

**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)**

16823/22

Cape Town: Thursday, 6 October 2022
Before the Honourable Mr Justice La Grange

CASE NO:

In the *ex parte* application of:

THE SOUTH AFRICAN RESERVE BANK

WCD-001

First Applicant

NOMFUNDO TSHAZIBANA N.O.

Second Applicant

In re:

MICHAEL JOHANNES JOOSTE N.O.

First Respondent

GARY DAVID HARLOW N.O.

Second Respondent

WILLEM ADRIAAN DU PLESSIS N.O.

Third Respondent

(Cited in their capacities as joint trustees of the Silveroak Trust,
Registration Number IT649/90)

MARKUS JOHANNES JOOSTE

Fourth Respondent

INGRID JOOSTE

Fifth Respondent

LANZERAC ESTATE INVESTMENTS (PTY) LTD

Sixth Respondent

REGISTRAR OF DEEDS, CAPE TOWN

Seventh Respondent

PETRUS ALBERTUS VENTER

Eighth Respondent

DRAFT ORDER

Having heard counsel for the Applicants and having read the papers filed of record,
an order is hereby made in the following terms:

1. The normal Rules of the above Honourable Court relating to forms and service is dispensed with and this matter is dealt with as a matter of urgency in terms of Rule 6(12) of the Rules of the above Honourable Court.

2. This Honourable Court directs, in terms of section 32 of the Superior Courts Act, 2013 (Act No. 10 of 2013) ("Superior Courts Act"), that the application is not heard in open court.
3. The Registrar of this Honourable Court is ordered to retain the court file and prohibiting anyone, pending the execution of this order, from disclosing any facts relating to the application without prior written notice to the Attorneys of the Applicants and leave of this Honourable Court.
4. The Sheriff of the High Court, duly assisted by the Attorneys of the Applicants shall cause the service and execution of this Court Order on behalf of the Applicants in terms of the provisions of the Superior Courts Act and Rules of the above Honourable Court.
5. Representatives of Cyanre the Digital Forensic Lab (Pty) Limited are identified as the Forensic Expert ("*the Forensic Expert*") who are hereby authorised to access the *devices* (as defined below) referred to in this order, in order to mirror all the data and recover any deleted files on the *devices* and to act therewith in the manner set out herein below. For purposes of this application "*books or documents*" would include books, documents, records and any information or data, including information or data stored or recorded electronically, digitally, photographically, magnetically or optically on any type of device or information or data accessible through a device, including, but not limited to, desktop or laptop computers, CDs, DVDs, memory sticks, flash drives, tablets, external hard drives, servers, smart phones and/or cell phones ("*devices*").

6. Mr Daniel Rossouw of West Rossouw Attorneys is hereby appointed as the officer of the Court tasked with supervising the execution of this order (the "*Supervising Attorney*"). The *Supervising Attorney* may be assisted by other attorneys (or *junior counsel as the case may be*) authorised thereto in writing by the *Supervising Attorney*. authorised thereto in writing by the *Supervising Attorney*.

In respect of the Silveroak Trust (the First, Second and Third Respondents)

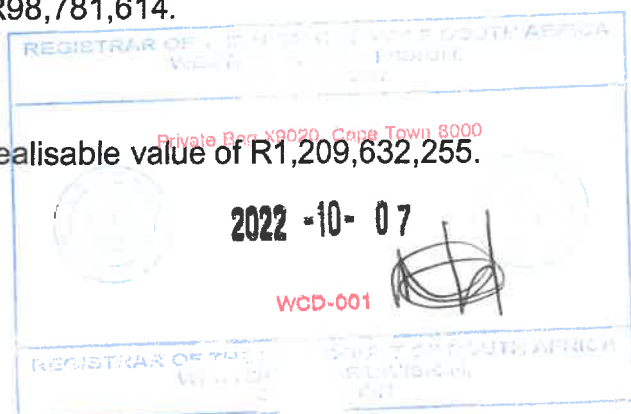
7. The Applicants acting through the functionaries referred to in paragraph 4 is authorised to:

7.1 Serve the Notice of Attachment (dated 1 September 2022) a copy of which is attached hereto and marked "**A**" ("*the Silveroak Trust - Attachment Notice*") on the First, Second and Third Respondents.

7.2 Execute in accordance with *the Silveroak Trust - Attachment Notice*, the attachment of the First, Second and Third Respondents' right, title and interest in the Silveroak Trust assets as declared in the 2019 audited financial statements which include:

7.2.1 Art with a realisable value of R98,781,614.

7.2.2 Other financial assets with a realisable value of R1,209,632,255.



7.2.3 Loans receivable in the amount of R131,118,148

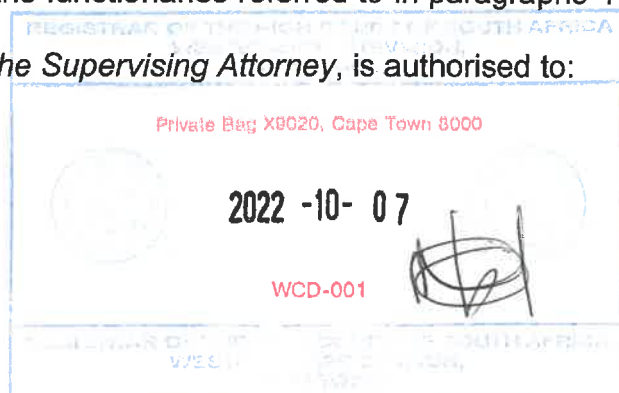
7.3 Identify all the movable goods described in *the Silveroak Trust - Attachment Notice*, to photograph the said goods and to draw an inventory thereof.

8. The First, Second and Third Respondents are directed to declare to *the Attorneys of the Applicants*, in writing under oath, within five (5) days of service of this Court Order, the whereabouts of all the assets which *the Silveroak Trust* acquired since it declared its assets in its audited financial statements in 2019 to date, including the current assets of *the Silveroak Trust* wherever they may be situated and to identify those assets with sufficient particularity.

