



Mayoral Report
to Special Council meeting
held 7 February 2022

PPE TENDER FRAUD

How the Cederberg Municipality is implicated

Submitted by
Dr Ruben Richards
Executive Mayor

**STATEMENTS AND COMMUNICATION BY EXECUTIVE MAYOR
to Special Council meeting of 7 February 2022**

Mr Speaker,

Thank you for your leadership and calling this Special Council meeting today to consider the responses of one of our director's implicated by the SIU report into the PPE Tender Fraud scandal. On a personal note, I am aware that you have just been discharged from hospital and that you sit here today in this meeting with a level of physical discomfort. I hope your crutches which I see here next to you will be strong enough to carry both your bodily burden and that of the Municipality. On behalf of all Councillors and the Administration we wish you a speedy recovery.

Our Special Council meeting today takes place in the wake of breaking news from our neighbouring town, Klawer, where a young 13-year-old, Jerobeijin van Wyk went missing on Wednesday. Body parts allegedly belonging to this young boy have been found on Friday. The alleged killer, a farmer, has apparently admitted to perpetrating the crime. I wish to request that we pause for a moment as we think of the family (especially his mother Triesha van Wyk). Let us reflect on the negative impact such a heinous crime will have on our region at the level of race relations and also investment.

Thank you

And now to the matters on hand: Allow me now to place on record a few comments and a perspective relative to the investigations into the PPE tender fraud and the manner in which the Cederberg Municipality is implicated. I wish to briefly make five points as a supplement to the Council meeting of 27 January and the Press Statement from my office dated 28 January 2022, attached hereto for ease of reference as Annexure A.

1. Firstly, it is my fervent wish that all PPE tender fraud and related matters as they affect the Cederberg Municipality are handled as speedily as possible. Efficiency and fairness must be our watch words throughout this process.
2. Secondly, I am aware that these processes take time. I herewith want to encourage both Council the Administration to act decisively in the interests of justice, fairness and the well-being of our municipality. We cannot afford that this matter debilitates and destabilises our municipality due to our own lack of will or lethargic attitude toward taking action regarding the alleged wrongs committed by our people. Any undue delays either on the part of Council or the Administration will be most unfortunate. As is often said, justice delayed is justice denied.
3. Thirdly, I am encouraged that there are processes underway such as today's Special Council meeting called to specifically address matters as they relate to Director Henry

Slimmert. I await feedback on the steps taken by the Administration relative to the names of other officials of the Cederberg municipality as mentioned in SIU report including Mercuur, Twigg, and Maarman as well as service providers who are alleged to have benefitted as a result of the PPE tender as approved by our municipality.

4. Fourthly, it is my duty, from a political oversight point of view, to ensure that any allegations or aspersions cast against any official in our Administration are duly investigated, and if found to be unwarranted, then the names of such persons are to be summarily withdrawn and/or expunged from the record so as to protect their personal integrity and that of the institution to which they belong, in this instance the Cederberg Municipality. We dare not allow to go unchallenged the naming and shaming without due cause, by anyone or any institution against the officials in our Municipality. Where such officials are named, they must be afforded an opportunity to present their case to us, for the removal of their name from such incidents especially where the mere association of their name to such investigations may cast a negative light on their reputation. If they choose not to do so, they, by default, concur that they are implicated. If that is the case, then disciplinary procedures need to be activated.

I believe that this is my role from an oversight perspective, namely to protect our employees (i.e., individuals) and the institution against either malicious reputational attacks or acts of personal vengeance through the abuse of investigative processes that may cast doubt on the integrity of the individuals and organisation concerned. Of course, the law must take its course and we must remain guided by such. But, Mr Speaker, let us be extremely careful and ensure that our people (i.e., the administration and our Councillors) are duly protected against potential abuse and misrepresentation by others, including law enforcement agencies and legal representatives.

5. Therefore, fifthly, I want to urge that we act with efficiency but not at the expense of fairness. I am very aware how these processes have a tendency to drag on unnecessarily. Unfortunately, it would seem that the only persons who benefit are legal representatives and not the “alleged perpetrators” or “wrong-doers” neither the institution under investigation. I call upon the Council and the Administration to act decisively and leave absolutely nothing hanging unnecessarily. For example, please ensure the speedy appointment of the Disciplinary Board for Financial Misconduct as previously discussed and agreed in our Council meeting. Also, please provide feedback relative to the investigations into the allegations pertaining to Councillor Paul Strauss as per the urgent motion brought to council as well as a report on the qualifications audit commissioned to take place as a matter of urgency and which was to be completed by the end of January 2022.
6. In conclusion, let me reiterate: We have enough challenges facing us as we try to turn around our ailing Municipality. We don’t need any further impediments to delay and distract us from our goal of rebuilding a broken municipality not least the SIU

investigations, or our own delays in implementing decisions and actions taken by council.

With these words, Mr Speaker I again thank you for your leadership and look forward to a speedy resolution of the matters before us.

I thank you.

Cllr RR Richards
Executive Mayor

Annexure A



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PRESS STATEMENT:

***SPECIAL INVESTIGATIONS UNIT CONSOLIDATED REPORT INTO PPE
(PROCLAMATION 23 OF 2020) RELEASED ON
25 JANUARY 2022***

Issued by the Office of the Executive Mayor,
Dr Ruben Richards, 28 January 2022

-FOR IMMEDIATE RELEASE-

President Matamela Cyril Ramaphosa in terms of section 4(1)(g) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) pursuant to the publication of Proclamation R23 of 2020 on 23 July 2020, and with the publication of the Proclamation the President referred certain allegations of impropriety in connection with the affairs of all State institutions to the SIU and provided the SIU with its terms of reference, which are fully set out in the Schedule to the Proclamation.

On Tuesday 25 January 2022, President Cyril Ramaphosa released the Consolidated Report which contained findings on Cederberg Municipality in which three (3) officials were implicated.

The SIU investigation was undertaken by presidential proclamation in July 2020. The report sets out how each case before the SIU was investigated and the unit's recommendations in each case. Measures include disciplinary action, criminal referral to the NPA, blacklisting and intervention from the SA Revenue Service.

Cederberg Municipality maintained throughout this investigation that we support any form of investigation into financial misconduct and allegations of impropriety by any official or political office bearers. This Report implicates officials of Cederberg Municipality and as Council we discussed the findings of the Report on 27 January 2022. As a Council we made our intentions clear to act decisively against officials who are implicated. We have started with the internal disciplinary processes against the implicated officials and further details will be made available after our Special Council that will take place within the next 7 days. Council is in the process of establishing a Disciplinary Board for Financial Misconduct to deal with these matters. We will not comment on service providers that are implicated in the Consolidated Report, because this matter is still before the courts of law. We respect the view

that a person is innocent until proven guilty. We will implement the recommendations made by the SIU and ensure we deal with alleged financial misconduct decisively and restore trust in Cederberg Municipality.

We would like to thank President Ramaphosa and all the investigative agencies that were involved in this PPE investigation since July 2020. As Council we will allow the external criminal processes to take its course and await the outcomes.

Executive Mayor
Dr Ruben Richards

For enquiries: Media Department: Mr Brian Blaauw (Manager Strategic Services) on 027 482 8000 brianb@cederbergmun.gov.za