## TRACKING DOD CONSEQUENCE MANAGEMENT ON IRREGULAR AND FRUITLESS AND WASTEFUL EXPENDITURE

No	Year	Ser/ Div	Description	Amount (R)	Investigation	Status Nov 2021	Status 31 Oct 2022	Progress?
	<u> </u>		-		RREGULAR EXPE	NDITURE		1
1	2017 to2022	HR Div	Expenditure above the COE allocation due to the reduction imposed by NT through budget reduction.	10 130 320 062,37	No Investigation required	Irregular expenditure confirmed by DBC	Submitted to NT for condonment. NT Declined condonment, until exit mechanism is implemented	No
2	2020/21	Log Div	Procurement of goods and services without following the South African Procurement legislation. (Ops Thusano)	1 166 811 756,63	No investigation has commenced	No reporting	No investigation has commenced	
3	2020/21	Log Div	Unfair bidding process. PPPFA non-compliance. Asset verification. Contract: June 2017 -June 2022	616 895 617,11	Internal Audit investigation as instructed by the AO	04/02/2021 - Investigation finalised by Internal Audit Division and submitted to SecDef and Chief SANDF for review and implementation.	Investigation finalized. CSANDF, HR and legal to make a determination	No
4	2015/16	Log Div	Extension of contract more than the allowed 15% or R15M without NT approval. (Asset Verification Project)	604 531 119,47	Abacus Financial Crime Advisory Forensic Investigation	04/02/2021 – Investigation in reporting stage	Investigation finalized. CSANDF, HR and legal to make a determination	No
5	2018/19	Log Div	Non-compliance with Procurement Legislation at SPSC for the period 01 April 2018 to 31 March 2022.	396 998 612,70	Incidents reported by IAD after the completeness audit	No reporting	Members of the affected unit have been reprimanded and sensitized about the importance of complying with the relevant legislation.	
6	2020/21	Log Div	Deviation from procurement process for PPE procurement.	273 500 000.00	SIU Final Report 10/12/2021	No reporting	11 Members charged. Court process to follow. MPD Case nr 3/3/22 and Pretoria Central SAPS Case nr 52/2/22	
7	2016/17	CMIS Div	Procurement of a specialized ICT service was not procured through SITA without MPSA authority as required by the SITA Act and Regulations. XON	244 750 948,87	Finalised	Request for condonement was again submitted to NT on 06/06/2020Regular follow-up with NT on the status of the condonement	A request for condonment was submitted to NT on 26/10/2016. NT requested additional information The DOD resubmitted in March 2020. No response from NT on the condonment request.	No
8	2015/16	DMD	Unfair competitive bidding: TLCM-Phase 2 specificationswas drafted by the same company as for phase 1.	239 040 293,28	IGDODinvestigation finalized.	IG DOD reported that the investigation was submitted to CSANDF and AO for review and decision.	The investigation outcome was submitted to CSANDF and AO for review and decision. Accounting Officer in Sep 2022 referred for outside investigation.	No

