



23 June 2021

Zondo commission – Knowing the Guptas doesn't make me complicit, says Gigaba

Malusi Gigaba says it was an “unfortunate coincidence” that the alleged massive looting of state owned entities (SOEs) probed by the state capture commission since 2018 happened during his tenure as public enterprises minister.

He concluded his testimony on Wednesday, having appeared on several occasions to answer to 15 implications ranging from doing bidding for the Guptas to receiving favours of cash and luxury trips from them.

“Nothing that has been presented here places me anywhere near the money. I have not seen the money ... to the extent that it happened during my tenure, it would be coincidental,” Gigaba said, responding to a question by evidence leader Advocate Anton Myburgh on the alleged corruption project carried out by the Gupta enterprise across SOEs. It was most recently placed at a total cost of R57-billion by forensic investigator Paul Holden, who testified on Tuesday.

“The proposition is that the Guptas could not have pulled off a looting project of this size and sophistication without you being on sides in some way, Mr Gigaba,” said Myburgh.

“That is not true. Absolutely not true,” Gigaba replied.

Commission chairperson Deputy Chief Justice Raymond Zondo called on Gigaba to consider the question in the context of his oversight role as a member of the executive in charge of public entities. If Holden’s evidence is to be accepted, he said, then it begs the question of how looting of that extent occurred without either the knowledge of the minister in charge, or his complicity.

“If so much money could be siphoned off for the benefit of one family and their friends, and their entities, what is it that didn’t work the way it should have worked, for this not to have happened?” Zondo asked.

“Chairperson, the difficulty with our SOEs lies a great deal in the challenge that on the one hand they are commercial enterprises, then it would be run according to established regulations, the Companies Act ... but on the other hand they are public entities.” Gigaba added that on the commercial end, there is an expectation for SOEs to report to the minister, but as state entities there are limitations to the level of the minister’s involvement.

“When you sit with the board, or on occasions when you can meet with executive directors, they don’t report to you on specific contracts ... if I were to ask questions, what would I explain to the board to be my interest?”

Gigaba said things should be kept that way, otherwise the issues that the commission has dealt with would be much greater.

Myburgh changed gears, suggesting to Gigaba that this was improbable that Gigaba knew nothing: “This looting was not being conducted by some unknown entity. It was being conducted by the Gupta brothers. One of them was your friend, you were part of the Gupta environment.”

Knowing the Guptas did not make him complicit in wrongdoing, said Gigaba, adding that he had previously stated in his testimony that he had used his special legal advisor Siyabonga Mahlangu to help separate him from the business interests of the family and its various entities.

“I did not need to know what they were doing,” he said.

Useful links:

[Zondo Commission website](#)

Corruption Watch’s [Zondo Commission update page](#)

[Department of Public Enterprises](#)