

**THE JUDICIAL COMMISSION OF INQUIRY TO INQUIRE INTO ALLEGATIONS
REGARDING EFFORTS OR ATTEMPTS HAVING BEEN MADE TO STOP THE
INVESTIGATION OR PROSECUTION OF TRUTH AND RECONCILIATION
COMMISSION CASES (TRC CASES INQUIRY)**

HELD AT:

Sci-Bono Discovery Centre, corner Mirriam Makeba & Helen Joseph Street,
Newtown, Johannesburg

BEFORE:

The Honourable Justice Sisi Khampepe (Judge RTD) – Chairperson

The Honourable Justice Frans Diale Kgomo (Judge President RTD)

Adv Andrea Gabriel (SC)

APPLICATION TO LEAD THE EVIDENCE OF MINISTER KUBAYI

I, the undersigned,

JOSEPH MULAUDZI,

do hereby make oath and state that:

1. I am an adult male attorney employed as a Senior Assistant State Attorney in the Office of the State Attorney Pretoria situated at SALU Building, 316 Thabo

BS
RD 1

Sehume Street, Pretoria. I am authorised to make this affidavit on behalf of the Minister of Justice and Constitutional Development ("**the Minister**").

2. Save where the contrary appears from the context or is expressly stated, the facts deposed to herein are within my personal knowledge and are, to the best of my knowledge and belief, both true and correct.

PURPOSE OF THIS AFFIDAVIT

3. This affidavit serves as an application to the Honourable Chairperson of the Commission, that leave be granted for counsel representing the Department of Justice and Constitutional Development and the Minister, namely KD Moroka SC, assisted by junior counsel AB Kessery, to lead Minister Mmamoloko Tryphosa Kubayi when she gives evidence before the Commission.

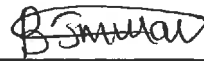
SUPPORT FOR THIS APPLICATION

4. Counsel representing the Department of Justice and the Minister has already consulted extensively with the Minister.
5. The Minister has responded to the Commission's information requests and has been assisted by her legal team including counsel and the State Attorney in this regard.
6. Counsel is familiar with the issues to be addressed by the Minister and will accordingly be able to assist the Commission with the presentation of the evidence in a manner that is efficient and expeditious.

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R.D 2

CONCLUSION

7. It is humbly submitted that there will be no prejudice to any party before this Commission if this application is granted.
8. In the circumstances, it is submitted that leave be granted to counsel representing the Department of Justice and Constitutional Development and the Minister, to lead Minister Kubayi when she gives evidence before this Commission.



DEPONENT

I hereby certify that the deponent has acknowledged that the deponent knows and understands the contents of this affidavit, which was signed and sworn before me at PRETORIA on the 17th day of JULY 2026, the regulations contained in Government Notice No. R 1258 of 21 July 1972, as amended, and Government Notice No. R 1648 of 19 August 1977, as amended, having been complied with.



COMMISSIONER OF OATHS

FULL NAMES:

BUSINESS ADDRESS:

OFFICE:

RINAE DAKALO MPHAPHULI
COMMISSIONER OF OATHS
PRACTISING ATTORNEY
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