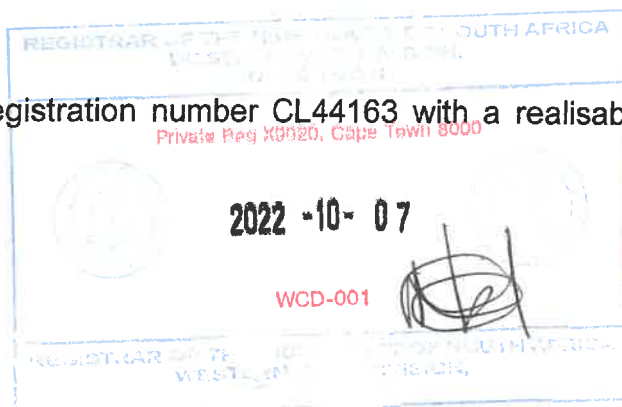
9. The First, Second and Third Respondents are interdicted from disposing or removing any of the assets, including any of the assets declared in terms of paragraph 8 of the Notice of Motion, in order to enable the further attachment of such assets in terms of the provisions of Regulation 22A and/or 22C of the Exchange Control Regulations promulgated under section 9 of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933) ("*the Exchange Control Regulations*").

In respect of the Fourth and Fifth Respondents

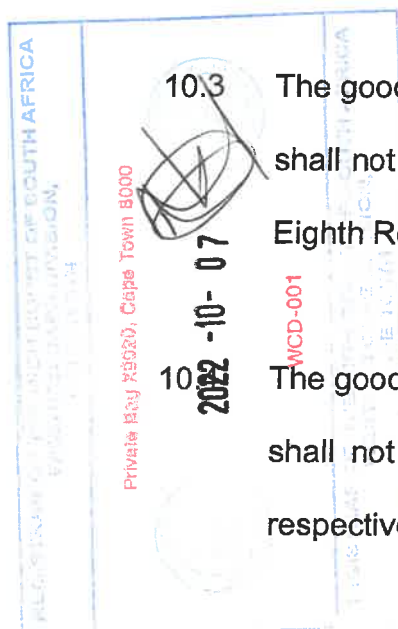
10. The Applicants, acting through the functionaries referred to in paragraphs 4 and 5 and under the supervision of *the Supervising Attorney*, is authorised to:



- 10.1 Serve the Notices of Attachment (dated 1 September 2022) annexed hereunto as **"B"** (*"the MJ Jooste Attachment Notice"*) and **"C"** (*"the Lanzerac Attachment Notice"*) on the Fourth Respondent and enter the premises of the Fourth and Fifth Respondents, situated at 143 Tenth Street, Voëlklip, Hermanus, Western Cape (*"the Jooste-premises"*), to effect such service.
- 10.2 Execute in accordance with *the MJ Jooste Attachment Notice* the attachment of the Fourth Respondent's right, title and interest in:
- 10.2.1 Motor vehicles registered in the name of the Eighth Respondent namely:
- 10.2.1.1 A black Isuzu KB 300TDI 4x4 LX Double Cab pick-up, registration number CL37176 with a realisable value of R81,200.
- 10.2.1.2 A white Mercedes Benz SL600, registration number CL44478 with a realisable value of R434,300.
- 10.2.1.3 A green Land Rover Defender 110, registration number CL43150 with a realisable value of R350,000.
- 10.2.2 Motor vehicles registered in the name of the Fifth Respondent:
- 10.2.2.1 A white Lexus LX570, registration number CL44163 with a realisable value of R293,600.



- 10.2.2.2 A white Volkswagen Kombi VN 750, registration number CL75789 with a realisable value of R344,100.
- 10.2.3 Personal effects declared by the Fourth Respondent as of December 2019 and confirmed in June 2021 which includes jewelry, paintings and firearms with a realisable value of R795,400.
- 10.2.4 All the movable goods of any nature which are present at the date of the attachment order on *the Jooste-premises*, excluding the clothing of those persons present or resident on the property and any foodstuffs and living essentials.
- 10.2.5 All the movable goods of any nature, of the Fourth Respondent or which he is the beneficial owner of, which are present at the date of the attachment order on *the Lanzerac-premises* (described below), excluding the clothing of those persons present or resident on the property and any foodstuffs and living essentials.
- 10.3 The goods attached and referred to in subparagraphs 10.2.1 to 10.2.3 above, shall not be removed, but shall be left in the custody of the Fourth, Fifth and Eighth Respondents or the person currently in control of the goods.
- 10.4 The goods attached and referred to in subparagraphs 10.2.4 to 10.2.5 above, shall not be removed, but shall be left on the property referred to in the respective paragraphs on condition that the Fourth Respondent, or the person



in control of the goods, permits the Sheriff of the High Court and the Attorneys of the Applicants, to enter the premises on a weekday between 08:00 and 17:00 to identify the movable goods on *the Jooste-premises* and the *Lanzerac-premises*, photograph the goods and to draw an inventory of the goods.

10.5 Enter *the Jooste-premises* to inspect any books or documents belonging to, or under control, of the Fourth Respondent in terms of Regulation 19(1) of the Exchange Control Regulations. The inspection and pursuant actions shall occur in accordance with the following directions:

10.5.1 The Fourth and/or Fifth Respondent or any major person in charge of *the Jooste-premises* shall grant full access to that premises, including any part of the premises, to the Sheriff, the Attorneys of the Applicants, the *Forensic Expert* and the *Supervising Attorney*, for purposes of finding and examining in accordance with this order, books or documents containing information that may be deemed necessary for purposes of the Exchange Control Regulations (the "*Jooste case-relevant information*"). *Jooste case-relevant information* deemed necessary would include, but is not limited to, any information relating to any possible exchange control regulations contravention, including:

10.5.1.1 any correspondence of, or communications between, the Fourth Respondent and/or any of the entities or their functionaries, related or linked to the Fourth Respondent;

Private Bag X9020, Cape Town 8000

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REGISTRAR GENERAL OF DEEDS SOUTH AFRICA
CAPE TOWN

- 10.5.1.2 particulars of any bank account held or bank statements of the Fourth Respondent and/or any of the entities related or linked to the Fourth Respondent.
- 10.5.1.3 details of any funds transferred from or to the Fourth Respondent and/or any of the entities related or linked to the Fourth Respondent to or from other bank accounts including any document explaining how those funds were utilised and the reason for the transfers.
- 10.5.1.4 any accounting records of the Fourth Respondent and/or any of the entities related or linked to the Fourth Respondent, including but not limited to, cash books, receipts, general ledgers, bank transfers supporting documentation, management accounts, income statements and balance sheets, and/or
- 10.5.1.5 any agreement entered into or relating to the Fourth Respondent and/or any of the entities related or linked to the Fourth Respondent.

