p> <p>The DPP declined to prosecute (Suspect deceased).</p> |
| Offence | Fraud and Corruption | |
| Loss involved | R 1 290 000-00 | |
| Persons/Entity involved | Department of Social Development | |
| Status of case | Declined to prosecute | |



11.

| | | |
|--------------------------------|------------------------------------|--|
| Case number | MMABATHO CAS 134/03/2018 | <p>Background of Case (Summary)</p> <p>The allegations are that the HoD of the Department DPW misrepresented to the department that he had invoked Section 16a of National Treasury to contractor Ayama Consulting to render service of building roads within the North West Province. Furthermore an upfront payment of R103 000 000.00 was paid to the said contractor for services not rendered. Preliminary investigations were conducted and revealed that the tender used from Mbombela Municipality was actually for water and sanitation and not for construction of roads.</p> <p>Current status:</p> <p>Decision taken for review.</p> |
| Offence | Fraud | |
| Loss involved | R 103 000 000-00 | |
| Persons/Entity involved | Department of Public Works. | |
| Status of case | Declined to prosecute | |



12.

| | | |
|--------------------------------|--|---|
| Case number | MOGWASE CAS 292/01/2017 | <p>Background of Case (Summary)</p> <p>The complainant alleged that the Company Big Time Strategies was appointed to render Software services, Training and Hardware (computers etc) to the municipality and they were paid for services not rendered. Investigations were instituted and National Treasury was roped in to assist with the investigation whereby it has been established that the company was appointed unlawfully without going through proper processes as required by PFMA and MFMA.</p> <p>Current Status:</p> <p>Decision taken for review.</p> |
| Offence | Fraud and Corruption | |
| Loss involved | R 312 000 000-00 | |
| Persons/Entity involved | Moses Kotane Local Municipality | |
| Status of case | Declined to prosecute | |



CASES THAT ARE COMMON ON BOTH PRESENTATIONS



national treasury

Department:
National Treasury
REPUBLIC OF SOUTH AFRICA



HAWKS

DIRECTORATE FOR PRIORITY CRIME INVESTIGATION

| COURT | DPP | INVESTIGATION | CASE TO BE REVIEWED |
|---------------------------|-------------------------|-------------------------|----------------------|
| Makapanstad 83/12/2015 | Mmabatho 135/01/2016 | Mmabatho 89/03/2018 | Mmabatho 134/03/2018 |
| Mahikeng 165/01/2018 | Mmabatho 07/11/2016 | Mmabatho 345/05/2018 | |
| Mmabatho 206/02/2018 | Mmabatho 63/02/2013 | Mmabatho 181/05/2020 | |
| | Mmabatho 302/01/2014 | Mmabatho 36/05/2020 | |
| | Mahikeng 369/06/2017 | Mmabatho 01/07/2020 | |
| | | Mmabatho 141/09/2013 | |

JOINT PRESENTATION TO THE ADHOC COMMITTEE IN PARLIAMENT ON SECTION 100 INTERVENTION CASES NORTH WEST (NW)



2021/06/08

CASES REFERRED BY ADMINISTRATORS

| | | | |
|---|---|--|--|
| Department Finance, Economy and Enterprise Development: <div style="text-align: center; background-color: #4a86e8; color: white; width: 40px; margin: 0 auto; padding: 5px;">1</div> | Department of Rural Economy and Agriculture Development <div style="text-align: center; background-color: #4a86e8; color: white; width: 40px; margin: 0 auto; padding: 5px;">1</div> | Office of the Premier: <div style="text-align: center; background-color: #4a86e8; color: white; width: 40px; margin: 0 auto; padding: 5px;">1</div> | Department of Education and Sports Development <div style="text-align: center; background-color: #4a86e8; color: white; width: 40px; margin: 0 auto; padding: 5px;">6</div> |
| Department of Transport and Community Safety <div style="text-align: center; background-color: #4a86e8; color: white; width: 40px; margin: 0 auto; padding: 5px;">1</div> | Department of Public Works and Roads <div style="text-align: center; background-color: #4a86e8; color: white; width: 40px; margin: 0 auto; padding: 5px;">1</div> | | |
| TOTAL CASES REFERRED BY ADMINISTRATORS: | | 11 | |

