



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$1.15

WINDHOEK - 12 April 2001

No.2511

Advertisements

PROCEDURE FOR ADVERTISING IN THE GOVERNMENT GAZETTE OF THE REPUBLIC OF NAMIBIA

1. The *Government Gazette* (Estates) containing advertisements, is published on every Friday. If a Friday falls on a Public Holiday, this *Government Gazette* is published on the preceding Thursday.

2. Advertisements for publication in the *Government Gazette* (Estates) must be addressed to the Government Gazette Office, P.B. 13302, Windhoek, or be delivered at Justitia Building, Independence Avenue, Second Floor, Room 219, Windhoek, not later than 15:00 on the ninth working day before the date of publication of this *Government Gazette* in which the advertisement is to be inserted.

3. Advertisements are published in this *Government Gazette* for the benefit of the public and must be furnished in English by the advertiser or his agent.

4. Only legal advertisements shall be accepted for publication in the *Government Gazette* (Estates) and are subject to the approval of the Permanent Secretary, Ministry of Justice, who may refuse the acceptance of further publication of any advertisement.

5. The Ministry of Justice reserves the right to edit and revise copy and to delete therefrom any superfluous detail.

6. Advertisements must as far as possible be typewritten. The manuscript of advertisements must be written on one side of the paper only and all proper nouns plainly inscribed. In the event of any name being incorrectly printed as a result of indistinct writing, the advertisement can only be reprinted on payment of the cost of another insertion.

7. No liability is accepted for any delay in the publication of advertisements/notices, or for the publication of such on any date other than that stipulated by the advertiser. Similarly no liability is accepted in respect of any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

8. The advertiser will be held liable for all compensation and costs arising from any action which may be instituted against the Government of Namibia as a result of the publication of a notice with or without any omission, errors, lack of clarity or in any form whatsoever.

9. The subscription for the *Government Gazette* is N\$251,50 including GST per quarter, obtainable from Solitaire Press CC, C12 Industria Park, New Castle Street, Northern Industrial Area, P.O. Box 1155, Windhoek. Postage must be prepaid by all subscribers. Single copies of the *Government Gazette* are obtainable from Solitaire Press CC, C12 Industria Park, New Castle Street, Northern Industrial Area, P.O. Box 1155, Windhoek, at the price as printed on copy. Copies are kept in stock for two years only.

10. The charge for the insertion of notices is as follows and is payable in the form of cheques, postal or money orders:

LIST OF FIXED TARIFF RATES

STANDARDISED NOTICES	Rate per insertion N\$
Transfer of business	21,00
Deeds: Lost documents	39,00
Business Notices	31,50
Administration of Estates Act Notices, Forms J187, 193, 197, 297, 517 and 519,	15,00

Insolvency Act and Company Act Notices: J.28, J.29. Forms 1 to 9	27,00	Liquidators' and other appointees' notices	45,00
		Gambling house licences	70,50
N.B. - Forms 2 and 6 - additional statements according to word count table, added to the basic tariff.		SALES IN EXECUTION AND OTHER PUBLIC SALES:	
Change of name (two insertions)	192,00	Sales in execution	115,50
Naturalisation notices (including a reprint for the advertiser)	15,00	Public auctions, sales and tenders:	
		Up to 75 words	39,00
Unclaimed moneys - only in the <i>Government Gazette</i> , closing date 15 January (per entry of "name, address and amount")	6,00	76 to 250 words	96,00
		251 to 350 words	145,50
Butcher's notices	31,50	ORDERS OF THE COURT	
Lost Life insurance policies	15,00	Provisional and final liquidations or sequestrations	88,50
NON-STANDARDISED NOTICES		Reduction of change in capital mergers, offers of compromise	213,00
Company notices:		Judicial managements, <i>curator bonis</i> and similar and extensive <i>rule nisi</i>	213,00
Short notices: Meetings, resolutions, offers of compromise, conversions of companies, voluntary windings-up, etc.: closing of members' registers for transfer and/or declarations of dividends	70,50	Extension of return date	27,00
		Supersession and discharge of petitions (J.158) ..	22,50
Declaration of dividends with profit statements, including notices	159,00	11. The charge for the insertion of advertisements other than the notices mentioned in paragraph 10 is at the rate of N\$6,00 per cm double column. (Fractions of a cm must be calculated as a cm).	
Long notices: Transfers, changes in respect of shares or capital, redemptions, resolutions, voluntary liquidations	213,00	12. No advertisements shall be inserted unless the charge is prepaid. Cheques, drafts, postal or money orders must be made payable to the Ministry of Justice, Private Bag 13302, Windhoek.	
Trade marks in Namibia	70,50		

