



# SPECIAL TRIBUNAL

EST: ACT 74 OF 1996

All Media

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## **R18, 4 MILLION TRIAL AGAINST FORMER TRANSNET EXECUTIVE GETS UNDERWAY AT THE SPECIAL TRIBUNAL**

The trial into the alleged financial irregularities involving the former Transnet Group Head for Capital Projects, Mr Herbert Msagala, got underway in the Special Tribunal sitting at the South Gauteng High Court in Johannesburg on Monday, 3<sup>rd</sup> May 2021.

Judge Lebogang Modiba is presiding on a three-week trial which will run until the 21<sup>st</sup> May 2021.

Mr Msagala is facing the civil recovery proceedings in the Special Tribunal following an earlier forfeiture order against him where five of his immovable properties in both Gauteng and Free State Provinces were frozen as well as his 35 vehicles. The matter is pending before the Special Tribunal until the civil recovery proceedings against him have been concluded.

On Monday, Mr Msagala, representing himself, brought an urgent application for the postponement of the trial on the grounds that he could no longer afford legal representation and had approached various lawyers on pro bono basis as well as the Legal Aid Board to which the response was pending.

The Special Investigating Unit (SIU) challenged the application on the basis that there were no reasonable grounds to grant the order for postponement as the lawyers who previously represented Mr Msagala only notified the Special Tribunal on Sunday afternoon of their withdrawal.

Judge Modiba dismissed Mr Msagala's postponement application and ordered that the trial should proceed.

Mr Msagala excused himself from the proceedings citing that he was not familiar with legal proceedings as he did not have a lawyer, to which he was warned that he abandoned his chances of citing his side of the story in the trial.

First on the stand witness was the former head of the security at Transnet who gave an account of the various transactions totalling more than R1 million that he was asked by Mr Msagala to withdraw as cash cheques and delivered to his house.



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The second witness, Chief Forensic Investigator at the SIU, told the Special Tribunal that Mr Msagala's hands were not clean and that they were able to subpoena various bank accounts where he held monies in trust accounts which showed that he received the monies from IGS Consulting Services, which is alleged to be irregularly appointed. He confirmed the Nexus Investigations Report commissioned by Transnet when the allegations first surfaced, which raised red flags into the irregular money flows between IGS and the various bank accounts held in Mr Msagala's name.

The trial continues on Tuesday morning (4 May 2021) at 10H00.

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