

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

HELD AT:

Sci-Bono Discovery Centre, Corner of Miriam Makeba & Helen Joseph Street
Newtown, Johannesburg

BEFORE:

COMMISSIONERS:

The Honourable Ms Justice Sisi Khampepe (Judge Ret.) – Chairperson
The Honourable Mr Justice Frans Diale Kgomo (Judge President Ret.)
Adv Andrea Gabriel (SC)

EVIDENCE LEADERS:

Adv Ishmael Semanya (SC)
Adv Vas Soni (SC)
Adv Fana Nalane (SC)
Adv Nompumelelo Seme
Ms Baitseng Rangata
Adv Phelo Mahlati-Mbanga

REPRESENTATIVES

Adv Nyoko Muvangua (for Thokozile A Didiza)
Adv Phumzile Sokhela (for Thokozile A Didiza)
Adv Luthor Dzedze (for Thokozile A Didiza)
Adv Gwala-NPA Representative
Adv Yanela Ntloko- NPA representative
Adv B Lukhele-NPA Representative
Adv Ebenezer Propy (for SAPS)
Adv KD Moroka (SC) – DoJ representative
Adv Anisa Kessery-DOJ Representative
Adv Varney (SC) – The Calata Group
Adv D Pillay – The Calata Group
Adv Thakor- The Calata Group
Mr Sipho Tlhaole – The Calata Group
Adv Nwabisa Mtshizana (for Ex-NDPP's Officials)

21 SEPTEMBER 2026

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PROCEEDINGS ON 21 SEPTEMBER 2026

CHAIRPERSON: Good morning to you all. Mr Semenya?

ADV SEMENYA: Good morning to you, Madam Chair and the Commissioners. We have the Speaker of the National Assembly coming to help us today, Ms Didiza.

CHAIRPERSON: Yes, who is going to lead her?

ADV SEMENYA: My learned colleague, Nyoko.

CHAIRPERSON: Who?

ADV SEMENYA: I am told it is Mavungua, Chair.

10 CHAIRPERSON: Ma?

ADV SEMENYA: Mavungua.

ADV MUVANGUA: Morning Chair, it is Muvangua.

CHAIRPERSON: Muvangua.

ADV SEMENYA: I apologise.

CHAIRPERSON: I know her when she was a Miss. She was one of my best clerks at the Constitutional Court.

ADV SEMENYA: That explains it.

CHAIRPERSON: That was before she got to be Ms Muvangua. Ms Didiza, good morning.

20 MS DIDIZA: Good morning Chairperson.

CHAIRPERSON: How are you?

MS DIDIZA: I am good and how is the Chairperson?

CHAIRPERSON: Fine.

MS DIDIZA: Thank you very much.

CHAIRPERSON: Are you going to give your evidence under oath or

affirmation?

MS DIDIZA: It will be under oath, Chairperson.

CHAIRPERSON: Do you swear that the evidence you will give will be the truth, the whole truth and nothing but the truth? If so, raise your right hand and say 'so help me God'.

THOKOZILE ANGELA DIDIZA: duly sworn states

CHAIRPERSON: Thank you, madam.

MS DIDIZA: Thank you.

COMMISSIONER KGOMO: Yes, sorry. On a very serious note;
10 those who heard about the confusion, I am very much alive.

CHAIRPERSON: Ms Muvangua?

ADV MUVANGUA: Yes, Chair.

CHAIRPERSON: Yes, your witness.

EXAMINATION BY ADV MUVANGUA: Thank you, Chair. Good morning, everyone. Before we start, Ms Didiza, I thought to take you to... You have got a bundle from the Commission this morning, is that correct?

MS DIDIZA: Yes, I did.

ADV MUVANGUA: It starts at page 2415, is that correct?

20 MS DIDIZA: Yes, it does.

ADV MUVANGUA: That is your statement.

MS DIDIZA: It is my statement.

ADV MUVANGUA: That you filed under oath before the Commission?

MS DIDIZA: Yes, Counsel.

ADV MUVANGUA: Do you accept that it is correct and there is nothing that needs to be corrected at all?

MS DIDIZA: It is correct.

ADV MUVANGUA: Ms Didiza, are you able to explain to the Commission the capacity in which you appear before it this morning?