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9	2019/20	LogDi v	Non-compliance with TR 16A3.2. Shortlisted bidders did not comply with the mandatory requirements for the supply and delivery of various fuel commodities to the DOD in the Gauteng province for a period of five years.	227 381 233,24 (Amount reported as R223.7 million in Nov 2021)	BOI 56/2021,dated29/10/20 21	Management response outstanding DPM responded verbally at meeting held on 04 August 2021 that DPM agrees with the finding. D Mat GRC undertook, with the assistance of DPM and ADFM to prepare a submission to NT requesting deviation.	Investigation not finalized. BOI no 56/2021 Td29/10/2021 established. The outcome of the BOI could not find anybody responsible due to lack of documentary evidence, Convening authority will reconvene the BOI.	No
10	2018/19	Log Div	Bids were not evaluated according to the criteria stipulated in the bid documentation EOH Mthombo Pty (ICT Services)	120 196 191,00	No investigation started	SIU and the HAWKS are currently busy with the investigation.MPD case docket Dequar MP CAS 09/07/2019.24/05/2021 MPD feedback: The service provider (EOH) conceded that they over charged the DOD with Rm41. EOH entered into a mutual agreement with the SIU to pay back Rm41 that was over charged.	No investigation started	Unclear  Reporting differ. Also see S/No 13
11	2018/19	Log Div	Non-compliance with the mandatory pre-qualifying criteria for a back-loading contract	105 000 000,00	Dequar MP CAS 07/11/2017	Under Military Police Investigation. Case postponed to 23 July 2021	Court appearances in progress. Next court case 07 Dec'22. State ready to proceed, but accused making representation for the withdrawal of the matter.	No.  Court case ongoing for 2 years
12	2020/21	Intelli geng e	Procurement and contract management related prescripts not followed.	101 638 877,00	Investigation started withinDefence Intelligence	Irregular expenditure confirmed. DI Div changed the amount confirmed previously by means of letter DI/S/505/17/1 dd 08/09/2021	Investigation in Process, Status of the final report will be reported to the Joint Standing Committee on Intelligence, due to the sensitivity of these transactions.	Unclear.  Refer to  JSCI
13	2018/19	Log Div	Bids were not evaluated according to the criteria stipulated in the bid documentation (Microsoft Licenses)	96 518 383,36	MPD case docket DequarMP CAS 09/07/2019. SIU and HAWKS investigation finalised	SIU and Hawks busy with investigation.	SIU and the HAWKS are currently busy with the investigation. The service provider (EOH) conceded that they over charged the DOD with Rm41. EOH entered into a mutual agreement with the SIU to pay back Rm41 that was over	No SIU/Hawks investiga- ting since 2019

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							charged. EOH signed an acknowledgement of debt.	
14	2019/20	Log Div	Unfair bidding process: The winning supplier did not comply with the bid specifications for the delivery of a Strategic Planning Office and Programme Supplier entered into a subcontract agreement without approval from the department.	89 570 878,09 (Amount indicated as R86.9 million in Nov 2021)	LSF BOI 76/2021 Td 29/10/2021	13/05/2021 - It was reported that C CMIS requested that the incident must be transferred to Log Div. 30/06/2021 - The incident was transferred to Log Div	Investigation not yet finalized. The BOI was complete however the convening authority was not satisfied with the outcome due to some few gaps. BOI to be reconvened.	No
15	2017/18	Log Div	Nocompetitivebiddingprocessfor serviceprovidersforwetanddryrati onsfortheDOD.	54 118 527,07	Log Sup Fmn BOI 24/.2018 dated August 2018 with initial target date 31 January 2019.	Numerous extensions. Target date in the action plan dated 18 February 2021 is 05 March 2021.24/05/2021 - Not yet completed.	Investigation not yet finalized. The BOI established in 2018, the President of the BOI requested numerous extensions.	No
16	2017/18	Log Div	Bid evaluated by members not approved. Procurement of rations.	38 722 539,22	No investigation detail available.	Log Div reported that the investigation was finalised and was submitted for Legal review. <b>Target date</b> in the action plan dated 18 February 2021 is <b>05 March 2021</b> .	The BOI 24/2018 was finalized and submitted on 30 April 2021 and submitted to LEGSATO Cape Town for review.	No
17	2018/19	Log Div	Incorrect bid evaluation process SA Navy spare parts.	38 002 755,52	Simons Town MP Case 04/10/2018.	The investigation is finalised. The case docket was referred to the Commercial Crimes Court, Bellville for decision. New date for deliberation set for February 2021.	Simons Town MP Case 04/10/2018. The investigation is finalised. The case docket was referred to the Commercial Crimes Court, Bellville for decision.	No
18	2018/19	SA Army	Non-compliance with Procurement Legislation at ASB KZN for the period 01 April 2018 to 31 May 2022.	35 390 782,52	No investigation detail available.	No reporting	Incidents reported by IAD after completing the completeness of IE internal audit.	
19	2018/19	Log Div	Incorrect bid evaluation process. SA Navy spare parts	34 557 867,45	Simons Town MP Case 04/10/2018.	The case docket was referred to the Commercial Crimes Court, Bellville for decision. New date for deliberation set for February 2021.	Simons Town MP Case 04/10/2018. The investigation is finalised. The case docket was referred to the Commercial Crimes Court, Bellville for decision.	No