• **TOTAL NUMBER OF CASES:** **33**

- Number of court cases:  05

Number of accused 15

- Number of cases for decision with NPA / Guidance:  07

- Number of cases under investigation:  21

- Amount involved R 133 143 571

Number of cases registered before intervention: 11

Number of cases registered after intervention: 22

Number of cases referred by Administrators: 11

DEPARTMENTS

SECTION 100(1)(A)

| | | | |
|---|---|---|---|
| <p>Department of Social Development:</p> <p style="text-align: center;">5</p> | <p>Department of Local Government and Human Settlement :</p> <p style="text-align: center;">3</p> | <p>Department Finance, Economy and Enterprise Development:</p> <p style="text-align: center;">2</p> | <p>Department of Tourism</p> <p style="text-align: center;">1</p> |
| <p>Department of Rural Economy and Agriculture Development</p> <p style="text-align: center;">1</p> | | | |

SECTION 100(1)(B)

| | | | |
|--|---|--|--|
| <p>Office of the Premier:</p> <p style="text-align: center;">1</p> | <p>Department of Health:</p> <p style="text-align: center;">6</p> | <p>Department of Education and Sports Development</p> <p style="text-align: center;">7</p> | <p>Department of Transport and Community Safety</p> <p style="text-align: center;">3</p> |
| <p>Department of Public Works and Roads</p> <p style="text-align: center;">4</p> | | <p>TOTAL: 33</p> | |

1.

| | | |
|--------------------------------|---|--|
| Case number | MAKAPANSTAD CAS 83/12/2015 | <p><u>Background of Case (Summary)</u></p> <p>It is alleged that an employee of Social Development motivated for the NGO's involved in community projects to be assisted with funds to be able to sustain their projects for a longer period of time. After the NGO's had received the money from the Department the employee would later go around and solicited bribes from project managers.</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-07-27 for trial.</p> |
| Offence | Corruption | |
| Loss involved | R 45 902-00 | |
| Persons/Entity involved | <p>Department of Social Development</p> <p>Accused:</p> <p>i) Ms Mpolokeng Ditlhakanyane: Social Worker</p> | |
| Status of case | Court | |
| Number of statements | 31 | |

2.

| | | |
|--------------------------------|--|---|
| Case number | Zeerust CAS 124/08/2013 | <p><u>Background of Case (Summary)</u></p> <p>It is alleged that the department funded an NGO with an amount of R545 000 to uplift the community and the chairperson of the NGO used the money for his personal gain.</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-07-07 for trial</p> |
| Offence/Charge | Theft | |
| Loss involved | R 545 000-00 | |
| Persons/Entity involved | <p>Department of Social Development</p> <p>Accused:</p> <p>I. Mr OG Senne: Chairperson</p> | |
| Status of case | Court | |
| Number of statements | 16 | |
| | | |

3.

| | | |
|--------------------------------|----------------------------------|--|
| Case number | Mahikeng 228/09/2019 | <p><u>Background of Case</u></p> <p>It is alleged that an official connived with the service provider and submitted fraudulent claims of building material which were not delivered at the office of Social Development.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 16 statements were obtained. <p>The docket was submitted to the DPP on 2021-01-15 for decision.</p> <p>The docket was received back with queries on 2021-05-26</p> <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ Section 205 from Vodacom ❖ Analysis |
| Offence/Charge | Fraud | |
| Loss involved | R 258 000 | |
| Persons/Entity involved | Department of Social Development | |
| Status of case | DPP | |
| Number of statements | 16 | |

2021/06/08

4.

| | | |
|-------------------------|----------------------------------|--|
| Case number | Morokweng CAS 23/12/2018 | <p><u>Background of Case</u></p> <p>It is alleged that the Department of Social Development funded Moledi Care Center (NGO) to sustain their projects intended to uplift the community. The said grant was misused.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 13 statements were obtained. ❖ FIC report was received. ❖ SABRIC report was received <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ Bank statements from Capitec. |
| Offence | Fraud | |
| Loss involved | R 121 000 | |
| Persons/Entity involved | Department of Social Development | |
| Status of case | Under Investigation | |
| Number of statements | 13 | |