MS DIDIZA: I have been asked by the Commission to appear before it in my capacity as the former Acting Minister of Justice at the time.

ADV MUVANGUA: Yes. And are you able to outline for the Commission the offices you held in government and the periods to
10 the extent that you are able to? This is also set out in paragraph 4 of your statement.

MS DIDIZA: Yes, I was appointed in May 1994 as the Deputy Minister of Agriculture until 1999. And in 1999, after the general elections, I was then appointed as Minister of Land and Agriculture. And in 2004 until 2006, I again was appointed as the Minister of Agriculture and Land Affairs. And in 2006, after the passing of the then Minister Stella Sigcau, I was then appointed the Minister of Public Works until 2008. And I came back to government in 2019
20 when I was asked to serve again as the Minister of Agriculture, Land Reform and Rural Development. And in 2024, after the general election, I was then elected as the Speaker of the National Assembly.

ADV MUVANGUA: Thank you.

MS DIDIZA: Thank you.

ADV MUVANGUA: Now, the Commission, you are here because the Commission invited you here via a summons.

MS DIDIZA: Yes, it was both through the notice and also the summons.

ADV MUVANGUA: The summons, okay; and the summons is the most recent document dated 13 August 2026.

MS DIDIZA: Yes.

ADV MUVANGUA: Can you confirm the two issues that the Commission invited you to speak to us regarding the summons?

MS DIDIZA: Yes, I can confirm. In terms of the summons that were sent to me, which are also the same like the notice that I received last
10 year, relates to two issues, which is on paragraph 228 and 229, which is indicated as bearing reference. However, there are also other paragraphs from paragraph 224, which sets out the background.

ADV MUVANGUA: Thank you. We will get to those two issues in a moment. But first, I wanted to get from you perhaps an explanation to the Commission of the circumstances under which you came to be Acting Minister of Justice and Constitutional Development in September 2006.

MS DIDIZA: Thank you, Counsel. In 2006, I was Minister of Public Works at the time, and when Minister Mabandla fell ill, I was then
20 appointed by the president to be the Acting Minister of Justice.

ADV MUVANGUA: When you say you were appointed by the president, who was the president at the time?

MS DIDIZA: The president at the time was President Mbeki.

ADV MUVANGUA: When did your acting stint commence as Minister of Justice, and when did it end?

MS DIDIZA: It was actually five weeks from the time of appointment of 5 September until 13 October.

ADV MUVANGUA: Five weeks?

MS DIDIZA: Yes.

ADV MUVANGUA: And a few days, probably. Are you able to tell the Commission what your day-to-day responsibilities entailed in your capacity as Acting Minister of Justice? I appreciate that it was a long time ago, but to the extent that you are able to recall.

MS DIDIZA: Well, in the circumstance where you are appointed as
10 an acting minister, you would actually assume the responsibility of the office and issues that are brought to you; obviously, it would either be through the director general in that office or any other institution that might be reporting to that current minister.

It does happen at times when you are an acting minister that there may be issues, because you are not the substantial minister, substantive minister, rather, of that portfolio, which you may not be *au fait* with. And in such cases, you will exercise your responsibility whether you would consult that minister, if the minister is available to take a call or the deputy minister, if the deputy minister might know of
20 an issue, or you may decide not to actually deal with that issue and put it in abeyance until the substantive minister comes back to his or her role.

ADV MUVANGUA: In an acting capacity, would it be done that you would initiate, for example, new programmes for the department?

MS DIDIZA: No, it is not possible that you can do that, because, as

indicated, you are acting in that role.

ADV MUVANGUA: So you are just a caretaker.

MS DIDIZA: Basically you are a caretaker until the substantive minister comes back to the portfolio.

COMMISSIONER KGOMO: It is a bit different from Acting Minister Cachalia.

MS DIDIZA: It is a bit different in that instance, because if you look at the acting position of Minister Cachalia, for instance, the circumstances is that the process of the Commission, I do not think it
10 was time-bound necessarily, and therefore it was acting, which I would call substantive in a way, that the minister would actually be in that portfolio for the longest time.

COMMISSIONER KGOMO: Thank you.