FORM J 187**LIQUIDATION AND DISTRIBUTION ACCOUNTS IN
DECEASED ESTATES LYING FOR INSPECTION**

In terms of section 35(5) of Act 66 of 1965, notice is hereby given that copies of the liquidation and distribution accounts (first and final, unless otherwise stated) in the estates specified below will be open for the inspection of all persons interested therein for a period of 21 days (or shorter or longer if specially stated) from the date specified or from the date of publication hereof, whichever may be the later, and at the offices of the Master and Magistrate as stated.

Should no objection thereto be lodged with the Master concerned during the specified period, the executor will proceed to make payments in accordance with the accounts.

814/2000 TRUTER Frederik Jacobus Coenraad, 2506120100255, Erf 92, Maltahöhe. Jenatta Elizabeth. In Community, 3903070100162. Maltahöhe, Windhoek. M.A. Meyer, P.O. Box 31, Mariental.

21/2001 STRAUSS Jane Johanna Elizabeth, 3610030100031, Walvis Bay. Walvis Bay, Windhoek. E.A. Kubirske - Executors, Namibia Executors & Trustees (Pty) Ltd, P.O. Box 156, Windhoek.

258/2000 LOUBSER Evangeline Sylvia, 1103070100038, Huise Sonder Sorge, Okahandja. Windhoek. BDO Spencer Steward, P.O. Box 2184, Windhoek.

728/99 MUNKELT Eckard, 4712120100332, Otjiwarongo. Otjiwarongo. Van Der Westhuizen & Greeff, Hage Geingob Street, Otjiwarongo.

845/2000 KIVIT Klaus Gunther, 44051700281, Windhoek. Windhoek. F M Oehl-Trust CC, P.O. Box 90290, Klein-Windhoek.

820/2000 SCHIERSCHMIDT Alfred, Windhoek, 22022600016, Gobabis. K.S. Dannhauser, P.O. Box 1122, Gobabis.

381/2000 HARTMAN Maria Johanna Christina, 2909150100212, No. 8 Brückenblick, Swakopmund. Swakopmund, Windhoek. Theunissen, Louw & Partners, 4th Floor, Nimrod Building, Kasino Street, Windhoek.

FORM J 193**NOTICE TO CREDITORS IN
DECEASED ESTATES**

All persons having claims against the estates mentioned below are hereby called upon to lodge their claims with the executors concerned, within 30 days (or otherwise as indicated) calculated from the date of publication hereof. The information is given in the following order: Estate number, surname and Christian names, date of birth, identity number, last address, date of death; surviving spouse's names, surname, date of birth and identity number; name and address of executor or authorised agent, period allowed for lodgement of claims if other than 30 days.

873/99 VAN NEEL Rendell Rodney, Windhoek, 19 April 1966, 6604190800116, Windhoek, 7 November 1999. Ursula Van Neel. D.J. Bruni, Investment Trust Co, P.O. Box 21204, Windhoek.

839/2000 PAREMORE Alexander Christopher, 22 January 1949, No. 15 Ernst Weiske Street, Windhoek North, Windhoek Namibia, 19 October 2000. Joan Ellen Paremore, 17 August 1959, 5908170800332. Joan Ellen Paremore, P.O. Box 20925, Windhoek, No. 6 De Beers Flats, Aussenplanplatz, Windhoek, Namibia.

FORM 2

**MEETING OF CREDITORS IN
SEQUESTERED ESTATE OR
COMPANIES BEING WOUND UP**

**Section 339 & 366 of the
Companies Act 1973**

Pursuant to sections *forty-one* and *forty-two* of the Insolvency Act, 1936, notice is hereby given that a meeting of creditors will be held in the sequestrated estates or companies being wound up mentioned below, on the dates, at the times and places and for the purpose thereof.