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20	2020/21	Log Div	Non-compliance with the SAHPRA where the DOD did not obtain approval prior to the importation of medicine.	33 496 973,60	BOI 57/2021 Td 29/10/2021 MTT Report	Management of SAMHS agree with the finding.	MOD instructed CSANDF to institute consequences A case has also been opened at SAPS.	No (but SAPS case opened)
21	2018/19	Log Div	Evaluation criteria applied when evaluating the bid not the same as the one stipulated in the bidding documents. Fuel contractfor North West province.	29 251 228,90 (Amount reported as R28.856 million in Nov 2021)	BOI 56/2021 Td 29/10/2021	Log Div agreed with auditor's finding for FF FT 19 for the NW Province, excluding TTM trading.	The BOI was completed, however there were some gaps found which led to the re-convening of the investigations. In order to deliver qualitative outcome	No (BOI re- convened)
22	2021/22	CMIS Div	Goods and services with a procurement value above R1 million were procured without competitive bids and NT's prior approval was not obtained and the deviations did not meet both sole source and emergency procurement definition.  Purchasing of software for open scape 4000 V10 with 3 years SSP	28 861 076,25	No investigation started.		No investigation started	No
23	2020/21	Log Div	Award was made to a supplier whose tax matters were not in order at the time for rendering of catering services for 2 Military Hospital.	28 737 643,48	BOI 58/2021 Td 29/10/2021	Revised response from DPM agrees with the finding	Investigation completed on 28 February 22, referred for legal opinion.	Yes
24	2021/22	Log Div	Winning bidder did not comply with mandatory requirements of the bid.for alternative payment solution for Aircraft fuel and Airport services for SAAF VVIP unit.	26 959 596,12	BOI reference06/2022	No reporting	Investigation in progress	

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25	2017/18	Intelli gence	No competitive bidding/Three quotations not obtained.	24 076 319,50	Investigation started within Defence Intelligence	Defence Instruction dated 20 July 2018 confirmed Irregular Expenditure	Investigation in Process, Status of the final report will be reported to the Joint Standing Committee on Intelligence, due to the sensitivity of these transactions.	No
26	2021/22	CMIS Div	Goods and services with a procurement value above R1 million were procured without competitive bids and NT's prior approval was not obtained and the deviations did not meet both sole source and emergency procurement definition for supply and delivery of 127 AD Servers.	21 775 326,20	No investigation started.			No
27	2018/19	Log Div	Competitive bidding process was not followed when procuring goods and services above R500 000 and National Treasury's approval was not obtained	21 269 920,00	SANDF BOI Convening Order 41/2020 dd30/07/2020 with target date 31/08/2020.	SANDF BOI Convening Order 41/2020 dd 30/07/2020 with target date 31/08/2020.31/07/2020 - Tasking letter for investigation.	Investigation completed, prepared and submitted in July 22 for condonement.	Yes
28	2010/11	DOD	Declaration of interest could not be provided forcontracts awarded.	21 268 948,10	IG DOD (DACAF)	The irregularity was detected during the 2010/2011 FY annual audit of Goods and Services. The total as identified by AGSA (R27 856 345.06) was disclosed as IE, but only R6 587 396.96 could be allocated to Services and Divisions, which was investigated and Finalised.	Investigation finalized August 2022 Outcome of investigation under assessment.	Yes
29	2021/22	Log Div	Goods and services procured without inviting competitive bids. Deviations not documented and approved by the AO for the supply and delivery PPE.	19 500 000,00	Noinvestigation detail available.	No reporting	No BOI is convened the matter did not need deviation, National treasury list of suppliers were used, there was no need to request authority for deviation from the AO or NT	