5.

| | | |
|--------------------------------|----------------------------------|--|
| Case number | Mmabatho CAS 140/03/2017 | <p><u>Background of Case:</u></p> <p>It is alleged that an employee of North West Department of Social Development connived with the service providers and solicited money from the said service providers.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 47 statements were obtained <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 3 statements |
| Offence/Charge | Fraud | |
| Loss involved | R 420 000 | |
| Persons/Entity involved | Department of Social Development | |
| Status of case | Under investigation | |
| Number of statements | 47 | |

6.

| | | |
|--------------------------------|--------------------------------|---|
| Case number | Mmabatho CAS 292/09/2020 | <p><u>Background of Case</u></p> <p>It is alleged that the Department of Human Settlement advertised a tender for building RDP houses and appointed a service provider. All procurement procedures were followed however the service provider was paid for services not rendered during 2016 until 2018.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 2 statements were obtained. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ Forensic report from appointed company ❖ 5 statements |
| Offence | Fraud | |
| Loss involved | R 8 257 120,00 | |
| Persons/Entity involved | Department of Human Settlement | |
| Status of case | Under investigation | |
| Number of statements | 2 | |

7.

| | | |
|--------------------------------|--------------------------------|---|
| Case number | Rustenburg CAS 228/11/2019 | <p><u>Background of Case:</u></p> <p>It is alleged that an amount of R134 416 685.00 was transferred from Department of Human Settlement to Bojanala District Municipality where it was not accounted for however the money was intended for Rustenburg Local Municipality.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 20 statements were obtained ❖ Provincial Treasury report was received. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ Interviewing of service providers. (will interview them after receiving the invoices from the municipality in order to see the services they were paid for. The new MM undertook to provide the invoices on 2021-07-11) |
| Offence | Fraud | |
| Loss involved | R 84 416 685 | |
| Persons/Entity involved | Department of Human Settlement | |
| Status of case | Under investigation | |
| Number of statements | 20 | |

8.

| | | |
|--------------------------------|---------------------------------------|--|
| Case number | MAHIKENG CAS 369/06/2017 | <p><u>Background of Case:</u></p> <p>It is alleged that houses were transferred from the Department of Human Settlement to private persons unlawfully.</p> <p><u>Current Status:</u></p> <p>❖ 30 statements were obtained</p> <p>The docket was sent to DPP for decision on 2021-05-21</p> |
| Offence | Fraud-Forgery and uttering: | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Human Settlement | |
| Status of case | Under Investigation | |
| Number of statements | 30 | |

9.

| | | |
|--|----------------------------|---|
| Case number | Mmabatho 232/01/2021 | <p><u>Background of case:</u></p> <p>It is alleged that the Supply Chain Manager misrepresented credentials when applying for a post.</p> <p><u>Current status:</u></p> <ul style="list-style-type: none"> ❖ 6 statements were obtained. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ Additional Section 205 from FNB account |
| Offence | Fraud | |
| Loss involved | To be determined | |
| Entity involved/Person/s involved | Provincial Treasury | |
| Status of case | Under Investigation | |
| Number of statements obtained | 6 | |

10.

| | | |
|--------------------------------|------------------------------|--|
| Case number | Mmabatho CAS 63/02/2013 | <p><u>Background of Case:</u></p> <p>It is alleged that the attorney firm was paid inflated prices.</p> <p><u>Current Status:</u></p> <p>❖ 30 statements were obtained.</p> <p>The docket was sent to the DPP for decision on 2021-05-11</p> |
| Offence | Fraud-Forgery and uttering: | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Finance | |
| Status of case | DPP | |
| Number of statements | 30 | |

11.