Meetings in a town in which there is a Magistrate's office, will be held before the Master; elsewhere they will be held before the Magistrate.

The particulars given in the following order: The number of estate/company; the name and description of the estate/company; the date, hour and place of meeting and the purpose of the meeting.

W 50/99 **Insolvent Estate E.W.A. Horr, 18 April 2001** at 10h00 at the Office of the Master of the High Court, Windhoek. Special Meeting proof of further claims. Investment Trust Co (Pty) Ltd, P.O. Box 21204, Windhoek.

FORM 4

**LIQUIDATION ACCOUNTS AND PLANS OF
DISTRIBUTION OR CONTRIBUTION IN
SEQUESTERED ESTATES OR COMPANIES
BEING WOUND UP**

Pursuant to sub-section (2) of section *one hundred and eight* of the Insolvency Act, 1936 and section 406(3) of the Companies Act, 1937, notice is hereby given that the liquidation accounts and plans of distribution or contribution in the estates or companies mentioned below, will lie open for inspection of creditors at the offices of the Master and Magistrate stated therein, for a period of fourteen days, or for such a period as stated therein, from the dates mentioned in the Schedule or from the date of publication hereof, whichever may be the later date.

The particulars given are given in the following order: Number of estate/company; name and description of estate/comparô; description of account; place of account lying for inspection.

W 401/98 **Insolvent Estate Late René Bilang, First and Final** Liquidation and Distribution Account. At the office of the Master of the High Court, Windhoek, for a period of (fourteen) 14 days as from 12 April 2001. D.J. Bruni, Executor, Investment Trust Co. (Pty) Ltd, P.O. Box 21204, Windhoek.

FORM 5

**PAYMENT OF DIVIDENDS AND COLLECTION
OF CONTRIBUTIONS IN SEQUESTERED
ESTATES OR COMPANIES BEING WOUND UP**

The liquidation accounts and plans of distribution or contribution in the sequestrated estates or companies being wound up mentioned below having been confirmed on dates mentioned therein, notice is hereby given, pursuant to sub-section (1) of section one hundred and thirteen of the Insolvency Act, 1936, and section 409(2) of the Companies Act, 1973, that dividends

are in the course of payment or contributions are in the course of collection in the said estates or companies as set forth below, and that every creditor liable to contribution is required to pay the trustee the amount for which he/she is liable at the address mentioned below.

The particulars are given in the following order: Number of estate or company; name and description of estate or company; date when account confirmed; whether a dividend is being paid or contribution collected or both; name and address of Trustee or Liquidator.

W52/98 **Insolvent Estate Late E.K.H- Konstanzer, 23** March 2001. Dividends paid to Concurrent Creditors. Second and Final Liquidation and Distribution Account. D.J. Bruni & I.R. McLaren, Liquidators, Investment Trust, P.O. Box 21204, Windhoek.

W6/2000 **Bush Utilization (Pty) Ltd - (In Liquidation),** 23 March 2001. No Dividends paid to Concurrent Creditors. First and Final Liquidation and Distribution Account. D.J. Bruni & I.R. McLaren, Liquidators, Investment Trust, P.O. Box 21204, Windhoek.

NOTICE OF SURRENDER OF A DEBTOR'S ESTATE

Notice is hereby given that application will be made to the High Court of Namibia on 7 MAY 2001 at 10h00 or as soon thereafter as the matter can be heard, for the surrender of the estate of **FRANS JOHANNES VAN ZYL**, a major male, residing at **PORTION 1 (MONTANA) OF THE FARM STEINFELD NO. 104, MALTAHÖHE**, married in community of property to **FRANSINA CHRISTINA VAN ZYL** and that a statement of their affairs will lie for inspection at the Office of the Master of the High Court at Namibia, Windhoek, and at the Magistrate's Office, Maltahöhe, for a period of 14 (fourteen) days as from 17 April 2001.