Physical books or documents

10.5.2

The *Attorneys of the Applicants* shall, under the supervision of, the *Supervising Attorney*, identify all books and documents which appear, possibly to relate to *Jooste case-relevant information*. Pursuant thereto the Sheriff shall seize and take into his custody all those books and documents identified by the *Attorneys of the Applicants*, whereafter the Sheriff would

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REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF JUSTICE
SHERIFF OF THE HIGH COURT OF SOUTH AFRICA
JOHANNESBURG DIVISION
10001

provide those books and documents to *the Supervising Attorney*, who shall copy same and provide the Fourth Respondent with a copy of the books and documents.

- 10.5.3 The original seized books and documents shall be kept and safeguarded by the *Supervising Attorney* pending the finalization and determination of the process prescribed under the heading - *The information - management process*. The *Attorneys of the Applicants* shall not be allowed to access or copy any of those documents or books prior to the management process (described below).

Electronic books or documents

- 10.5.4 In respect of the electronic books or documents, the Fourth and Fifth Respondents or any major person in charge of *the Jooste-premises* shall immediately make the following available to *the Forensic Expert*, under supervision of *the Supervising Attorney*:

- 10.5.4.1 All devices (including devices of the Fourth and Fifth Respondents employees) in their possession or under their control, including any passwords and/or usernames to access those devices (*"the Jooste data devices"*).

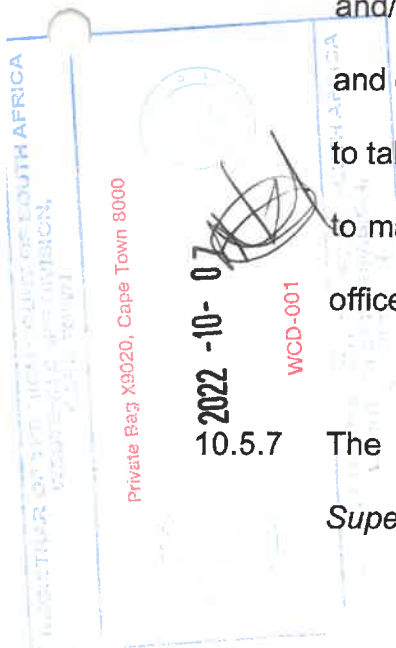


10.5.4.2 All data storage servers, be it cloud-based or otherwise, which are utilised by the Fourth and Fifth Respondents, including any passwords and/or usernames to access those servers (*"the Jooste data storage servers"*).

10.5.5 *The Forensic Expert*, in the company of the Sheriff and under the supervision of *the Supervising Attorney*, shall be authorised and directed to make an electronic mirror image of the data (including the recovery of deleted items) on *the Jooste data devices* and on *the Jooste data storage servers* whereafter *the Forensic Expert* shall copy the said mirror image onto an external hard drive or hard drives (in the event of the mirror image being too large to be copied onto a single hard drive). Pursuant thereto the Sheriff shall seize and take into his custody the hard drive or hard drives, whereafter the Sheriff would provide those hard drive or hard drives to *the Supervising Attorney*.

10.5.6 In the event that *the Forensic Expert* is unable to make *the mirror images* and/or recover the deleted data in terms of this order on the date of service and execution of the Order at *the Jooste-premises*, the Sheriff is authorised to take *the devices* into his or her possession to enable the *Forensic Expert* to make *the mirror images* and/or recover the deleted data at the Sheriff's office under the supervision of *the Supervising Attorney*.

10.5.7 The hard drive or hard drives shall be kept and safeguarded by the *Supervising Attorney* and shall not be copied, transferred, analyzed or used



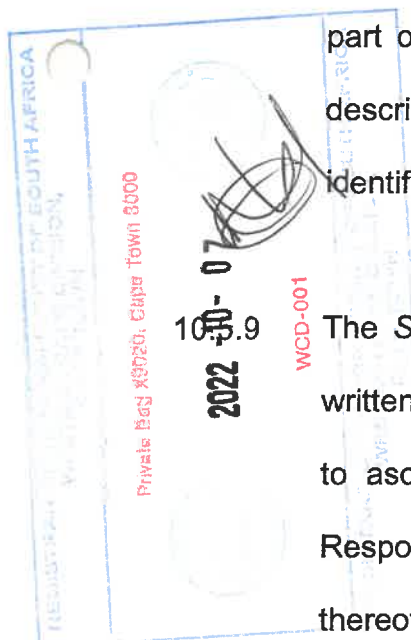
by the Attorneys of the Applicants for any purposes prior to the management process prescribed under the heading - The information - management process. (Collectively, the physical and electronic books and documents, shall be referred to as the "Jooste information").

The information - management process

10.5.8 In the event that the Fourth Respondent contends that he holds a valid objection against the Applicants accessing, analysing or using some of the information contained in the *Jooste information* the Fourth Respondent shall, within 15 court days after he has regained access of the *Jooste information*, inform the Attorneys of the Applicants and the Supervising Attorney in writing of his said objection/s. The said objection/s shall contain sufficient particularity to enable the Supervising Attorney to identify the information, to determine the nature and type of the information and set forth the legal grounds for the objections. Where the objection relates only to a part of a document, such part of the document must be stipulated and described with sufficient particularity to enable the Supervising Attorney to identify the part thereof to which the objection relates.

10.5.9

The Supervising Attorney shall forthwith study the Fourth Respondent's written objections and compare same with the *Jooste information* in order to ascertain whether he agrees with the manner in which the Fourth Respondent has described the nature and type of the information (or part thereof) to which each objection relates. Pursuant thereto the Supervising

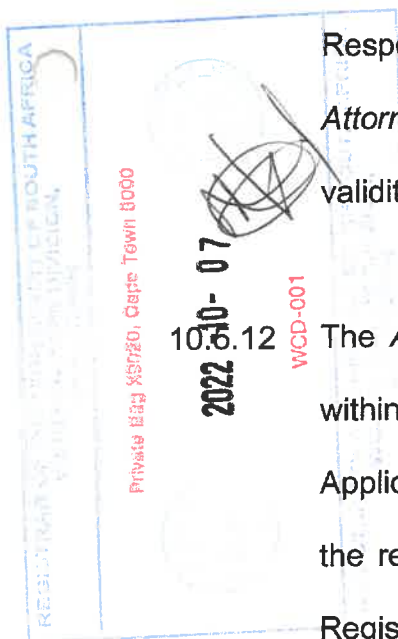


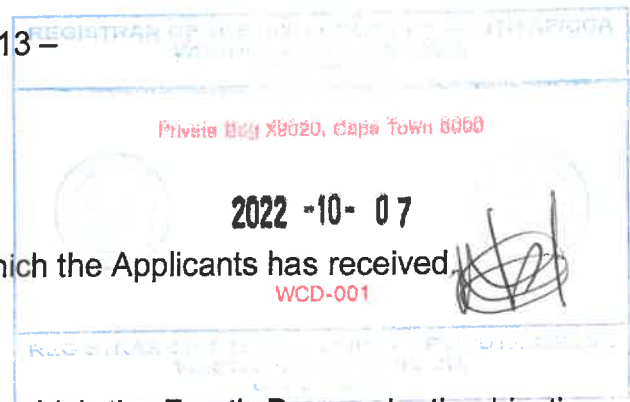
Attorney shall, as soon as possible, file an itemised schedule setting out in respect of each of the Fourth Respondent's objections, whether he agrees with the Fourth Respondent's said typification of the information ("*the Supervising Attorney's - confirmation schedule*"). Where the *Supervising Attorney* does not agree with the fourth Respondent's typification, he shall comment thereon by adding to the said schedule his own description of the nature and type of the information.