| | | |
|--------------------------------------|--------------------------|---|
| Case Number | Mahikeng CAS 448/11/2019 | <p><u>Background of case</u></p> <p>It is alleged that 2 security companies were appointed at different times under similar specifications but were paid vastly different amount by the department.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 12 statements were obtained ❖ Service Level Agreements were obtained for both security companies <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 1 statement |
| Offence | Fraud | |
| Loss involved | R 2 563 551 | |
| Persons/ Entity involved | Department of Tourism | |
| Status of case | Under investigation | |
| Number of statements obtained | 12 | |
| | 2021/06/08 | |

12.

| | | |
|--------------------------------|--|---|
| Case number | Mmabatho CAS 345/05/2018 | <p><u>Background of Case:</u></p> <p>It is alleged that AgriDelight entered into an agreement with the North West Department of Rural Environment and Agricultural Development (“the Department”) as an implementing agent for the Department. The Department would pay money to AgriDelight for the approved projects. Thus far, investigation has established that the Department made payments into the bank account held by AgriDelight.</p> <p><u>Currents Status:</u></p> <p>❖ 593 statements were obtained.</p> <p><u>Outstanding:</u></p> <p>❖ 15 statements</p> |
| Offence | Fraud, Corruption and Money Laundering | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Rural Economy and Agricultural Development | |
| Status of case | Under investigation | |
| Number of statements | 593 | |
| 2021/06/08 | | |

13.

| | | |
|--------------------------------|------------------------------|--|
| Case number | Mmabatho CAS 01/07/2020 | <p><u>Background of Case:</u></p> <p>It is alleged that a service provider in the Office of the Premier of North West Province, namely NEPO Data Dynamic (Pty) Ltd (“NEPO”) received suspicious payments from the Office of the Premier. NEPO was appointed to provide IT services to the Office of the Premier and numerous municipalities in the North West Province. There were suspicious payments made to NEPO.</p> <p><u>Current Status:</u></p> <p>❖ 38 statements obtained.</p> <p><u>Outstanding:</u></p> <p>❖ 9 Statements</p> <p>Docket will be forwarded to the DPP for decision on 2021-07-14</p> |
| Offence | Fraud and Corruption | |
| Loss involved | To be determined | |
| Persons/Entity involved | OFFICE OF THE PREMIER | |
| Status of case | Under investigation | |
| Number of statements | 38 | |

2021/06/08

14.

| | | |
|--------------------------------|---|---|
| Case number | Mahikeng CAS 165/01/2018 | <p><u>Background of Case:</u></p> <p>It is alleged that the department of Health Advertised a vacancy for a HoD post. The HoD is being prosecuted.</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-08-10 for further trial in the High Court.</p> |
| Offence | Fraud | |
| Loss involved | To be determined | |
| Persons/Entity involved | <p>Department of Health</p> <p>Accused:</p> <p>i) Dr Lekalakala: former HoD of Health</p> <p>ii) Wendy Nelson: Former MEC of finance</p> | |
| Status of case | Court | |
| Number of statements | 21 | |

15.

| | | |
|--------------------------------|---|--|
| Case number | Mmabatho CAS 206/02/2018 | <p><u>Background of Case:</u></p> <p>It is alleged that the Head of Department of Health signed a service level agreement with Cureva / Mediosa without following tender procedures. An upfront payment was made.</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-07-26 for trial in the High Court.</p> |
| Offence | Fraud and Corruption | |
| Loss involved | R 30 000 000 | |
| Persons/Entity involved | <p>Department of Health</p> <p>Accused:</p> <p>i) Dr Lekalakala: Former HoD of Health</p> | |
| Status of case | Court | |
| Number of statements | | |

16.

| | | |
|--------------------------------|--|--|
| Case number | Klerksdorp CAS 400/06/2018 | <p><u>Background of Case:</u></p> <p>It is alleged that employees of the Department of Health defrauded the Department by creating and capturing orders for payment to the service providers for services not rendered and shared the money.</p> <p><u>Current Status:</u></p> <p>The case is remanded to 2021-07-07 for trial.</p> |
| Offence | Fraud and Corruption | |
| Loss involved | R 1 787 794-20 | |
| Persons/Entity involved | <p>Department of Health</p> <p>Accused:</p> <ul style="list-style-type: none"> I. MS De Jaar II. M Galane III. M Mahlaole IV. GOJ Ncube V. RA Mokoto VI. LM Mokwena VII. MF Ncokolo VIII. MA Seribe IX. MA Sikhosana X. MM Tladi | |
| Status of case | Court | |
| Number of statements | 15 | |