KIRSTEN & CO
HETTIE GARBERS-KIRSTEN
LEGAL PRACTITIONERS FOR APPLICANT
LÜDERITZ STREET
Windhoek

NOTICE OF TRANSFER OF BUSINESS

Notice is hereby given in terms of Section 34 of the Insolvency Act 1939, that the business of **D P & M J E LIEBENBERG**, who traded under the name and style of **OUTJO SUPERMARKET** at ERF No. 139, **OUTJO**, has been sold to **D J WEAKLY** who will continue to carry on the aforesaid business under the same name and for his own account not more than 60 days and not less than 30 days from date of publication of this notice.

A DAVIDS & CO
LEGAL PRACTITIONERS
P O Box 11
Otjiwarongo

IN THE HIGH COURT OF NAMIBIA (P)A 81/2001
WINDHOEK, FRIDAY 30 MARCH 2001

BEFORE THE HONOURABLE MR JUSTICE HOFF

In the matter between:

JACK TRACKS SWA (PTY) LTD Applicant

and

HELMUT SCHMIDT Respondent

Having heard Adv. VIVIER, Counsel for the Applicant, and having read the Notice of Motion and other documents filed of record:

IT IS ORDERED:

1. That the Applicant's non-compliance with the Rules of Court is hereby condoned and the Applicant is granted leave to bring this applicant on an urgent basis.
2. That the estate of the Respondent is provisionally sequestrated in the hands of the Master of the High Court of Namibia.
3. That this order shall be published once in the *Namibian* and once in the Government Gazette and served on the Respondent by service thereof at the business premises of Northern Diesel Services CC or where the Respondent may find himself.
4. That the Master of the High Court is directed to appoint a provisional trustee as a matter of urgency.
5. That the Applicant is authorised to serve this order on the Respondent by using a facsimile copy thereof, to be faxed to the Deputy Sheriff for the District of Oshakati.
6. That a *Rule Nisi* do hereby calling upon the Respondent and all interested parties to show cause, if any, at 10h00 on 30 April 2001 why a final sequestration order should not be granted.

BY ORDER OF THE COURT

**REGISTRAR
(DIEKMANN & ASS)**

IN THE HIGH COURT OF NAMIBIA

CASE NO.: I 1880/2000

In the matter between:

**FIRST NATIONAL BANK
OF NAMIBIA LIMITED** Plaintiff

and

JOSEF JACOBUS ISAACS Defendant

**NOTICE OF SALE IN EXECUTION
OF IMMOVABLE PROPERTY**

In Execution of a Judgment of the above Honourable Court in the abovementioned suit, a sale will be held on **24th April 2001** at **11h00** at Erf No. 343, Khomasdal, Extension No. 5, Windhoek.

CERTAIN: Erf No. 343, Khomasdal, Extension No. 5

SITUATE: In the Municipality of WINDHOEK Registration Division "K"

MEASURING: 646 (six four six) Square Metres

The following improvements are on the property (although nothing in this respect is guaranteed). 1 Residence

1. The sale is subject to provisions of the High Court Act No. 16 of 1990, as amended, and the property will be sold "voetstoots" according to the existing Title Deed.
2. The property shall be sold by the Deputy Sheriff of Grootfontein to the highest bidder.
3. 10% of the purchase price is to be paid in cash on the date of sale, the balance together with interest at a rate of 20% per annum as from the date of Sale in Execution to date of registration, both dates inclusive, is to be paid against transfer, to be secured by a Bank or Building Society or other acceptable Guarantee to be furnished to the Deputy Sheriff within fourteen (14) days after the date of Sale in Execution.
4. The complete Conditions of Sale will be read out at the time of the sale, but may be inspected beforehand at the offices of the Deputy Sheriff or at the offices of the Plaintiff's Attorneys at the undermentioned address.

Dated at Windhoek this 7th day of March 2001.

**DIEKMANN ASSOCIATES
LEGAL PRACTITIONERS FOR PLAINTIFF
162 Robert Mugabe Avenue
Windhoek**

IN THE HIGH COURT OF NAMIBIA

CASE NO. I 334/2001

In the matter between:

**THE MUNICIPALITY
OF WALVIS BAY** Plaintiff

and

**THEODOR EDGAR
VAN DER MERWE** First Defendant

**MARINDA KAREN
VAN DER MERWE** Second Defendant

NOTICE OF SALE IN EXECUTION

IN EXECUTION of a Judgment granted by the above Honourable Court on **26 February 2001**, the following immovable property will be sold without reserve and voetstoots by the Deputy Sheriff of the district of Walvis Bay on Friday, **11 May 2001** at **10h00** at the undermentioned premises, **WALVIS BAY, NAMIBIA**.