10.5.10 In the event where no such written objections are received within the objection period, the *Supervising Attorney* will provide the *Attorneys of the Applicants* with a copy of all the *Jooste information* or to which no objection was received.

10.5.11 In the event where the Fourth Respondent elects to file written objections, the *Attorneys of the Applicants* shall within 15 court days of receipt of the *Supervising Attorney's - confirmation schedule*, reply to the Fourth Respondent's written objections, notifying the latter and the *Supervising Attorney* in writing whether the *Attorneys of the Applicants* dispute the validity of all, or any of, the said objections.

10.5.12 The *Attorneys of the Applicants* and the Fourth Respondent shall then, within a period of 15 court days after the delivery of the reply of the Applicants, endeavor to settle disputes emanating from the objections and the reply thereto, whereafter they shall file within 5 court days, with the Registrar holding the file, a joint schedule listing:





- 10.5.12.1 All the *Jooste information* which the Applicants has received,
- 10.5.12.2 All the *Jooste information* to which the Fourth Respondent's objections remain and which the *Attorneys of the Applicants* shall not be allowed to access, unless so directed by this Honourable Court.
- 10.5.13 Pursuant to the foregoing the Applicants shall be granted leave to approach the Court on the same papers, supplemented, if necessary, to rule on the validity of the objections raised by the Fourth Respondent.
- 10.5.14 The Fourth and Fifth Respondents and/or any other major person in charge of *the Jooste-premises* shall refrain from obstructing, interfering with or hampering in any manner the execution of this order and the search and seizure of the data in terms thereof.
11. The Fourth Respondent is directed to declare to *the Attorneys of the Applicants*, in writing under oath, within five (5) days of service of this Court Order, the whereabouts of all his assets owned since the Fourth Respondent declared his assets during December 2019 to date, including all his current assets wherever they may be situated and to identify those assets with sufficient particularity.
12. The Fifth Respondent is directed to declare to *the Attorneys of the Applicants*, in writing under oath, within five (5) days of service of this Court Order, the whereabouts of all her assets owned since December 2017 to date, including all

her current assets wherever they may be situated and to identify those assets with sufficient particularity.

13. The Fourth Respondent is interdicted from disposing or removing any of their assets, including any of the assets declared in terms of paragraph 11 of the Notice of Motion, in order, to enable the further attachment thereof in terms of the provisions of Regulation 22A and/or 22C of *the Exchange Control Regulations*.

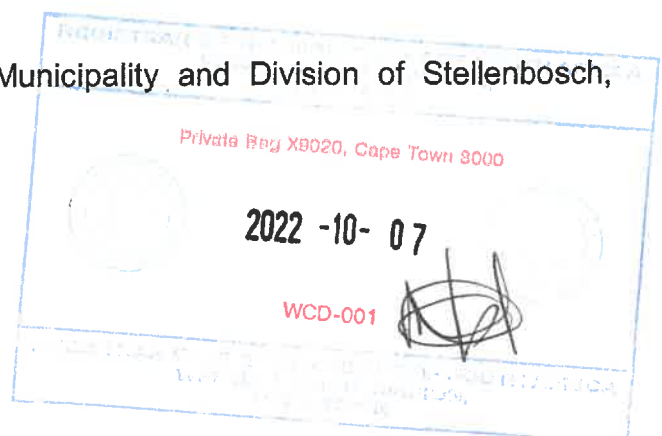
In respect of the Sixth Respondent

14. The Applicants, acting through the functionaries referred to in paragraphs 4 and 5 and under the supervision of *the Supervising Attorney*, is authorised to:

- 14.1 Serve the Notice of Attachment (dated 1 September 2022) a copy of which is attached hereto and marked "C" (*the Lanzerac Attachment Notice*) on the Sixth Respondent and to enter the premises of the Sixth Respondent, situated at 1 Lanzerac Road, Jonkershoek Valley, Stellenbosch, Western Cape (*the Lanzerac-premises*), to effect such service.

- 14.2 Execute in accordance with *the Lanzerac Attachment Notice* the attachment of the Sixth Respondent's right, title and interest in:

- 14.2.1 The Farm No. 1321 in the Municipality and Division of Stellenbosch, Western Cape Province.



14.2.2 Portion 27 of the Farm Klein Gustrouw No. 334 in the Municipality and Division of Stellenbosch, Western Cape Province.

14.2.3 Erf 12173 Stellenbosch in the Municipality and Division of Stellenbosch, Western Cape Province.

14.2.4 Portion 1 of the Farm No. 333 in the Municipality and Division of Stellenbosch, Western Cape Province.

(The properties referred to in paragraph 8.2(a) to 8.21(d) are collectively held under Title Deed No. T54030/2012.).

14.2.5 The Farm Lanzerac No. 1087 in the Municipality and Division of Stellenbosch, Western Cape Province, which is held by Title Deed No. T54031/2012.

