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Zondo commission final report – Treasury saved from Gupta “tentacles” by patriotic S Africans

With only one recommendation relating to the evidence on what he calls the attempted capture of the National Treasury in 2015 – for Rajesh Gupta to be investigated for corruption – state capture commission chairperson Chief Justice Raymond Zondo describes the treasury’s rescue from the “tentacles” of the Guptas as a miracle.

Zondo’s latest report of the commission, released last Friday, has findings on, among others, the attempted capture of the National Treasury, at the insistence of the Guptas and with the blessing of former president Jacob Zuma. Unlike with other state institutions whose capture he has comprehensively described, Zondo had less than usual to say about the National Treasury, except that all efforts lined up for its capture failed because of resilient public officials, and the end of Zuma’s term and influence at the ANC’s elective conference in December 2017.

“Our National Treasury nearly fell into the wrong hands, particularly during the four days in December 2015 following [former finance] minister [Nhlanhla] Nene’s dismissal and the appointment of Des van Rooyen as minister of finance...it is almost a miracle that the national treasury was saved from the tentacles of the Guptas!”

Zondo’s evidence covered the period in December 2015 when Van Rooyen was appointed by Zuma to replace Nene, just 18 months after the latter’s appointment as finance minister. Zuma subsequently made a public announcement that Nene would join the BRICS bank, but both Nene and former treasury director-general Lungisa Fuzile disputed this, on the basis that it would have been unprocedural. Van Rooyen’s stay in the position did not last more than four days, but had significant consequences, as the testimonies of Fuzile and communications director Pumza Macala indicated.

On his first day as finance minister, Van Rooyen appointed a new advisor – Mohamed Bobat – as well as a new chief of staff, Ian Whitley, neither of whom he had officially vetted or was familiar with, Zondo found.

“It is legitimate to say Mr Van Rooyen appointed as his advisors people that he really did not know,” Zondo notes in the report. “With regard to Mr Whitley, he met him for the first time on 11 December 2015 and yet he appointed him on the same day...he had not done any background check on this person, he did not know his background and he did not know if he was the person his CV said he was and yet, on his own version, he offered him a job as his chief of staff and took him on the same day to national treasury as his first day of work.”

On Bobat, who was at the time in the employ of Regiments, a company through which the Guptas allegedly amassed large-value state contracts during the period under the commission’s investigation, Zondo found: “Mr Van Rooyen may or may not have known that Mr Bobat was employed at Regiments, but it is Mr Tony Gupta or one of the Gupta brothers who must have arranged for him to appoint Mr Bobat. So, Mr Van Rooyen knew that he got the appointment as

minister of finance through the Guptas and that he got Mr Bobat and Mr Whitley through the Guptas. They were all Gupta people.”

The two men had been imposed on the department by the Guptas, the report further notes, because they were meant to help advance the family’s agenda of capturing it. Soon after their appointment, Bobat and Whitley “had begun to send confidential National Treasury documents to the Guptas and their associates.”

Nene had been conveniently removed because he was seen as an obstacle to this agenda, Zondo concludes.

“President Zuma had already shown himself as someone who was prepared to remove a person from a position if that person was not prepared to cooperate with the Guptas.”

Zondo praises civil society, the media and National Treasury staff who resisted the efforts of Van Rooyen and his appointees, in their alleged attempt at capture. “It is appropriate to say that the fact that the Guptas and president Zuma failed to capture our National Treasury even after relentless attempts to do so over a long period of time is due largely to the ministers of finance that South Africa had during those years, namely ministers Nhlanhla Nene and Pravin Gordhan.”

He further recommended that Rajesh Gupta be investigated for his alleged offer of a bribe to then deputy minister of finance Mcebisi Jonas in October 2015. According to Jonas, Gupta offered him R600 000 in cash, with the promise of a further R600-million later, if he would agree to being appointed as finance minister. Jonas was cross-examined by the legal representatives of Duduzane Zuma, whom he claimed had been in the same meeting when the offer was made. Both Duduzane Zuma and the Guptas have denied Jonas’s claims.

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