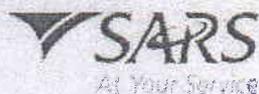


From: Adrian Lackay
Sent: 09 October 2014 11:55 AM
To: Yolisa Pikié; Giorgio Radesich; Peter Richer
Cc: Marika Muller
Subject: Summary of meeting with Sunday Times

From Skollie

Thanks

Adrian Lackay
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From: Andries Janse van Rensburg [<mailto:andries@worcbuildit.co.za>]
Sent: 09 October 2014 11:30 AM
To: Adrian Lackay
Subject:

Adrian

Ek het toe gister Piet Rampedié en Mzilikazi ontmoet.

They showed me quite a lot of official documents . They have all the salary documents pertaining to the unit. All names and salaries with the approval signatures. Also e-mail correspondence between members of the unit. Minutes of meetings from the unit which a Wilson lady wrote.

List of names and equipment booked to them. My biggest concern is that they have my contract signed 12 October 2004 and the contract between myself and Sars when I left the organisation.

They have several operational documents. One is an original from the Nia Provincial office signed by Patrick Manana where an investigation was done on the team. It refers to me as the head and that the team were involved in covert intrusions and several surveillance operations. All done under a covert structure.

They apparently have all the what's up messages between Johan and Belinda. According to them in these messages, Johan referred to him being the Head of a covert unit and also mentioned surveillance detail on specific targets.

As we discussed this morning, they said after they spoke to me, I immediately send and sms to Pete and later phoned him. As you said that Pete showed that message to Jean, then he is their source. It makes sense as the documents they have could only come from someone with access.

I denied any covert structure, as I was paid by Sars and my travel arrangements were done by Sars. I denied any surveillance operations or any illegal operations.

Regards

Andries Janse van Rensburg

Worcester



Tel: 023 342 2360

From: Piet Rampedi
Sent: 17 October 2014 11:00 AM
To: mmuller@sars.gov.za; marika.muller@gmail.com
Cc: Mziikazi; Stephan Hofstatter; Malcolm Rees
Subject: Sunday Times questions
Morning Marika

We are working on a follow up story about SARS due for publication this weekend. The Sunday Times Investigations Unit has established that SARS paid R1.2 million in Government Employees Pension Fund penalties for deputy commissioner Ivan Pillay to go on early retirement with full benefits in August 2010. However, the agency immediately re-hired him on a three-year contract approved by former Finance Minister Pravin Gordhan. Former SARS commissioner Oupa Magashule later gave Pillay a five year contract in January 2011, which was extended by another three years on the eve of the general elections by Gordhan. Please answer the questions below at your earliest, preferably by no later than end of business today (16:30, Friday October 17)

1. Why was it necessary for SARS to bend over backwards to accommodate Mr. Pillay's early retirement request at the cost of R1.2 million to the taxpayer?
2. If he wanted to take early retirement for personal reasons, why was there a need for SARS to pay for his GEPF shortfall?
3. According to an August 2010 memo signed by Magashule and Minister Gordhan, Pillay was immediately re-hired on a three-year contract at the same cost to company and package. Why did SARS approve Pillay's early retirement at a hefty price only to retain him with immediate effect?
4. Is this not an irregular waste of taxpayers' money by SARS?
5. The memo says Pillay's early retirement was effective from September 1 2010, but his three year contract kicked in from August 1 2010. Why was it backdated?
6. Can you elaborate on Pillay's personal reasons?
7. The memo says SARS retained Pillay because of his critical skills, experience and leadership so he could provide continuity and mentor the next generation of SARS leaders. Can you furnish us with a copy of his CV so we could confirm his portfolio and experience?
8. Has Mr. Pillay succeeded in mentoring the next generation of SARS leaders? If so, please give us the names of the people he has mentored and why was his five year contract extended this year if he had developed potential successors?
9. Has SARS paid the GEPF penalties of other employees before? If so, please give us the names of such beneficiaries and their contact details?
10. Has SARS paid Pillay his lump sum already and is he getting his monthly pension apart from his salary as a contract employee?
11. Is Pillay not benefiting from his close links Minister Gordhan and Magashule?
12. Sources claim Minister Gordhan extended Pillay's five year contract (due to expire on December 31 2015) by three years on March 26 (the eve of the general elections) because he wanted to secure the future of his close associate after learning he would be replaced as finance minister. Please explain why this contract was extended to 2018?
13. Sources say the covert unit has been disbanded, its Gauteng members relocated to SARS' the Riverwalk premises and an instruction issued that an inventory of their equipment be taken. Your response please?