14.3 Enter *the Lanzerac-premises* to inspect any books or documents belonging to, or under control, of the Sixth Respondent in terms of Regulation 19(1) of the Exchange Control Regulations. The inspection and pursuant actions shall occur in accordance with the following directions:

14.3.1

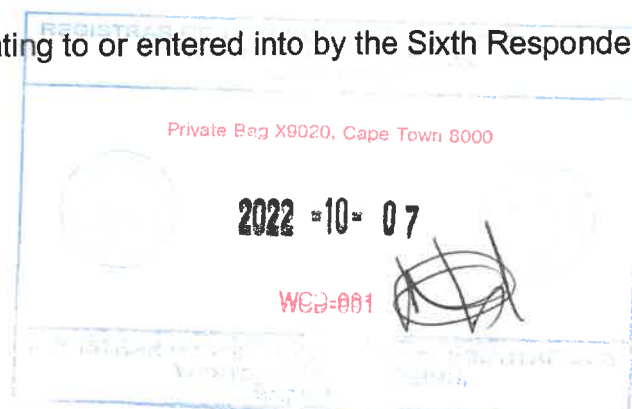
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WCD-001 The Sixth Respondent or any major person in charge of *the Lanzerac-premises* shall grant full access to that premises, including any part of the premises, to the Sheriff, the *Attorneys of the Applicants*, the *Forensic Expert* and the *Supervising Attorney*, for purposes of finding and examining in

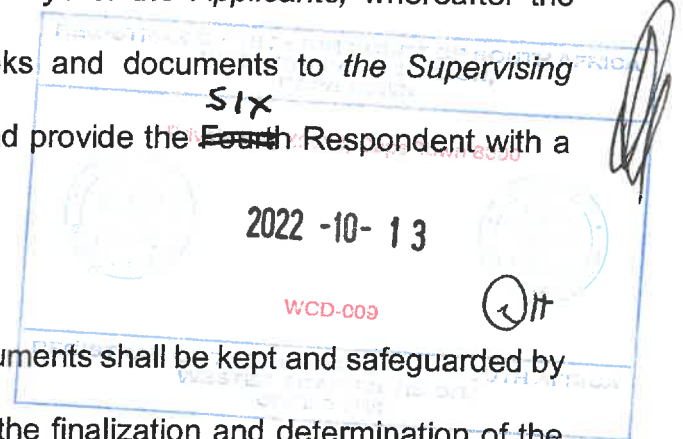
accordance with this order, books or documents containing information that may be deemed necessary for purposes of the Exchange Control Regulations (the "*Lanzerac case-relevant information*"). *Lanzerac case-relevant information* deemed necessary would include, but is not limited to, any information relating to any possible exchange control regulations contravention, including:

- 14.3.1.1 any correspondence of, or communications between, the functionaries of the Sixth Respondent;
- 14.3.1.2 particulars of any bank accounts held or bank statements of the Sixth Respondent.
- 14.3.1.3 details of any funds transferred from or to the Sixth Respondent to or from other bank accounts including any document explaining how those funds were utilised and the reason for the transfers.
- 14.3.1.4 Any accounting records of the Sixth Respondent, including but not limited to, cash books, receipts, general ledgers, bank transfers supporting documentation, management accounts, income statements and balance sheets, and/or
- 14.3.1.5 any agreements relating to or entered into by the Sixth Respondent.

Physical books or documents



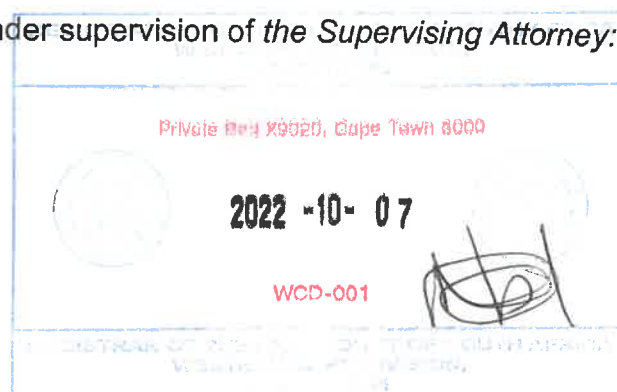
14.3.2 The *Attorneys of the Applicants* shall, under the supervision of, the *Supervising Attorney*, identify all books and documents which appear, possibly to relate to *Lanzerac case-relevant information*. Pursuant thereto the Sheriff shall seize and take into his custody all those books and documents identified by the *Attorneys of the Applicants*, whereafter the Sheriff would provide those books and documents to the *Supervising Attorney*, who shall copy same and provide the ~~Fourth~~ Respondent with a copy of the books and documents.



14.3.3 The original seized books and documents shall be kept and safeguarded by the *Supervising Attorney* pending the finalization and determination of the process prescribed under the heading - *The information - management process*. The *Attorneys of the Applicants* shall not be allowed to access or copy any of those documents or books prior to the management process (described below).

Electronic books or documents

14.3.4 In respect of the electronic books or documents, any major person in charge of the *Lanzerac-premises* shall immediately make the following available to the *Forensic Expert*, under supervision of the *Supervising Attorney*:

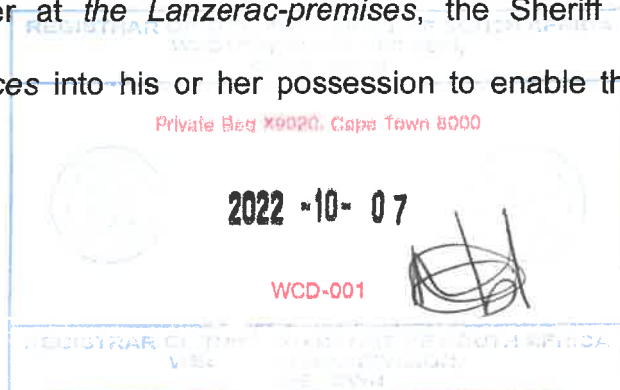


14.3.4.1 All devices (including devices of the Sixth Respondent's employees) in its possession or under its control, including any passwords and/or usernames to access those devices (*"the Lanzerac data devices"*).

14.3.4.2 All data storage servers, be it cloud-based or otherwise, which are utilised by the Sixth Respondent, including any passwords and/or usernames to access those servers (*"the Lanzerac data storage servers"*).

14.3.5 *The Forensic Expert*, in the company of the Sheriff and under the supervision of *the Supervising Attorney*, shall be authorised and directed to make an electronic mirror image of the data (including the recovery of deleted items) on *the Lanzerac data devices* and on *the Lanzerac data storage servers* whereafter *the Forensic Expert* shall copy the said mirror image onto an external hard drive or hard drives (in the event of the mirror image being too large to be copied onto a single hard drive). Pursuant thereto the Sheriff shall seize and take into his custody the hard drive or hard drives, whereafter the Sheriff would provide those hard drive or hard drives to *the Supervising Attorney*.