CERTAIN: ERF NO. 115, Meersig,
SITUATE: In the Municipality of Walvis Bay
Registration Division "F"

The following improvements are on the property (although nothing in this respect is guaranteed):

A dwelling comprising of 3 bedrooms, (main bedroom with bathroom en-suite), separate bathroom and toilet, open plan living room, dining room, braai area, kitchen, scullery and laundry, 3 garages.

The "Conditions of Sale-in-Execution" will lie for inspection at the offices of the Deputy-Sheriff at Walvis Bay, the Plaintiff at Walvis Bay and the Plaintiff's Legal Practitioners, Behrens & Pfeiffer and Gert H Olivier Associates at the undermentioned addresses.

Dated at Windhoek this 28th day of March 2001.

BEHRENS & PFEIFFER
PER: R P BEHRENS
ATTORNEYS FOR PLAINTIFF
Maerua Park Building
Centaurus Road
Windhoek

and

GERT H OLIVIER ASSOCIATES
ATTORNEYS FOR PLAINTIFF
157 SAM NUJOMA AVENUE
WALVIS BAY

IN THE MAGISTRATE COURT FOR THE DISTRICT OF OTJIWARONGO

HELD AT OTJIWARONGO CASE NO. 946/2000

In the matter between:

FIRST NATIONAL BANK Plaintiff

and

ISMAEL SHAMENA Defendant

NOTICE OF SALE IN EXECUTION

In execution of a Judgment of the above Honourable Court against the Execution Debtor on **9 November 2000** the following property will be sold by public auction on **Friday, 11 May 2001** at **9h00** by the Messenger of the Court for the District of Otjiwarongo at **Erf 1293, ORWETOVENI, OTJIWARONGO**, respectively, the one immediately after the other.

CERTAIN: ERF NO. 1293 (Extension No. 1)

SITUATE: In the Municipality of Otjiwarongo

EXTENDING: 466 Square Metres

CONDITIONS OF SALE:

1. The Sale is subject to the provisions of the Magistrate's Court Act 32 of 1944, as amended.

2. The property will be sold "voetstoots" according to the existing title deed.
3. One-tenth of the purchase price will be payable immediately after the Sale in cash, the balance against transfer to be secured by a Bank or Building society guarantee.
4. The complete conditions of Sale may be inspected at the office of the Messenger of the Court, Otjiwarongo (Tel no: 304065) and the Plaintiff's Attorneys' offices at the undermentioned address.
5. The Sale will be held in Namibian Dollars and the highest offer obtained at the auction will be subject to the confirmation of First National Bank, Otjiwarongo.

Dated at Otjiwarongo this 29th day of March 2001

MESSRS VAN DER WESTHUIZEN AND GREEFF
ATTORNEYS FOR THE PLAINTIFF
VOORTREKKER STREET
P.O. Box 47
Otjiwarongo

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF OTJIWARONGO

HELD AT OTJIWARONGO CASE NO: 947/2000

In the matter between:

FIRST NATIONAL BANK Plaintiff

and

RUDOLF KATJIRE Defendant

NOTICE OF SALE IN EXECUTION

In Execution of a Judgment of the above Honourable Court against the Execution Debtor on **9th November 2000** the following property will be sold by public auction on **Friday, 11 May 2001** at **10h00** by the Messenger of the Court for the District of Otjiwarongo at **ERF 1598, ORWETOVENI, OTJIWARONGO**, respectively, the one immediately after the other.

CERTAIN: ERF NO. 1598 (Extension No. 1)

SITUATE: In the Municipality of Otjiwarongo

EXTENDING: 1931 Square Metres

CONDITIONS OF SALE:

1. The Sale is subject to the provisions of the Magistrate's Court Act 32 of 1944, as amended.
2. The property will be sold "voetstoots" according to the existing title deed.
3. One-tenth of the purchase price will be payable immediately after the Sale in cash, the balance against transfer to be secured by a Bank or Building Society guarantee.