17.

| | | |
|--------------------------------|-------------------------|--|
| Case number | Mmabatho CAS 89/03/2018 | <p><u>Background of Case:</u></p> <p>It is alleged that the department of Health appointed a service provider to render services of transporting patients from the clinics to the hospital. The allegations are that the tender procedures were not followed to appoint the said service provider</p> <p><u>Current status:</u></p> <p>❖ 12 statements were obtained.</p> <p><u>Outstanding:</u></p> <p>❖ The invoices of are being audited from the service provider and is drafting an affidavit on irregularities.</p> |
| Offence | Fraud | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Health | |
| Status of case | Under investigation | |
| Number of statements | 12 | |

18.

| | | |
|--------------------------------|-----------------------------|---|
| Case number | Mmabatho CAS 135/01/2016 | <p><u>Background of Case:</u></p> <p>It is alleged that the Department of Health appointed service providers for the upgrading of Brits hospital unlawfully.</p> <p><u>Current Status:</u></p> <p>The docket was submitted to the DPP on 2021-02-15 for decision.</p> <p>Consultation with DPP will be held on 2021-06-10</p> |
| Offence | Fraud and corruption | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Health | |
| Status of case | DPP | |
| Number of statements | 10 | |

19.

| | | |
|--------------------------------|--------------------------|---|
| Case number | Mmabatho CAS 141/09/2013 | <p><u>Background of Case:</u></p> <p>It is alleged that the department of Health appointed a service provider to upgrade and service medical equipment at Vryburg and Brits Hospital. The officials connived with the service provider to defraud the department by inflating prices as well as paying for services not rendered.</p> <p><u>Current Status:</u></p> <p>The docket was submitted to the DPP on 2020-11-09 for decision. The docket was received back with queries on 2021-03-03</p> <p>❖ 26 statements were obtained</p> <p><u>Outstanding:</u></p> <p>❖ 1 statement</p> <p>❖ Forensic report from appointed company.</p> |
| Offence | Fraud and Corruption | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Health | |
| Status of case | DPP | |
| Number of statements | 26 | |

20.

| | | |
|--------------------------------|-------------------------|--|
| Case number | Itsoseng CAS 55/07/2020 | <p><u>Background of Case</u></p> <p>It is alleged by an internal investigator of the North West Department of Education that the suspects namely a school principal and his admin assistant from Reatlegile Special School stole money from the school by using the school's cheques for their own personal gain.</p> <p><u>Current Status:</u></p> <p>The docket was submitted to the DPP on 2021-05-05 for decision.</p> |
| Offence/Charge | Fraud | |
| Loss involved | R 1 230 519 | |
| Persons/Entity involved | Department of Education | |
| Status of case | DPP | |
| Number of statements | 12 | |
| | 2021/06/08 | |

21.

| | | |
|--------------------------------|---|---|
| Case number | Mahikeng SCCI Enquiry no. 02/02/2021 | <p><u>Background of Case:</u></p> <p>The Department of Education appointed a forensic company. The forensic company submitted a report that alleged that the tender process was flawed in appointing the service providers.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 3 statements were obtained. ❖ Final forensic report was received. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 9 statements |
| Offence/Charge | Fraud: Contraventions of the PFMA | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Education | |
| Status of case | Under investigation | |
| Number of statements | 3 | |
| 2021/06/08 | | |

22.

| | | |
|--------------------------------|---|---|
| Case number | Mahikeng SCCI Enquiry no: 03/02/2021 | <p><u>Background of Case:</u></p> <p>The Department of Education appointed a forensic company. The forensic company submitted a report that alleged that the tender process was flawed in appointing the service providers.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 3 Statements were obtained. ❖ Final forensic report was received. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 5 statements |
| Offence/Charge | Fraud: Contraventions of the PFMA | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Education | |
| Status of case | Under investigation | |
| Number of statements | 3 | |
| 2021/06/08 | | |