14.3.6 In the event that *the Forensic Expert* is unable to make *the mirror images* and/or recover the deleted data in terms of this order on the date of service and execution of the Order at *the Lanzerac-premises*, the Sheriff is authorised to take *the devices* into his or her possession to enable the



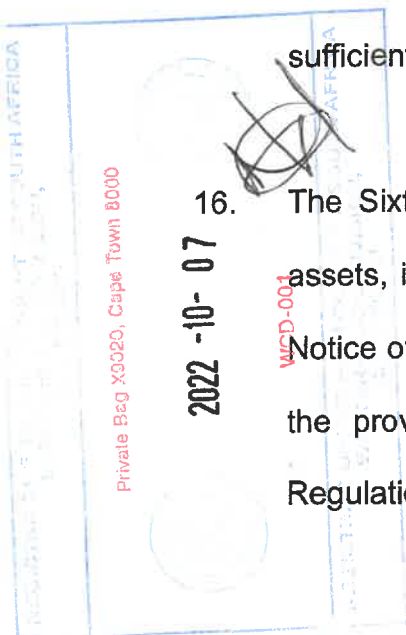
Forensic Expert to make *the mirror images* and/or recover the deleted data at the Sheriff's office under the supervision of *the Supervising Attorney*.

14.3.7 The hard drive or hard drives shall be kept and safeguarded by the *Supervising Attorney* and shall not be copied, transferred, analyzed or used by *the Attorneys of the Applicants* for any purposes prior to the management process prescribed above under the heading - *The information management process*.

14.3.8 The Sixth Respondents and/or any other major person in charge of *the Lanzerac-premises* shall refrain from obstructing, interfering with or hampering in any manner the execution of this order and the search and seizure of the data in terms thereof.

15. The Sixth Respondent is directed to declare to *the Attorneys of the Applicants*, in writing under oath, within five (5) days of service of this Court Order, the whereabouts of all its assets owned since December 2019 to date, including the current assets wherever they may be situated and to identify those assets with sufficient particularity.

16. The Sixth Respondent is interdicted from disposing or removing any of its assets, including any of the assets declared in terms of paragraph 15 of the Notice of Motion, in order, to enable the further attachment thereof in terms of the provisions of Regulation 22A and/or 22C of the Exchange Control Regulations.



In respect of the Seventh Respondent

17. The Applicants, acting through the functionaries referred to in paragraph 4, is authorised and required to serve *the Lanzerac Attachment Notice* (Annexure “C”) on the Seventh Respondent, who is ordered to note the particulars of the Notice of Attachment, dated 1 September 2022, in respect of the Sixth Respondent against the title deeds of the following immovable property registered in the name of the Sixth Respondent:

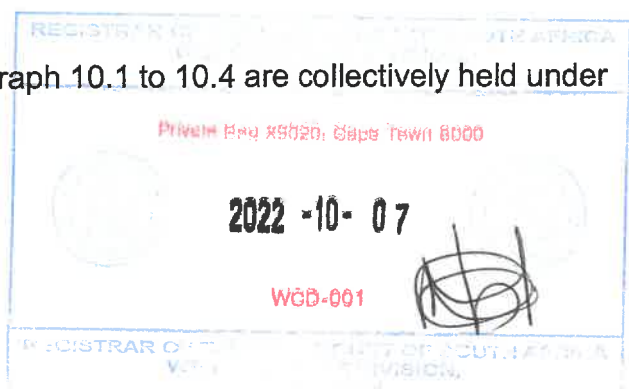
17.1 The Farm No. 1321 in the Municipality and Division of Stellenbosch, Western Cape Province.

17.2 Portion 27 of the Farm Klein Gustrouw No. 334 in the Municipality and Division of Stellenbosch, Western Cape Province.

17.3 Erf 12173 Stellenbosch in the Municipality and Division of Stellenbosch, Western Cape Province.

17.4 Portion 1 of the Farm No. 333 in the Municipality and Division of Stellenbosch, Western Cape Province.

(The properties referred to in paragraph 10.1 to 10.4 are collectively held under Title Deed No. T54030/2012.)



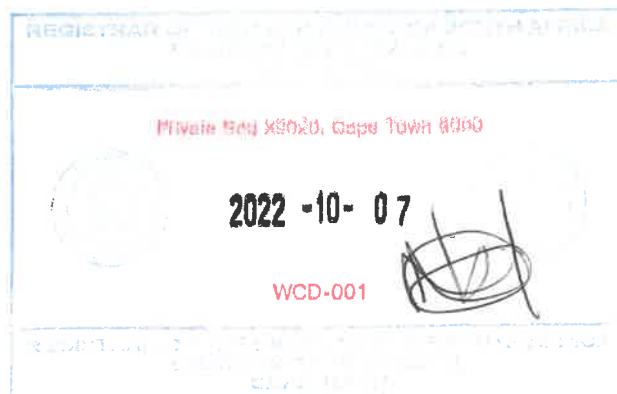
17.5 The Farm Lanzerac No. 1087 in the Municipality and Division of Stellenbosch, Western Cape Province, which is held by Title Deed No. T54031/2012.




BY ORDER OF COURT

COURT REGISTRAR

BOWMAN GILFILLAN INC
Attorneys for the Applicants
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Tel: 084 405 1111
Fax: (021) 669 9001
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BOX 43



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SOUTH AFRICAN RESERVE BANK

Office of Deputy Governor Fundi Tshazibana

Notice of Attachment in terms of Exchange Control Regulation 22C(1) made under section 9 of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), as amended, as promulgated by Government Notice R.1111 of 1961-12-01, as amended from time to time thereafter, (hereinafter referred to as the Exchange Control Regulations) in respect of the goods of:

Silveroak Trust (formerly the Markus Jooste Kindertrust)

(Registration number: IT649/90)

(hereinafter referred to as 'the Respondent')

To: The Trustees of the Silveroak Trust

For attention: Michael Johannes Jooste
 Care of: De Klerk & Van Gend Attorneys
 For attention: Callie Albertyn
 Email address: calbertyn@dkvg.co.za

For attention: Willem Adriaan (Rian) Du Plessis [0825515578]
 Email address: riandu_plessis@btconnect.co.za

For attention: Gary David Harlow [0824570741]
 Email address: garyh@unihold.co.za



Take notice that

1. The Minister of Finance of the Republic of South Africa has, by virtue of the provisions of Exchange Control Regulation 22E delegated the powers and functions conferred upon the Treasury by the provisions of the Exchange Control Regulations (with the exception of the powers and functions conferred upon the Treasury by Exchange Control Regulations 3(5), 3(8), 20 and 22, which exception does, however, not include Exchange Control Regulations 22A, 22B, 22C and 22D) and assigned the powers, functions and/or duties imposed thereunder on the Treasury, to the Governor and/or a Deputy Governor of the South African Reserve Bank.
2. In addressing this Notice to the Respondent and in effecting the attachment of assets in terms thereof, I act under and by virtue of the powers, functions and duties vested in me in terms of the assignment and delegation referred to in paragraph 1 of this Notice.
3. The Respondent is on reasonable grounds suspected to have benefited or to have been enriched as a result of the contravention or failure to act or omission as provided for in Exchange Control Regulations 22C(1) read with Regulations 2, 3, 6, 7, 8, 10, 19 and/or 22.

