

15 November 2018

Zondo Commission: Nene, Mentor set to make second appearance

The Zondo commission of inquiry into state capture sat briefly on Thursday morning to deal only with procedural matters involving the return of two witnesses, former MP Vytjie Mentor and former finance minister Nhlanhla Nene, who testified in August and October respectively. The two were expected to provide more details pertaining to the evidence they have already submitted.

Counsel for Nene, Adila Hassim, submitted an application for postponement for the former minister, who had been summonsed to appear before the commission again on the day, citing medical reasons. Nene, she said, had injured his ankle and had been instructed by his doctor to avoid traveling and limit movement.

Furthermore, the commission's legal team had erroneously sent the notification of the summons to the wrong attorney, according to Hassim – although within the correct duration. The head of the commission's legal team, Paul Pretorius, clarified that at the time of the issue of the summons, the attorneys to whom the notice went were registered as representatives of Nene.

The two parties have not yet agreed on a new date for Nene's second appearance. He has indicated, through Hassim, that he would be available from January 2019.

As for Mentor, she will next appear in front of the commission on 30 November, as the legal team needed more time for their investigation of her evidence thus far. The commission's Mahlaphe Sello said although Mentor had made herself available, even travelling to Johannesburg to appear as initially requested, the commission's investigation process appeared to be yielding more results than initially anticipated, prompting them to seek postponement so as to get a complete picture from Mentor.

Commission chairperson and deputy chief justice Raymond Zondo granted both postponements. In Mentor's case, he said, it would be remiss of the commission to proceed with questioning her if their investigative tasks were not yet complete. "It is important that issues that arise from Ms Mentor's evidence are properly investigated," he said. "If they are true, it could have serious implications for those who are implicated by her evidence.

"Equally, if they are not true, there could be serious consequences because her evidence is very pertinent to some of the issues the commission is investigating."

Ajay Gupta applied for permission to cross-examine Mentor soon after her appearance in August, based on her evidence that he offered her the position of public enterprises minister in 2010, telling her that then president Jacob Zuma would reshuffle his cabinet in the weeks that followed. Zondo granted his application, on condition that he avail himself to the commission and he himself be open to cross-examination.

The commission resumes on Monday 19 November, when public enterprises minister Pravin Gordhan is expected to appear.

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