

DATE : 10 MARCH 2023

ATM CLARIFIES ITS COMPLAINT ABOUT MR RAMAPHOSA TO THE PUBLIC PROTECTOR.

To avoid obfuscation and unnecessary confusion, the ATM wants to make it very clear that its Impeachment Motion and Executive Members Ethics Act (EMEA) complaint about Mr Ramaphosa has already been unanimously pronounced on by the former Chief Justice led s89 Panel.

The 4 complaints of the ATM are listed hereunder

1. Whether Mr. Ramaphosa is guilty of serious violation of section 96(2)(a) of the Constitution, which provides that members of the Cabinet and Deputy Ministers may not undertake any other paid work.
2. Whether Mr Ramaphosa is guilty of serious violation of section 34(1) of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004) (the Act), which places a duty on him as a sole member of the Close Corporation to report corrupt transactions to the Hawks (as per the Amended 2012 SAPS Act). It's common cause that there is no case number.
3. Whether Mr. Ramaphosa is guilty of serious misconduct by violating section 96(2)(b) of the Constitution, which provides that Members of the Cabinet and Deputy Ministers may not, inter alia, act in a way that is inconsistent with their office in that Mr. Ramaphosa gave an unlawful instruction to General Wally Rhooode, a member of the Presidential Protection Unit, to investigate the burglary in his private farm and whether the instruction to investigate rather than to report the matter in terms of the law shows dishonesty and constitutes misconduct and unlawfulness on the part of Mr Ramaphosa
4. Whether Mr Ramaphosa is guilty of serious misconduct by violating section 96(2)(b) of the Constitution, which provides that Members of the Cabinet and Deputy Ministers may not, inter alia, expose themselves to any situation involving the risk of a conflict between their official responsibilities and private interests, in that: A member of the Presidential Protection unit, General Wally Rhooode, was directed to deal with security issues in the private farm (of the President) in violation of the provisions of section 96(2)(b) of Constitution;

The s89 Panel found that Mr Ramaphosa may have committed

1. A serious violation of sections 96(2)(a).
2. A serious violation of section 34(1) of PRECCA.
3. A serious misconduct in that the President violated section 96(2)(b) by acting in a way that is inconsistent with his office.
4. A serious misconduct in that the President violated section 96(2)(b) of the Constitution by exposing himself to a situation involving a conflict between his official responsibilities and his private business.

The ATM is awaiting the Deputy Public Protector Report on these exact same issues.

The ATM would be surprised if the findings of the Investigating team of the Deputy Public Protector would be different to the unanimous findings of a panel comprised of a Former Chief Justice, a Retired Judge and a Senior Counsel.

All other related transgressions are being dealt with by authorities with requisite mandates. The ATM had advised the Investigating Team of the Deputy Public Protector not to club together EMEA issues with other matters.

The ATM continues to be disappointed by the unexplained delays by the Deputy Public Protector.

ISSUED BY THE AFRICAN TRANSFORMATION MOVEMENT (ATM)
Zama Ntshona National Spokesperson
063 943 0893 – 076 308 5620