4. In terms of the functions, powers and/or duties which vest in me in the manner described more fully in paragraphs 1 and 2 of this Notice, I hereby, in terms of Exchange Control Regulation 22C(1) attach the money and/or goods which are described and identified in paragraph 6 of this Notice, which money and/or goods are-
 - 4.1 money and/or goods as referred to in and contemplated by Exchange Control Regulation 22C(1);
 - 4.2 money and/or goods of which the Respondent is the owner and/or which are in the possession or under the control of the Respondent and/or in which the Respondent has an expressed interest or right; and/or
 - 4.3 money and goods which may, in terms of the provisions of Exchange Control Regulation 22B, be declared forfeit to the State and be realised in such manner as may be deemed fit.
5. In elucidation of the statements in paragraph 4 of this Notice and without derogating from the generality thereof, it is further recorded that the money and/or goods described and identified in paragraph 6 of this Notice and attached in terms hereof, are money and/or goods which I on reasonable grounds suspect to be money and goods-
 - 5.1 which may be recovered from the Respondent in terms of Exchange Control Regulation 22C; and
 - 5.2 which may be attached in terms of Exchange Control Regulation 22C(1).
6. The money and/or goods referred to in paragraph 6.1 below are to be attached by delivering a copy of this Notice to the Respondent.
 - 6.1 The money and/or goods of the Respondent to be attached are all the Respondent's right, title and interest in:
 - 6.1.1 The Respondent's assets as declared in the 2019 audited financial statements which includes:
 - 6.1.1.1 Art with a realisable value of R98 781 614;
 - 6.1.1.2 Other financial assets with a realisable value of R1 209 632 255; and
 - 6.1.1.3 Loans receivable of R131 118 148.

Signed at **Pretoria** on this.....day of2022.

Fundi Tshazibana
Deputy Governor of the Prudential Cluster

 P O Box 427 Pretoria 0001 South Africa
 370 Helen Joseph Street Pretoria 0002
 +27 12 313 3911 / 0861 12 7272
 www.resbank.co.za



SOUTH AFRICAN RESERVE BANK
 Office of Deputy Governor Fundi Tshazibana

Notice of Attachment in terms of Exchange Control Regulation 22C(1) made under section 9 of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), as amended, as promulgated by Government Notice R.1111 of 1961-12-01, as amended from time to time thereafter, (hereinafter referred to as the Exchange Control Regulations) in respect of the goods of:

Mr Markus Johannes Jooste

(Identity number: 610122 5005 08 1)

(hereinafter referred to as 'the Respondent')

Care of: De Klerk & Van Gend Attorneys
 For attention: Callie Albertyn
 Email address: calbertyn@dkvg.co.za

Take notice that

1. The Minister of Finance of the Republic of South Africa has, by virtue of the provisions of Exchange Control Regulation 22E delegated the powers and functions conferred upon the Treasury by the provisions of the Exchange Control Regulations (with the exception of the powers and functions conferred upon the Treasury by Exchange Control Regulations 3(5), 3(8), 20 and 22, which exception does, however, not include Exchange Control Regulations 22A, 22B, 22C and 22D) and assigned the powers, functions and/or duties imposed thereunder on the Treasury, to the Governor and/or a Deputy Governor of the South African Reserve Bank.
2. In addressing this Notice to the Respondent and in effecting the attachment of assets in terms thereof, I act under and by virtue of the powers, functions and duties vested in me in terms of the assignment and delegation referred to in paragraph 1 of this Notice.
3. The Respondent is on reasonable grounds suspected to have-
 - 3.1 committed the contravention or failure to act or omission as provided for in Exchange Control Regulations 22C(1) read with Regulations 2, 3, 10, 19 and/or 22; and/or
 - 3.2 benefitted or to have been enriched as a result of the contravention or failure or act or omission as provided for in Exchange Control Regulation 22C(1) read with Regulations 2, 3, 6, 7,8, 10, 19 and/or 22.
4. In terms of the functions, powers and/or duties which vest in me in the manner described more fully in paragraphs 1 and 2 of this Notice, I hereby, in terms of Exchange Control Regulation 22C(1) attach the money and/or goods which are described and identified in paragraph 6 of this Notice, which money and/or goods are-

- 4.1 money and/or goods as referred to in and contemplated by Exchange Control Regulation 22C(1);
 - 4.2 money and/or goods of which the Respondent is the owner and/or which are in the possession or under the control of the Respondent and/or in which the Respondent has an expressed interest or right; and/or
 - 4.3 money and goods which may, in terms of the provisions of Exchange Control Regulation 22B, be declared forfeit to the State and be realised in such manner as may be deemed fit.
5. In elucidation of the statements in paragraph 4 of this Notice and without derogating from the generality thereof, it is further recorded that the money and/or goods described and identified in paragraph 6 of this Notice and attached in terms hereof, are money and/or goods which I on reasonable grounds suspect to be money and goods-
- 5.1 which may be recovered from the Respondent in terms of Exchange Control Regulation 22C; and
 - 5.2 which may be attached in terms of Exchange Control Regulation 22C(1).
6. The money and/or goods referred to in paragraph 6.1 below are to be attached by delivering a copy of this Notice to the Respondent.
- 6.1 The money and/or goods of the Respondent to be attached are all the Respondent's right, title and interest in:
- 6.1.1 Motor vehicles registered in the name of Petrus Albertus Venter (ID number 741029 5255 081):
 - 6.1.1.1 Black Isuzu KB 300TDI 4x4 LX Double Cab pick-up, registration number CL37176 with a realisable value of R81 200.00;
 - 6.1.1.2 White Mercedes Benz SL600, registration number CL44478 with a realisable value of R434,300.00; and
 - 6.1.1.3 Green Land Rover Defender 110, registration number CL43150 with a realisable value of R350,000.00.
 - 6.1.2 Motor vehicles registered in the name of Ingrid Jooste (ID number 610823 0076 080):
 - 6.1.2.1 White Lexus LX570, registration number CL44163 with a realisable value of R293,600.00; and
 - 6.1.2.2 White Volkswagen Kombi VN 750, registration number CL75789 with a realisable value of R344,100.00.
 - 6.1.3 Personal effects declared by the Respondent as of December 2019 and confirmed in June 2021 which includes jewellery, paintings and firearms with a realisable value of R795,400.00.
 - 6.1.4 All the movable goods of any nature which are present at the date of the attachment order on the property situated at 143 10th Street, Hermanus, Western Cape, excluding the clothing of those persons

present or resident on the property and any foodstuffs and living essentials.