ADV MUVANGUA: Ms Didiza, we are moving on now to deal with the first of the two specific issues in relation to which you are invited here. It relates to a meeting at the now late Minister Skweyiya's home. Do you have any recollection of a meeting said to have taken place at the then Minister Skweyiya's home in late 2006?

MS DIDIZA: Thank you very much, Counsel. I looked at the issues
20 as were set out in the summons, but also as set out in the notice. I must say that one thing that was not clear to me about that meeting and where it is alleged that I convened it. I am not sure as to whether that meeting was just a meeting of ministers in an informal basis, but again, without any documentation to assist me 20 years later, I would not actually have a recollection of that meeting. And if one looks at

the members that are said to have been in that meeting, it is not clear whether that was a formal meeting of ministers in a particular cluster.

ADV MUVANGUA: What is praxis in government? Is it praxis to have government meetings in the homes of ministers?

MS DIDIZA: Well, an official meeting would obviously be a designated meeting in a meeting room where there would be a notice given out. The minute-takers would be there and the agenda obviously of the meeting would be given. But ministers, if they are meeting on an informal basis, they would decide themselves where
10 they would want to meet.

ADV MUVANGUA: And it would be praxis that... so one of the allegations is that you convened that said meeting. Would it be praxis that you would convene a meeting at somebody else's house?

MS DIDIZA: No. As I say that one thing that intrigued me when I looked at what was set out, I was actually not sure as to in what capacity I would have even have convened such a meeting. As I say, if it was a meeting of government, obviously you would have expected that the chairperson of the cluster, who at the time was the Minister of Safety and Security, would have been the one who
20 convened the meeting. Again, the issue is; if I convene a meeting to somebody's house, why would I do that, as opposed to the owner of the house.

ADV MUVANGUA: You mentioned earlier that it is difficult to remember, because you ask for minutes and these are not, you do not have this. These were never provided to you. Is that accurate?

Is that correct?

MS DIDIZA: Yes, and I just wish to state, Counsel, and through you, Chairperson, that given the timeline 20 years later, I did request minutes, because, in my view, at least that would have given me an understanding and an appreciation of what that meeting was about; and unfortunately, I did not receive such.

ADV MUVANGUA: Okay. Now, from what we discern from the material that was provided to you, the only witness who seems to have been at that meeting and who has tendered an account of it is

10 Adv Pikoli.

MS DIDIZA: Yes, that is what the documents are saying.

ADV MUVANGUA: Can you tell the Commission what Adv Pikoli says was your role at that meeting?

MS DIDIZA: Well, from the minutes that I have read, other than to say I convened the meeting, Adv Pikoli does not recall what I said in that meeting.

ADV MUVANGUA: There is an excerpt in the summons of his evidence, if I could just be given an opportunity to turn to it. I beg your pardon. It is actually at page 2419 of your witness statement.

20 MS DIDIZA: Yes.

ADV MUVANGUA: Paragraph 18.3. There you quote from Adv Pikoli's oral evidence before the Commission. Are you able to look at that and confirm to the Commission what Adv Pikoli's evidence was?

MS DIDIZA: Yes, Counsel. I can read that, as it is in my statement; and indeed, that was the response of Adv Pikoli in front of this

Commission about what I said or not said.

COMMISSIONER KGOMO: Yes, can you read that?

ADV MUVANGUA: Are you able to read it for the record?

MS DIDIZA: I can read it. Adv Moroka was the one who asked the question. I quote:

“You say you do not recall what Minister Didiza,
Acting Minister Didiza’s view was.”

And in response, Adv Pikoli said, I quote:

10 “Yes, she was more passive in listening, because
she was the Acting Minister of Justice.
Therefore, she was not really familiar with the
issues.”

Close quote.

ADV MUVANGUA: Okay. When I asked the question whether you recall what Adv Pikoli said, you referred to minutes. Did you intend to mean the affidavits that were given to you?

MS DIDIZA: It was actually Adv Pikoli's affidavit.

20 ADV MUVANGUA: Okay. Now, in light of what you just told the Commission about the meeting that is allegedly, alleged to have taken place at Minister Skweyiya’s house, do you have anything else in your knowledge that might be able to assist the Commission?