23.

| | | |
|--------------------------------|---|---|
| Case number | Mahikeng SCCI Enquiry no: 04/02/2021 | <p><u>Background of Case:</u></p> <p>The Department of Education appointed a forensic company. The forensic company submitted a report that alleged that the tender process was flawed in appointing the service providers.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 3 statements were obtained. ❖ Final forensic report was received. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 9 Witness statements ❖ 4 Additional bank statements |
| Offence/Charge | Fraud: Contraventions of the PFMA | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Education | |
| Status of case | Under investigation | |
| Number of statements | 3 | |
| 2021/06/08 | | |

24.

| | | |
|--------------------------------|---|---|
| Case number | Mahikeng SCCI Enquiry no: 05/02/2021 | <p><u>Background of Case:</u></p> <p>The Department of Education appointed a forensic company. The forensic company submitted a report that alleged that the tender process was flawed in appointing the service providers.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 3 statements were obtained. ❖ Final forensic report was received. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 5 statements ❖ 2 additional bank statements |
| Offence/Charge | Fraud: Contraventions of the PFMA | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Education | |
| Status of case | Under investigation | |
| Number of statements | 3 | |
| 2021/06/08 | | |

25.

| | | |
|--------------------------------|---|---|
| Case number | Mahikeng SCCI Enquiry no. 01/04/2021 | <p><u>Background of Case:</u></p> <p>The Department of Education appointed a forensic company. The forensic company submitted a report that alleged that the tender process was flawed in appointing the service providers.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 3 statements were obtained. ❖ Final forensic report was received. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 8 statements |
| Offence/Charge | Fraud: Contraventions of the PFMA | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Education | |
| Status of case | Under investigation | |
| Number of statements | 3 | |
| 2021/06/08 | | |

26.

| | | |
|--------------------------------|--|--|
| Case number | Mmabatho CAS 266/11/2015 | <p><u>Background of Case:</u></p> <p>It is alleged that the Department of Arts & Culture, Sports and Recreation appointed a service provider without following the tender process because no quotation was obtained from other companies and the service provider was paid for services not rendered</p> <p><u>Current status:</u></p> <ul style="list-style-type: none"> ❖ 16 statements were obtained ❖ Final forensic report was received. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 3 statements |
| Offence/Charge | Fraud | |
| Loss involved | R 498 000 | |
| Persons/Entity involved | Department of Arts Culture, Sports and Recreation | |
| Status of case | Under investigation | |
| Number of statements | 16 | |
| <i>2021/06/08</i> | | |

27.

| | | |
|--------------------------------|--|--|
| Case number | Mmabatho CAS 302/01/2014 | <p><u>Background of Case:</u></p> <p>It is alleged that the officials of Public Works Road and Transport colluded with service providers and that supply chain Management processes were not followed during the appointment of scholar transport</p> <p>It was further alleged some of the appointed service providers did not own buses and travel claims were inflated</p> <p><u>Current Status:</u></p> <p>The docket was submitted to the DPP on 2020-11-26 for decision.</p> |
| Offence | Fraud and Corruption | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Community Safety and Transport Management | |
| Status of case | DPP | |
| Number of statements | 64 | |

28.

| | | |
|--------------------------------|--|---|
| Case number | Mmabatho CAS 181/05/2020 | <p><u>Background of Case:</u></p> <p>It is alleged by the HoD of Department of Community Safety and Transport Management that her department unlawfully entered into a contract with SA Express and the contract was never put onto a competitive bidding process. The contract was for the rehabilitation and reintroduction of flights at Mahikeng and Pilanesberg Airports.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 27 statements were obtained. ❖ National Treasury report was received. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 9 warning Statements ❖ 6 witness statement ❖ Analysis |
| Offence | Fraud and Corruption | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Community Safety and Transport Management | |
| Status of case | Under Investigation | |
| Number of statements | 27 | |

