



26 November 2020

Zondo commission – Ramosebudi invokes right to not answer potentially incriminating questions

Today, evidence leader Matthew Chaskalson cross-examined Phetolo Ramosebudi, former treasurer of Airports Company South Africa (Acsa), regarding his implication in channelling tenders to the Gupta-linked company Regiments Capital. Through his legal counsel, Ramosebudi told the commission before it started that he would like to reserve his right of not answering some of the questions to avoid incriminating himself.

Ramosebudi was also treasurer at South African Airways (SAA) and later Transnet.

The cross-examination emanates from allegations of Ramosebudi being a rainmaker for Regiments during his time at all three state entities. He allegedly leaked confidential information to Regiments and had maintained continuous e-mail communication with the company's director Eric Wood. Chaskalson read out the e-mails exchanged between Ramosebudi and Wood – but Ramosebudi said he could not recall sending or receiving them. The e-mails contained several invoices sent from Ramosebudi to Wood, and Ramosebudi said he would not comment on these to avoid incriminating himself.

Through his now deregistered company, Ramosebudi sent invoices to Wood for advisory work. His Venus liquor store also sent invoices for providing alcohol and catering at Regiments events. Ka Ditlou Health Services, a company that Ramosebudi admitted belonged to his younger brother, also invoiced Regiments for various services including those of a personal trainer.

When asked whether these services were ever delivered to Regiments, Ramosebudi maintained his right not to answer.

The invoices also pointed out that Ramosebudi provided actuarial and risk management consultation to Regiments Capital. Commission chairperson Deputy Chief Justice Raymond Zondo asked him whether he has any qualifications that allow him to give actuarial advice, to which Ramosebudi responded to as having a strong mathematical history so such advice would be based on his expertise.

Through his companies, Ramosebudi received payments of over R5-million from Regiments. Sometimes he would invoice Regiments twice in one day for the same services. Regiments also received over R40-million in contracts from Acsa during Ramosebudi's time.

Ramosebudi denied having anything to do with Regiments getting contracts at Acsa. "I was not aware how the procurement process worked at the time because it was outside our department, and I do not think I was negligent by allowing transactions to Regiments because they were appointed before I was there."

Chaskalson asked him about his continued relationship with Regiments and Wood, even when Ramosebudi was at SAA, and whether he recalls the e-mails he forwarded from his SAA e-mail

address to his Rams e-mail account – Rams is one of Ramosebudi’s businesses – and thence to Wood. The e-mails related to tenders within SAA.

Ramosebudi invoked his privilege not to incriminate himself on this question too.

Zondo warned Ramosebudi that his refusal to answer questions and allegations against him while the evidence is in front of him might have an influence on his findings.

Ramosebudi’s cross-examination on Transnet continues tomorrow.

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