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30	2020/21	Log Div	Procurement of items above R1 million through emergency deviation were not reported to National Treasury within 10 daysfor PPE.	16 453 365,45	C Log Instruction 08/2021. Investigation to commence on 23/06/2021, No Td	Management agrees with the finding.	Investigation completed, the outcome indicate that no one could be found liable as this happened during hard lock down where all department were closed. But it was reported later to national treasury.	Yes (but no liability)
31	2017/18	Log Div	Unfair bidding process. The department incorrectly calculated the functionality points a bid to a bidder that did not meet the minimum threshold of 60% for contract number SPSC/BC/001/2013.	14 174 132,00	LSFBOI 24/2018	BOI 24/2018 was instituted, this incident was finalised and will be submitted as part of the full BOI for Legal Review by 31 March 2019.	The BOI was finalized and affected members were reprimanded.	Yes
32	019/20	Log Div	Bid was not evaluated according to the criteria stipulated in the bid documents. Award was made to a supplier with the highest price quotation without any valid reason or justification for the procurement of aircraft fuel for SAAF.	13 979 397,88	Investigation finalised	Auditor conclusion: Management response noted. the quotation should have been awarded to the lowest supplier within the average price range. The department should ensure that the procurement process is fair, equitable, transparent, competitive and cost-effective. The finding will be reported in the IMR.	The Department did not agree with the AGSA and the investigation report was given to them.	Unclear
33	2015/16	SA Navy	Deviation fromthe procurement process for the Armed Forces Day.	13 928 954,00	Investigation finalised.	Request for condonement was resubmitted to NT in March 2020.	A request for condonement was submitted to NT on 26/10/2016. NT requested additional information in March 2017 which was submitted. The DOD resubmitted in March 2020. No response from NT on the condonement request or follow-up from DOD.	No
34	2017/18	Log Div	Bidder amending the original contract and allowed to sub-contract -SPSC-B-051-2016 - Three year contract for the outsourcing of cleaning and repair of bulk storage tanksSPSC/B/050/2015 -	12 603 558,00	Simons Town MP CAS 16/10/2018.	BOI 24/2018 was instituted, this incident was finalised and will be submitted as part of the full BOI for Legal Review by 31 March 2019.	The investigation is finalised. The case docket was referred to the Commercial Crimes Court Bellville for a decision.  18/02/2022 -The advocate at SCCC Bellville awaits inputs from the	No (SCCC case ongoing)

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			Contract for rendering of operational and mechanical equipment to the SA Navy in the Western Cape Region for a period of three years SPSC/B/066/2016 - Contract for rendering of cleaning and repair of bulk storage tanks for a period of three years for the KwaZulu-Natal Region				Forfeiture Asset Unit (AFU) where after he would make a final decision if prosecution will proceed or not. AFU is in the process to finalise the investigation.	
35	2020/21	SAM HS	No contract in place to outsource catering services at 2 Mil Hosp over the period 08 June to 28 February 2021.	10 369 8 84,66	Irregular Expenditure confirmed	Outstanding documents (incomplete report received on 06/05/2021 (no investigation), disciplinary action. Debt to be raised from the liable person) 15/11/2021 - Investigation not yet finalised and no request for extension reported.	No reporting	
36	2018/19	Log Div	Tax matters of quoted suppliers were not assessed at the time of awarding (CPSC)	8 500 000	BOI	BOI LSF dd 30/07/2020 with target date 31/08/2020	No reporting	
37	2017/18	Log Div	Tax clearance certificates were dated after the date of awarding.	8 441 282	Identified by AG in 2017/18 Audit	BOI 24/2018 covers this incident also but will only focus on these matters once all the IE incidents are finalised by 31 March 2019.05/06/2019 - Log Div to submit feedback with the progress made with the investigation and the planned target date for completion.	No reporting	
38	2020/21	Log Div	Procurement of items not listed on Covid-19 PPE list per National Treasury Annexure	8 280 000	Management agrees with finding	Investigation to commence on 23/06/2021. No target date	No reporting	
39	2017/18	DI	Tax Clearance Certificates not obtained prior to procurement.	8 201 576	Irregular Expenditure confirmed	Irregular Expenditure confirmed	No reporting	
40	2016/17	Log Div	Extension of a contract in excess of 15% of the original contract value not approved by NT for catering contract.	8 088 168	Investigation finalised	Submitted to National Treasury in March 2020 for condonement	No reporting	