MS DIDIZA: I do not have anything else that I can really assist the Commission with in respect of this matter.

ADV MUVANGUA: Now, we are going to move on to the second issue in relation to which you were invited to speak about; and that is

the meeting of the security cluster is the theme. So, the meeting there is alleged to have taken place in early October 2006 at the office of the then Minister of Security. That was Mr Nqakula, is that correct?

MS DIDIZA: Yes, it is correct.

ADV MUVANGUA: What can you tell the Commission about that meeting? Are you able to assist at all?

MS DIDIZA: Again, Counsel, I am not able to assist, because if you look at my own statement, but also in the affidavit of Adv Pikoli in this
10 instance, it is referred to a meeting which was at the office of Minister Nqakula of the cluster. But if you look also at participants, it mentions only the Safety and Security Minister and the DGs and the Minister of Social Development.

So, I am not sure whether was actually that a cluster meeting, because if it was a JPS cluster, it should have had all the ministers of the cluster, except those that might have apologised as well as the directors general of that cluster who should have been in the meeting. What is also not clear in the affidavit of Adv Pikoli, was this a formal cluster meeting? And if so, again, it would have assisted to have the
20 record of such a meeting.

ADV MUVANGUA: Now, it is alleged that a proposal to establish a working group or a task team was put to the ministers present at that meeting and accepted. Do you recall such a proposal or decision?

MS DIDIZA: Well, Counsel, it is ...[intervenes]

COMMISSIONER KGOMO: Ms Muvangua, for purposes of the

record, it would always help if you refer to the minutes and to the page, so that a reader who comes afterwards would know where to go.

ADV MUVANGUA: Sure, I will do that immediately. I do not have minutes, but that is... the allegations are in the paragraphs that came attached to the summons as part of Annexure A.

COMMISSIONER KGOMO: Yes, okay, even so.

ADV MUVANGUA: I beg your pardon?

COMMISSIONER KGOMO: I say even so.

10 ADV MUVANGUA: Yes. So that allegation is in paragraph 228 and 229 of Annexure A.

COMMISSIONER KGOMO: Yes.

ADV MUVANGUA: Now, so these allegations are contained in those two paragraphs.

MS DIDIZA: Can I answer?

ADV MUVANGUA: Yes, please.

MS DIDIZA: Well, thank you very much. According to the summons on page 108, it is written 98 in quotations, Calata Evidence 2. In that section, indeed it is alleged that the meeting took place in the
20 Ministers of Safety and Security, and it was a security cluster meeting.

Again, as I indicated earlier, even when you look at the participants, it is not clear whether was that a formal meeting of the cluster; and if so, was it deliberate that some of the ministers' names and the directors general are not there? I would not have known.

And whether was it that official meeting or a consultation meeting, it is not clear. And I would not really recall that meeting without the help of the record of the meeting to be able to understand what was the context. And also, if you look in the same paragraph, what is referred to as the task team, what was this task team about? I would not recall. Thank you.

ADV MUVANGUA: And would I be correct to say that you also would not recall whether such a proposal was made and the decision for it?

10 MS DIDIZA: As indicated, Counsel, in my answer that without actually having the record of the meeting referred to and its status, I am not able to assist the Commission. As I said that even on what is before me in terms of the summons, I am not even sure what that task team was about. And I think it is important to also indicate through you, Chair, that indeed I was an acting minister, not a substantive minister of that portfolio. So if some of the abbreviations are put, I may not actually even know what that referred to.

ADV MUVANGUA: Now, after that meeting, Adv Pikoli is said to have written to the DGs and other officials, inviting nominations to the
20 task team. I accept that you were an acting minister. Were you involved at all and in any way in any step?

MS DIDIZA: Thank you, Counsel. My reading of paragraph 229 in the summons, it actually implies that from that time, that was the decision of Adv Pikoli who then, as indicated, asked the directors general. It does not say ministers were asked to provide names. So

I would assume that might have been an operational matter of Adv Pikoli in his capacity as NDPP and requesting those directors general.

ADV MUVANGUA: Do you have anything at all to offer that might be of assistance to the Commission in relation to the second issue that we just went through?