6.1.5 All the movable goods of any nature, of the Respondent or which the Respondent is the beneficial owner of, which are present at the date of the attachment order on the property situated at 1 Lanzerac Road, Jonkershoek Valley, Stellenbosch, Western Cape, excluding the clothing of those persons present or resident on the property and any foodstuffs and living essentials.

7. The money and/or goods herewith attached and referred to in paragraphs 6.1.1 to 6.1.3 above, shall not be removed, but shall be left in the custody of the Respondent or the person currently in control of the money and/or goods.

7.1 The goods herewith attached and referred to in paragraphs 6.1.4 and 6.1.5 above, shall not be removed, but shall be left on the property referred to in the respective paragraphs on condition that the Respondent, or the person in control of the goods, permits the Sheriff of the High Court and Bowmans, to enter the premises on a weekday between 08:00 and 17:00 to:

7.1.1 identify the movable goods on the premises;

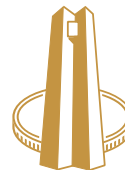
7.1.2 photograph the goods; and

7.1.3 draw an inventory of the goods.

Signed at **Pretoria** on this.....day of2022.

Fundi Tshazibana
Deputy Governor of the Prudential Cluster

—
P O Box 427 Pretoria 0001 South Africa
370 Helen Joseph Street Pretoria 0002
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SOUTH AFRICAN RESERVE BANK
Office of Deputy Governor Fundi Tshazibana

"C"

Notice of Attachment in terms of Exchange Control Regulation 22C(1) made under section 9 of the Currency and Exchanges Act, 1933 (Act No. 9 of 1933), as amended, as promulgated by Government Notice R.1111 of 1961-12-01, as amended from time to time thereafter, (hereinafter referred to as the Exchange Control Regulations) in respect of the goods of:

Lanzerac Estate Investments (Pty) Limited

(Registration number: 1959/002398/07)

(hereinafter referred to as 'the Respondent')

Registered Address: 1 Lanzerac Road, Jonkershoek Valley, Stellenbosch, Western Cape, 7600

For attention: Mr Malcolm King
Care of: DLA Piper UK LLP
For attention: Ian Brierley
Email address: ian.brierley@dlapiper.com

And To: The Registered Auditor: Lanzerac Estate Investments (Pty) Limited
Care of: PKF Constantia Valley Cape Town Incorporated
For attention: Mr Kenneth Andersen
Email address: ken.andersen@pkf.co.za

Take notice that

1. The Minister of Finance of the Republic of South Africa has, by virtue of the provisions of Exchange Control Regulation 22E delegated the powers and functions conferred upon the Treasury by the provisions of the Exchange Control Regulations (with the exception of the powers and functions conferred upon the Treasury by Exchange Control Regulations 3(5), 3(8), 20 and 22, which exception does, however, not include Exchange Control Regulations 22A, 22B, 22C and 22D) and assigned the powers, functions and/or duties imposed thereunder on the Treasury, to the Governor and/or a Deputy Governor of the South African Reserve Bank.
2. In addressing this Notice to the Respondent and in effecting the attachment of assets in terms thereof, I act under and by virtue of the powers, functions and duties vested in me in terms of the assignment and delegation referred to in paragraph 1 of this Notice.
3. The Respondent is on reasonable grounds suspected to have-
 - 3.1 committed the contravention or failure to act or omission as provided for in Exchange Control Regulations 22C(1) read with Regulations 19 and 22; and/or

- 3.2 benefited or to have been enriched as a result of the contravention or failure to act or omission as provided for in Exchange Control Regulations 22C(1) read with Regulations 2, 3, 6, 7, 8, 10, 19 and/or 22.
4. In terms of the functions, powers and/or duties which vest in me in the manner described more fully in paragraphs 1 and 2 of this Notice, I hereby, in terms of Exchange Control Regulation 22C(1) attach the money and/or goods which are described and identified in paragraph 6 of this Notice, which money and/or goods are-
- 4.1 money and/or goods as referred to in and contemplated by Exchange Control Regulation 22C(1);
- 4.2 money and/or goods of which the Respondent is the owner and/or which are in the possession or under the control of the Respondent and/or in which the Respondent has an expressed interest or right; and/or
- 4.3 money and goods which may, in terms of the provisions of Exchange Control Regulation 22B, be declared forfeit to the State and be realised in such manner as may be deemed fit.
5. In elucidation of the statements in paragraph 4 of this Notice and without derogating from the generality thereof, it is further recorded that the money and/or goods described and identified in paragraph 6 of this Notice and attached in terms hereof, are money and/or goods which I on reasonable grounds suspect to be money and goods-
- 5.1 which may be recovered from the Respondent in terms of Exchange Control Regulation 22C; and
- 5.2 which may be attached in terms of Exchange Control Regulation 22C(1).
6. The money and/or goods referred to in paragraph 6.1 below are to be attached by delivering a copy of this Notice to the Respondent.
- 6.1 The money and/or goods of the Respondent to be attached are all the Respondent's right, title and interest in:
- 6.1.1 The Farm No 1321 in the Municipality and Division of Stellenbosch, Western Cape Province;
- 6.1.2 Portion 27 of the Farm Klein Gustrouw No 334 in the Municipality and Division of Stellenbosch, Western Cape Province;
- 6.1.3 Erf 12173 Stellenbosch in the Municipality and Division of Stellenbosch, Western Cape Province; and
- 6.1.4 Portion 1 of the Farm No 333 in the Municipality and Division of Stellenbosch, Western Cape Province.

The aforementioned properties are collectively held by Title Deed No. T54030/2012 and purchased in 2012 for the sum of R50,000,000.00.

- 6.1.5 The Farm Lanzerac No 1087 in the Municipality and Division of Stellenbosch, Western Cape Province, which is held by Title Deed No. T54031/2012 and purchased in 2012 for the sum of R131,900,000.00.

Signed at **Pretoria** on this.....day of2022.

Fundi Tshazibana
Deputy Governor of the Prudential Cluster