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41	2018/19	Log Div	Strategic lift for Armed Forces Day 2019 with no authority	7 775 506	Confirmed as Irregular and paid	SANDF Convening Order BOI 02/2019 dd 23/04/2019 with target date 23/05/2019.	No reporting	
42	2020/21	Log Div	Extension of a contract with more than 15% or Rm15 without NT approval for payment of professional fees for 1 Mil Hospital first floor refurbishment and upgrading.	6 861 655	C Log to report if NT approved the request for extension and to attached the communications between the department and NT.	No investigation detail available on CCS. There are letters from the PRC representative to DWF requesting that an investigation must be done and for detail to be reported.	No reporting	
43	2016/17	Log Div	Contracts awarded not approved by delegated official	4 899 890	Irregular Expenditure confirmed by AGSA	BOI 20/2017 dd November 2018 with target date 30/11/2019	No reporting	
44	2020/21	Log Div	PPE not procured in a cost effective manner as award were made at prices above the market related prices set by NT.	4 383 225	Management agrees with the finding	Investigation to commence on 23/06/2021. No target date	No reporting	
45	2016/17	Log Div	Extension of a contract in excess of 15% of the original contract value not approved by NT for catering contract.	4 200 000	Irregular Expenditure confirmed by AGSA	File referred for Legal Review on 10 June 18. Await LEGSATO inputs before the submission is prepared for the SCIECC.05/06/2019 - Log Div to submit feedback with the progress made with the investigation and the planned target date for completion.	No reporting	

Note to Members: In November 2021, the DOD submitted a comprehensive list of investigations into *all* irregular Expenditure. In Contrast, the 31 October 2022 list deals only with cases of Irregular Expenditure above R12 Million. As such, the comparative data in the tables above only relates to cases above R12 million. Cases between R4 million and R10 million that were presented in November 2021 but not in October 2022 were also included. However, all cases below R4 million reported in November 2021 were excluded from this comparison.

Future oversight: It may therefore be of value to request the DOD, in future, to reports on the *entire* list of Irregular Expenditure as they did in November 2021 and just provide updated columns of the latest developments regarding *all* cases.