MS DIDIZA: Unfortunately, I am not able to, because as indicated, without any advice as per record of the meeting itself, it is not really easy to say 20 years later you can remember without any of the
10 documents submitted or given to you to actually assist.

ADV MUVANGUA: That is the end of the second issue. I just wanted to ask as a general proposition whether there is anything in your ability that could be offered to the Commission at all at this point.

MS DIDIZA: Unfortunately, in terms of the mandate of the Commission, through you, Chair, and the questions that have been posed to me coming out of the affidavit of Adv Pikoli, as stated here, I do not think it would be of help to the Commission in terms of what I have just highlighted in my knowledge.

COMMISSIONER KGOMO: Except to dispel any notion that you
20 might know something. So what you are saying is helpful in that sense.

MS DIDIZA: Thank you very much, Commissioner.

ADV MUVANGUA: Madam Chair, yes, I have no further questions.

CHAIRPERSON: Thank you. Thank you, Ms Muvangua.

COMMISSIONER GABRIEL: Ms Didiza, thank you for your

testimony. You have read the affidavits, the extracts of the affidavits referred to. Now, given that you have no independent recollection of what happened at those meetings, I take it that you have no reason to dispute what Adv Pikoli records.

MS DIDIZA: Well, in relation to what I am alleged to be knowing or what I have done, like indicating that I convened the meeting, I really cannot recall that. And as I said through my counsel that without any support of documentation, it is really difficult to say what is it that I know, what is it that I did.

10 COMMISSIONER GABRIEL: So you have no recollection to dispute what Adv Pikoli says?

MS DIDIZA: No, I do not. Because even himself, through you, Commissioner, he does say, even on the meeting that he says I was in ...[intervenes]

COMMISSIONER GABRIEL: You played no active role.

MS DIDIZA: I said nothing.

COMMISSIONER GABRIEL: Okay, thank you very much.

CHAIRPERSON: Ms Didiza, which ministers constituted the cluster during your acting stint as Minister of Justice?

20 MS DIDIZA: I may not recall all of them, but usually ministers who constitute the safety and security cluster, it would be the Minister of Safety and Security, it would be the Minister of Defence, it would be the Minister of Intelligence, it would be the Minister of Justice, it would be the Minister of International Relations, it would also be the Minister of Home Affairs.

CHAIRPERSON: Yes.

MS DIDIZA: Yes.

CHAIRPERSON: Yes. During your acting stint, was it practise for a minister within a cluster to convene a meeting, an informal meeting in one of the ministers' houses?

MS DIDIZA: As far as I know, no.

CHAIRPERSON: Yes, but in so far as Adv Pikoli says that such a meeting was convened by you at the late Minister Zola Skweyiya's house, you cannot dispute that?

- 10 MS DIDIZA: Well, as I said that I do not have a recollection of that, which is the reason why I requested minutes, even the notice, because, Chairperson, through you, if you convene a meeting, surely there might have been a notice of how that meeting was convened? And secondly, not being a chairperson of the cluster, why would I convene such a meeting?

CHAIRPERSON: Yes, and not convene it at your house.

- MS DIDIZA: Not convene it at my house, nor in the office, because at the time, as I indicated, I was not even, though acting, Justice Minister was not the chair of the cluster at the time. So if any minister
20 would request a meeting, that minister would have to go through the chairperson.

CHAIRPERSON: Yes.

MS DIDIZA: Yes.

CHAIRPERSON: Thank you.

MS DIDIZA: Thank you.

CHAIRPERSON: Ms Moroka, any clarificatory questions? Ms Moroka? Yes.

ADV MOROKA: Because I do want to just ask a question – thank you, Chair; relating to the question that you were asked by Commissioner Gabriel. She asked whether, therefore, if you do not recall, whether Mr Pikoli will be right in the evidence that he gives. And I want to find out from you whether you can admit or deny that. You cannot. It might be that the meeting, as he says, happened, did not happen the way he says it, but you do not know. The one thing
10 that you cannot do is admit that it happened the way that he says it happened, because you do not know. I hope you understand my question.

