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Zondo Commission: Des van Rooyen was in over his head, Fuzile recalls

Former finance minister Des van Rooyen's stay in Treasury in late 2015 may have been a uniquely short one, but it had serious consequences for the department – particularly then director-general Lungisa Fuzile – largely because of his lack of attention and appreciation for protocol and procedure.

Fuzile on Thursday described his experience with an overwhelmed, snowed under Van Rooyen who could not be bothered with the tumultuous reaction of financial markets to his appointment as finance minister on 9 December of that year. In the few days that Fuzile had to work with Van Rooyen – who was only in office for four days – he had to put his foot down more than once whenever he felt simple laws of government were being violated.

One of the most serious offences was the leakage, by one of Van Rooyen's new "advisors", of a classified document meant specifically for Cabinet, to third parties outside government. The nature of this information, said Fuzile, was such that if it ended up in the wrong hands, strategic financial decisions and plans of government would be compromised. Muhamad Bobat sent the document by e-mail to, among others, Eric Wood, the CEO of Trillian, a consultancy company that has been found to have enjoyed alleged irregular relationships with government entities.

ANC NEC member Enoch Godongwana had warned Fuzile, on the night that former president Jacob Zuma fired Nhlanhla Nene, replacing him with Van Rooyen, that his new boss would be a "Gupta minister" and that he would come with his own advisors, that he himself did not know. From this, Fuzile inferred that the Gupta family would have had something to do with Van Rooyen's appointment, and that he would then be in office to help advance their agenda.

On the morning after the announcement, the new minister flatly refused when Fuzile proposed that a media statement be prepared to address the public's confusion and fears. He was told by Van Rooyen that treasury officials had an irritating preoccupation with statements, and this would stop now that he was minister. This would be the first of many incidents of concern in the days that followed, according to Fuzile.

It came as a shock to him when some time later that same morning he was instructed by a man who introduced himself as Muhamad Bobat – advisor to Van Rooyen – to prepare a statement, in clear contradiction to the minister's earlier position. Fuzile met Bobat for the first time at the Union Buildings on the morning of 10 December, when he arrived for Van Rooyen's swearing-in ceremony. "He introduced himself and in addition told me he would require a statement from me that would be issued by the minister." Van Rooyen would tell the media that he wanted to make Treasury more accessible to the people, by demystifying myths about the department.

An official introduction between the three men happened in Van Rooyen's new office the next morning, when Fuzile found the minister with Bobat and two as yet unknown men. The other two introduced themselves as Ian Whitley and Malcolm Mabaso. Soon enough Van Rooyen made his first gaffe when he tried to inform Fuzile of the roles of Whitley and Bobat. "The minister mistakenly referred to Bobat as his chief of staff and Whitley as advisor, but was soon corrected by Bobat, who said that it was he who would occupy the advisor role," said Fuzile.

Van Rooyen repeated the error in a later meeting with executive staff. Of the three, only Bobat and Whitley were present in the meeting. Van Rooyen had earlier told Fuzile he did not need to explain Mabaso's role as he would "just be around."

For Fuzile, the biggest headache came from being instructed by Van Rooyen to expedite the process of drawing up contracts for Whitley and Bobat. For an advisor to be installed in a government department, explained Fuzile, there is a lengthy process that involves the minister motivating via a memorandum to Cabinet. "I suggested this to them, and advised the minister to familiarise himself with the ministerial handbook." The handbook is a compilation of regulations that govern the role of the minister as the principal of a department. He was told that he was only a DG and that he should follow instructions.

Until then, Fuzile had not been privy to the details of a bribe allegedly offered to deputy finance minister Mcebisi Jonas by Ajay Gupta two months earlier. Jonas was offered Nene's position at the same time. Fuzile learned of this from Jonas on 11 December, when the deputy minister took him into his confidence amid the dramatic changes within their department. An important element of that conversation was Jonas's revelation that Fuzile was among those who were meant to be removed by Van Rooyen, as per the wishes of the Gupta family. A demoralised Fuzile nonetheless decided that Treasury needed him, and he would not succumb to the changes in his environment.

Following pressure from inside the ANC and the business community, Van Rooyen was removed on Sunday 13 December, and replaced with Pravin Gordhan, who had occupied the portfolio once before.

Concluding his testimony, Fuzile spoke of the need for courage for public servants and former public servants who were drawn into irregular conduct by those with intentions of capturing the state. For him, Jonas's account of the Gupta meeting and his assertion that Zuma's son Duduzane was present when the bribery attempt occurred, places the former president in the network of departments that were captured.

Commission chair and deputy chief justice Raymond Zondo again called for those who know of any information relating to the issue of interest to the inquiry to make themselves available to give evidence.

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