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				FRUI	TLESS AND	WASTEFUL	,	
1	2010to 2013	Intelli gence	Cancelled and renewed contract	211 956 406.41		No reporting	In the Process of approaching the State Law Advisor to deal with this case	
2	2015 to 2020	Log Div	Operating Lease -utilisationof Leased Properties(Eco Park buildings)	108 317 470.38	FMD investigation	No reporting	Investigation finalised. BOI finalized by the Log Div, agrees with the fruitless expenditure, however, no one was found liable	
3	2014/15	Intelli gence	Addendum to contract resulted in a higher payment.	57 241 929,04	Investigation started within Defence Intelligence	No reporting	Investigation in Process, Status of the final report will be reported to the Joint Standing Committee on Intelligence, due to the sensitivity of these transactions.	
4	2017/18	Log Div	Software purchased on 11 September 2017 not yet installed. Testing, training and travelling costs paid for but services not rendered.	12 784 245,00	BOI Log Div Internal Services 01/2019 dd31/07/2019 with target date of 30/09/2019	No reporting	Investigation not yet finalised	
5	2017/18	SAM HS	Medical equipment procured not used and had passed the useful life.	28 143 556.32	BOI SANDF NO 02/2018 dd03/10/2018 with target date 30/11/2018.	No reporting	Investigation finalized. Outcome and recommendations under review by CSANDF.	
6	2019/20	Log Div	Difference in Forex Charges on Item 02.2.1 to the value of R3 401 438.40 and 10% Interest Charges on Original Amount value R3 232 330.42 for MCC System.	6 633 768,82	BOI Log Div Internal Services 03/2019 dd31/07/2019 with target date 30/09/2019.	No reporting	Investigation not yet finalised.	
7	2020/21	Intelli gence	Interest and foreign currency fluctuation for late payment.	4 108 8 56,55	Investigation started within Defence Intelligence	No reporting	Investigation in Process, Status of the final report will be reported to the Joint Standing Committee on Intelligence, due to the sensitivity of these transactions.	
8	2019/20	DMD/ Arms cor	Interest paid for the procurement of aviation rescue and fire fighting vehicle product system range. The item was not accepted by the client but it was	3 161 874,02	No investigation detail available.	No reporting		

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			in accordance with the specification. The challenge was with the client's infrastructure and this resulted in delivery delays.					
9	2013/14	Intelli gence	Extra spent based on two contract prices.	2 314 000,00	Investigation started within Defence Intelligence	No reporting	Investigation in Process, Status of the final report will be reported to the Joint Standing Committee on Intelligence, due to the sensitivity of these transactions.	
10	2018/19	SAAF	Late cancelation of Charter Aircraft.Flight between Lanseria -AFB Waterkloof -Ysterplaat and AFB Waterkloof -06-08/03/2018.	825 177,01	Investigation finalized.	No reporting	Investigation outcome under review Chief Air Force.	
11	2015/16	J Ops Div	Breach of contract between Op COPPER and supplier PCG Pemba as 2 contracts existed. Supplier went to deliver rations as scheduled but ship had already sailed off. Supplier had to return with all the rations and perishable stock got spoiled.	583 076,55	Criminal Case No: SIB NMPR 10/05/2019	No reporting	Investigation still in progress.	
12	2018/19	SAAF	Late cancelation of Charter Aircraft. Goodwill visit by the Commander in Chief Royal Thai Air Force over period 19 -21 June 2018 was cancelled due to unforeseen change in the itinerary during the visit program.	574 125,00	Rule8 investigation (Witnesses cannot be summoned)	No reporting	Investigation finalised. No one was found responsible, therefore no disciplinary action. No recovery.	
13	2017/18	Log Div	Operating Lease –utilisation of Leased Properties. SAS Donkin Naval Base	544 480,36	No investigation detail available.	No reporting	It was reported that the investigation was finalised and that a write-off request was in process.	
14	2014/15	SAM HS	Insurance and storage charges for September 2011 to March 2013 for CT Scan. Supplier refused to deliver and install the CT Scanner before insurance and storage fees were paid.	526 852,00	BOI SANDF NO 02/2018 dd03/10/2018 with target date 30/11/2018.	No reporting	Investigation finalised and outcome under review by CSANDF	

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15	2018/19	SAAF	Late cancelation of Charter Aircraft Flight between Kimberley -Cape Town and AFB Waterkloof-16 -18/02/2018.	385 000,00	No investigation detail available.	No reporting	It was reported that the investigation was finalised. Outcome under review by CAF.	
16	2011/12	SANa vy/Ar mscor	Classification into service of the class 209 submarines of the SA Navy. Extended completion date of order to accommodate completion of surveys.	235 017,76	No investigation detail available	No reporting		