4. The complete conditions of Sale may be inspected at the office of the Messenger of the Court, Otjiwarongo (Tel No: 304065) and the Plaintiff's Attorneys' offices at the undermentioned address.
5. The Sale will be held in Namibian Dollars and the highest offer obtained at the auction will be subject to the confirmation of First National Bank, Otjiwarongo.

Dated at Otjiwarongo this 29th day of March 2001

MESSRS VAN DER WESTHUIZEN AND GREEFF
ATTORNEYS FOR THE PLAINTIFF
Voortrekker Street
P O Box 47
Otjiwarongo

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF MARIENTAL

HELD AT MARIENTAL CASE NO: 726/2000

In the matter between:

ENGINE REBUILDERS Plaintiff
and

W P KARIGUB Defendant

NOTICE OF SALE IN EXECUTION

In Execution of a Judgment granted by the above Honourable Court, the following property will be sold by public auction by the Court Messenger for the District of MARIENTAL on THURSDAY, 26th April 2001 at 10:00 to wit Erf No. 265, AIMABLAAGTE, MARIENTAL.

CERTAIN: ERF NO. 265, AIMABLAAGTE, MARIENTAL

SITUATE: In the Municipality of Mariental Registration Division "R"

MEASURING: 460 (FOUR SIX NIL) Square Metres

with all improvements thereon

CONDITIONS OF SALE:

- The Sale is subject to the provisions of the Magistrate's Court Act No 32 of 1944 as amended, and the property will be sold "voetstoots" according to the existing title deed.
- One-tenth of the purchase price shall be payable immediately after the Sale in cash, the balance together with interest thereon at 20% against transfer, which transfer shall be given without delay.
- With improvements on the property although no warranty is given in this regard:
- The complete Conditions of Sale will be read out at the time of the sale, and may be inspected beforehand at the offices of the Court Messenger, ENGINE REBUILDERS and Plaintiff's Legal Practitioner at MARIENTAL.

VAN HEERDEN, LIEBENBERG & CO
LEGAL PRACTITIONERS FOR PLAINTIFF
School Street
P.O. Box 13
Mariental

A. 50/2001

IN THE HIGH COURT OF NAMIBIA

WINDHOEK, THURSDAY, 8TH MARCH 2001

BEFORE THE HONOURABLE MR JUSTICE HANNAH

In the matter between:

JOHN LOUIS CARTER FOURIE First Applicant
LAURENCE FRANCISCO PEREIRA Second Applicant
ANTONY RESNICK Third Applicant
ENVER MOHAMED MOTALA Fourth Applicant

and

FRIDGE MASTER SA (PTY) LTD Respondent

Having heard Advocate HEATHCOTE for the applicants and having read the Notice of Motion and other documents filed of record:

IT IS ORDERED

- That applicant's non-compliance with the Rules of this Honourable Court is hereby condoned, and this matter is heard as one of urgency as envisaged in Rule 6(12).
- That a *rule nisi* do hereby issue, calling upon all interested persons to show cause on 30th April 2001 at 10h00, why the following order should not be made final:
 - granting the applicants leave, insofar as may be necessary, to bring this application:
 - subject to the rights of local (Namibian) creditors of Fridge Master SA (Pty) Ltd, recognising the order of the High Court of South Africa (Witwatersrand Local Division) under case number 5306/2001 in the *ex parte* application of Fridge Master SA (Pty) Ltd (a copy of which is annexed to the affidavit of Floris Petrus Coetzee) as an order of the High Court of Namibia:
 - recognising the appointment of Johan Louis Carter Fourie, Laurence Francisco Pereira, Antony Resnick, Enver Mohamed Motala as joint provisional liquidators of Fridge Master SA (Pty) Ltd, as well as the appointment of Gerhard Swart of KPMG, insofar as may be necessary as agent of the joint provisional liquidators of Fridge Master SA (Pty) Ltd.
- That the relief set out in paragraph 2.1 to 2.3 *supra* shall become operative with immediate effect, pending the return date of this *rule nisi*.
- That the applicants publish this order in the *Government Gazette* and in one edition of *Die Republikein* as well as *The Namibian* newspapers.

BY ORDER OF THE COURT

REGISTRAR
(F, Q & P)