Piet Rampedi
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From: Adrian Lackay
Sent: 17 October 2014 04:41 PM
To: Piet Rampedi
Cc: Marika Muller
Subject: RE: Sunday Times questions

The SARS response to your questions follows—

1. We refer to your questions we received at 11.00am on 17 October 2014.
2. SARS is aware that you are in possession of documents that are part of Deputy Commissioner Pillay's confidential SARS human resources file and it is clear that the questions from the Sunday Times are drawn from those documents.
3. The documents are manifestly private and confidential to SARS and to Deputy Commissioner Pillay.
4. Any publication of the information contained in the documents would constitute a material breach of Deputy Commissioner Pillay's right to privacy and the confidentiality between SARS and its employee.
5. The documents could only have been obtained unlawfully, and the Sunday Times' possession of such confidential documents is unlawful.
6. As you will be aware, it is unlawful for the media to publish private and confidential information unlawfully obtained. We refer you to the cases of *Financial Mail (Pty) Ltd and Others v Sage Holdings Ltd and Another* 1993 (2) SA 451 (A) and *Tshabalala-Msimang and Another v Makhanya and Others* 2008 (6) SA 102 (W).
7. Further, Section 67(3) of the Tax Administration Act (No 28 of 2011) prohibits the following: "(3) In the event of the disclosure of SARS confidential information or taxpayers information, the person to whom it was disclosed may not in any manner disclose, publish or make known to any other person who is not a SARS official."
8. SARS has consulted the employee concerned and comments as follows—

8.1 In terms of Rule 14.3.3(b) of the Government Employees Pension Law of 1996, read with Section 19 of the SARS Act of 1997, and Section 16 (2A)(a) of the Public Service Act of 1994, as amended with effect from 1 September 2010 the former Minister of Finance was requested to approve Mr Pillay's retirement before the age of 60 with full pension benefits.

8.2 It is not uncommon for the GEPP to approve retirement before the age of 60 with full pension benefits and 3 000 similar requests from various government departments were approved between 2005 and 2010.

8.3 SARS motivated to the former Minister of Finance that Mr Pillay's services be retained after retirement on a contract basis. In practice Mr Pillay's retirement took effect at the end of December 2010.

8.4 As far as SARS is concerned both this institution and the former Minister of Finance complied with all the provisions in law in granting early retirement with full benefits to Mr Pillay, and in retaining Mr Pillay as an employee on a contract basis.

ENDS.

Thanks

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 SARS
South African Revenue Service

From: Adrian Lackay
Sent: 18 October 2014 08:38 AM
To: Dumisa Jele; dumisa.jele804@gmail.com
Subject: Fw: Sunday Times questions

Please get this to PG

Sent from my BlackBerry 10 smartphone.

From: Trevor Manuel
Sent: Friday, October 17, 2014 22:34
To: Adrian Lackay
Subject: Re: Sunday Times questions

Hi Adrian

This is so lousy. I advised last Saturday that you guys should have a mediated discussion. At the same time, Ivan should be able to work out who's driving this agenda. I have my own ideas on this one. I bumped into PG in the week and offered the same advice to him. I remain convinced that this is the way to deal with the problem. It will not self-correct and there are people with another agenda. For next week, I may be the target of the same group. It's how they roll.

Try, by all means to reach out to Phyllicia by first thing tomorrow. Take the fight to her. Ask her to explain why since the Pallo Jordan story they've become a tabloid in the hands of those who, in the words of Oliver TaBo, 'go from ear to ear with a bag full of wedges, intent on sowing division'.

Is the editor home?

T

Sent from my iPad

On 17 Oct 2014, at 7:50 PM, Adrian Lackay <alackay@sars.gov.za> wrote:

Sir,

For your information, we are heading for another fight with the Sunday Times this weekend.

The attached PDF – someone leaked a very confidential and restricted document to them; Ivan's employment contract signed by PG earlier this year, and Ivan's previous request for retirement and his GEPF benefits.

In the attached email they are even going to the extent of asking about Ivan's matric qualifications. Apart from attacking SARS, it is clear that Ivan and PG are the targets of whomever is pushing this nefarious agenda.

Thanks

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