29.

| | | |
|--------------------------------|--|--|
| Case number | Mmabatho CAS 36/05/2020 | <p><u>Background of Case:</u></p> <p>It is alleged by the Administrator that there were irregular appointments of service providers to provide scholar transport. It is further alleged that the service providers inflated the travelling kilometres.</p> <p><u>Current Status:</u></p> <ul style="list-style-type: none"> ❖ 30 statements were obtained. ❖ Forensic report was received. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 11 statements ❖ Analysis |
| Offence | Fraud and Corruption | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Community Safety and Transport Management | |
| Status of case | Under Investigation | |
| Number of statements | 30 | |
| Date | 2021/06/08 | |

30.

| | | |
|--------------------------------|---|--|
| Case number | Mmabatho 290/08/2017 | <p><u>Background of Case:</u></p> <p>It is alleged that Department of Public Works made an upfront payment (R3 000 000) for renovation of Mmabatho Stadium and services were never rendered.</p> <p><u>Current Status:</u></p> <p>The docket was submitted to the DPP on 2020-11-24 for decision.</p> <p>Consultation with DPP, investigating officer and the witnesses on 7-8 June 2021</p> |
| Offence/Charge | Fraud | |
| Loss involved | R 3 000 000 | |
| Persons/Entity involved | Department of Public Works and Roads | |
| Status of case | DPP | |
| Number of statements | 5 | |
| 2021/06/08 | | |

31.

| | | |
|--------------------------------|---|---|
| Case number | Mmabatho CAS 07/11/2016 | <p><u>Background of Case:</u></p> <p>It is alleged that the former HOD together with the four district directors and the CFO of the Dept. of Public Works colluded to award a tender without following the prescribed tender procedures, the tender was for construction of road for the four districts: Bojanala, Dr Ruth Segomotsi Mompati, Ngaka Modiri Molema, and Kenneth Kaunda. The Dept. appointed Open Water Forensic firm to conduct a forensic investigation.</p> <p><u>Current Status:</u></p> <p>The docket was submitted to the DPP on 2021-02-17 for decision.</p> |
| Offence | Fraud and -PFMA contraventions | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Public Works and Roads | |
| Status of case | DPP | |
| Number of statements | 20 | |

32.

| | | |
|--------------------------------|----------------------------|--|
| Case number | Mmabatho CAS 210/01/2020 | <p><u>Background of Case</u></p> <p>It is alleged by the Administrator of Department of Public Works that the service provider misled the department into believing that he is a qualified engineer and he was then awarded an emergency tender to carry out structural assessment at 68 schools around Dr Kenneth Kaunda.</p> <p><u>Current status:</u></p> <ul style="list-style-type: none"> ❖ 6 statements were obtained. ❖ National Treasury report was received. <p><u>Outstanding:</u></p> <ul style="list-style-type: none"> ❖ 8 Statements. |
| Offence/Charge | Fraud | |
| Loss involved | To be determined | |
| Persons/Entity involved | Department of Public Works | |
| Status of case | Under Investigation | |
| Number of statements | 6 | |

2021/06/08

33.

| | | |
|--------------------------------|--|--|
| Case number | Mmabatho CAS 134/03/2018 | <p><u>Background of Case</u></p> <p>It is alleged that the HoD of the department DPW misrepresented to the department that he had invoked Section 16a of National Treasury to contractor Ayama Consulting to render service of building roads within the North West Province. Furthermore an upfront payment of R103 000 000.00 was paid to the said contractor for services not rendered.</p> <p><u>Current status:</u></p> <p>The docket was closed on 2020-11-16 as DPP declined to prosecute.</p> <p>The decision has been taken for review.</p> |
| Offence | Fraud | |
| Loss involved | To be determined | |
| Persons/Entity involved | <p>Department of Public Works</p> <p>Directors of Ayama Consulting.</p> | |
| Status of case | Under investigation | |
| Number of statements | 70 | |



HAWKS

DIRECTORATE FOR PRIORITY CRIME INVESTIGATION

THANK YOU

70

2021/06/08