MS DIDIZA: I understand, Adv Moroka. As I said that I do not have that recollection, but I also even posed the question, which were my questions I was asking myself. If such a meeting did take place, why would I convene it, to start with, not being the chairperson of the cluster? And secondly, why would I convene such a meeting in somebody else's office? I mean in somebody else's house, for instance, as stated.

20 CHAIRPERSON: Thank you, Ms Moroka. Mr Gwala?

ADV GWALA: Good morning, Chair. No, Chairperson, we do not have questions for this witness.

CHAIRPERSON: Thank you. Mr Propy, are you representing Ms Rantho?

ADV PROPY: Correct, Chair.

CHAIRPERSON: Yes, Mr Propy.

ADV PROPHY: No questions, Chair.

CHAIRPERSON: Thank you. Am I missing anyone online?

ADV MTSHIZANA: Thank you, Chair, Ms Mtshizana. I only have one clarificatory question for the witness.

CHAIRPERSON: Yes, Ms Mtshizana, you may proceed.

ADV MTSHIZANA: Thank you, Chair. Good morning, Ms Didiza.

MS DIDIZA: Morning. Good morning.

ADV MTSHIZANA: My question stems from the first allegation of the
10 meeting held at the house of the late Minister Skweyiya's home.

MS DIDIZA: Yes, I am listening.

ADV MTSHIZANA: May I just ask that; it is your evidence that no meeting minutes were provided to you upon request. May I just ask; who did you request the minutes of the meeting to?

MS DIDIZA: Thank you very much. The letter for me to appear came from the Commission. So through my lawyers, the letter to request such was to the Commission.

ADV MTSHIZANA: And you did not receive any responses in that regard?

20 MS DIDIZA: Well, the responses that we received was that we needed to consult the bundle of documents that relate to the Calata matter. And indeed, we consulted that there was no such minutes.

ADV MTSHIZANA: Thank you, Ms Didiza. That will be all, Chairperson.

CHAIRPERSON: Thank you, Ms Mtshizana. Mr Varney?

ADV VARNEY: Chairperson, there were certain documents not put to this witness, so we will have to apply to cross-examine her.

CHAIRPERSON: Yes. When do you intend to bring such an application, Mr Varney?

ADV VARNEY: Chairperson, we will file that application this week.

CHAIRPERSON: This week?

ADV VARNEY: Yes.

CHAIRPERSON: Okay. Thank you. Mr Semanya?

ADV SEMENYA: Consequently, Madam Chair we will have to defer
10 our questioning of the speaker.

CHAIRPERSON: Thank you. Ms Muvangua?

ADV MUVANGUA: Thank you.

CHAIRPERSON: I dare say there is no re-examination following the clarificatory questions that have been put to Ms Didiza.

ADV MUVANGUA: There is no re-examination. I just thought an indulgence to seek for clarity. My learned friend, Mr Varney, said there were certain documents not put to Ms Didiza. I wonder whether those documents would be provided to her counsel or whether we would be told at the moment of the application what those documents
20 are and to the extent that they relate to the two issues that she was invited to speak to.

CHAIRPERSON: Yes. I think they will form part of an application to cross-examine her.

ADV MUVANGUA: Thank you, Chair.

CHAIRPERSON: Thank you. Ms Didiza, we thank you very much

for having agreed to appear before this Commission in order to discharge, to help it discharge its mandate. As you have heard, there is an application for your cross-examination by Mr Varney, who is representing the Calata Group. You will be expected to appear for such cross-examination on a date to be determined in due course. For now, you are excused as a witness.

MS DIDIZA: Thank you very much, Chairperson and Commissioners.

CHAIRPERSON: Thank you. These proceedings are then
10 adjourned until tomorrow at 10 o'clock.

INQUIRY ADJOURNS UNTIL 22 SEPTEMBER 2026

CERTIFICATE OF VERACITY

I, the undersigned, hereby certify that **as far as it is audible**, the foregoing is a true and correct transcript of the digitally recorded proceedings in the matter of:

JUDICIAL COMMISSION OF INQUIRY INTO TRC

FORUM OF ORIGIN	:	Inquiry
CASE NUMBER	:	N/A
TRANSCRIBER	:	M Brits
DATE COMPLETED	:	2026-09-21
NUMBER OF PAGES	:	21 (Including front page)

TRANSCRIBER :



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