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Reference	26/1/1
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OFFICE OF THE NATIONAL HEAD
DIRECTORATE FOR PRIORITY CRIME INVESTIGATION
HEAD OFFICE
PRETORIA

19 February 2016

A. The Minister
Ministry of Finance
40 Church Square
PRETORIA
0002

Dear Honourable Minister

REQUEST FOR RESPONSE TO INVESTIGATION QUESTIONS: BROOKLYN CAS 427/05/2015

Our telephonic conversation on 2016-02-18 refers.

Kindly be advised that I deemed it fit to forward you with the set of questions to allow reasonable time to consult with your legal representatives.

It is imperative that this matter be afforded the necessary confidentiality that it deserves. Involvement of third parties may compromise this confidentiality aspect. Extra care should be given to avoid media leakage and interference with state witnesses.

Your response to these questions is expected not later than 2016-03-02 and it must be hand delivered to 218 Visage Street, General Joubert building 2nd floor, Brigadier Xaba with contact details 079 889 9582.

Yours sincerely

Samuel Odeh
Sam
19/02/2016 11:44
012 5155804


NATIONAL HEAD: DIRECTORATE FOR PRIORITY CRIME INVESTIGATION
B. M. NTLEMEZA

Date: 2016-02-19

MINISTER OF FINANCE
19 FEB 2016
FILE No:
MINISTER OF FINANCE

DRAFT QUESTIONS

1. Does the Minister have any knowledge about the Disbandment” of the National Research Group (NRG) in 2009 when you were the SARS Commissioner leading to the the establishment of the High Risk Investigation Unit (HRIU) or the “Rogue Unit”?
2. Were there any inputs you gave for the establishment of the NRG or HRIU?
3. Who were the other stakeholders who would form part of the new Unit?
4. Do you still remember yourself as the then Commissioner for SARS recommending the funding model to the then Minister of Finance Trevor Manuel in Feb 2007 for “funding of an intelligence capability within NIA in support of SARS”
5. How were the members of the Unit recruited/selected? Were SARS recruitment processes followed?
6. How possible is that you recruit even before funding approval is granted for such a capability to exist?
7. Kindly share with us or provide a copy of the Agreement between NIA and SARS.
8. What were the aims and objectives (mandate) of the new Unit and subsequent operating environments as it changed its name?
9. Who was heading the Unit and to whom it was responsible and accountable to?
10. Who were Janse van Rensburg, JohanDe Waal, Johan Van Loggenreberg, Ivan Pillay and Helgard Lombard at Sars and what were their positions,

roles and responsibilities within the Unit?

11. As the Commissioner (Accounting Officer) for SARS at the time were you briefed about all key strategic operations?.

11.1. Do you know anything about operation code named "Sunday Evenings"? The bugging or installation of sophisticated surveillance equipment the NPA Offices.

11.2. Who authorised it, is this in line with SARS mandate?

11.3. What was its objective and targets?

12. Do you know or still remember HRIU mandate or what was the mandate of this unit?

13. Did the then Minister of Intelligence (Ronnie Kasrils) approve the establishment and identify members of NIA to work within the HRIU?
Provide evidence

14. Were there things at SARS (when you were the Commissioner) that would have happened without your knowledge?

15. Did members of HRIU appear on SARS normal employees' payroll? Please why some if not all the Unit members had 2 SARS identifications cards (one with fake employee details)

16. If this Unit was operating legitimately, why were they operating from Guesthouses, hotels, restaurants and their private dwellings? Further, why they were not provided with SARS laptops to store confidential information?

17. How was the funding its operations managed, which cost centre(s) were employed?

18. Who was the Head of the unit and to whom it was reporting?

19. Where there any members of HRIU who were not having personal files at

SARS? Can you tell us why, if any?

20. Who authorised the procurement of the surveillance equipment to be utilised during Unit's operations?
21. What were Ivan's Pillay functions at SARS from the period he started working until he retired? The functions must also include the period he was re-hired after submitting an early retirement from SARS and what are his academic qualifications.
22. Do you still remember which year Ivan Pillay took an early retirement?
23. Is it normal in terms of Treasury or Pension Fund Regulations for any Department to exempt its employee from early retirement penalty?
24. Why did you authorise that SARS must pay Ivan Pillay early retirement penalty at a tune of R1.2 million?
25. Kindly explain why did SARS re-employ Ivan Pillay for three years and then extended his contract to five years? In short he was offered an additional 8 year employment contract, why?
26. We believe you are aware of the KPMG forensic investigations into the existence of Rogue Unit at SARS. Do you perhaps have a clue as to why such an investigation is conducted?
27. Did the Minister of Finance receive KPMG report? If yes, have you read it since you took office or request to be briefed about its content by the Deputy Minister or the Commissioner? Have you made any contact with Judge Kroon, the chair of the SARS Advisory Board on this matter who is supposed to advise both yourself and the Commissioner?