



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

N\$4.00

WINDHOEK - 31 December 2015

No. 5924

### 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, Private Bag 13302, Windhoek, or be delivered at Justitia Building, Independence Avenue, Second Floor, Room 219, Windhoek, not later than **12h00** 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 there from 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\$3,050-00 including VAT per annum, obtainable from Solitaire Press (Pty) Ltd., corner of Bonsmara and Brahman Streets, 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 (Pty) Ltd., at the same address, 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 bank guarantee cheques, postal or money orders:

#### LIST OF FIXED TARIFF RATES

STANDARDISED NOTICES	Rate per insertion N\$
Transfer of business .....	37,00
Deeds: Lost documents .....	69,00
Business Notices .....	53,00
Administration of Estates Act Notices, Forms J187, 193, 197, 297, 517 and 519.....	27,00

Insolvency Act and Companies Act Notices: J.28, J.29. Forms 1 to 9 .....	48,00	Liquidators' and other appointees' notices .....	80,00
N.B. Forms 2 and 6 additional statements according to word count table, added to the basic tariff. Change of name (two insertions) .....	333,00	Gambling house licences/Liquor licences .....	120,00
Naturalisation notices (including a reprint for the advertiser) .....	27,00	SALES IN EXECUTION AND OTHER PUBLIC SALES:	
Unclaimed moneys - only in the <i>Government Gazette</i> , closing date 15 January (per entry of "name, address and amount") .....	13,00	Sales in execution .....	207,00
Butcher's notices .....	53,00	Public auctions, sales and tenders:	
Lost Life insurance policies .....	27,00	Up to 75 words .....	69,00
NON-STANDARDISED NOTICES		76 to 250 words .....	171,00
Company notices:		251 to 350 words .....	253,00
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 .....	120,00	ORDERS OF THE COURT	
Declaration of dividends with profit statements, including notices .....	267,00	Provisional and final liquidations or sequestrations .....	157,00
Long notices: Transfers, changes in respect of shares or capital, redemptions, resolutions, voluntary liquidations .....	373,00	Reduction of change in capital mergers, offers of compromise .....	373,00
Trademarks in Namibia .....	120,50	Judicial managements, <i>curator bonis</i> and similar and extensive <i>rule nisi</i> .....	373,00
		Extension of return date .....	48,00
		Supersession and discharge of petitions (J.158) ..	40,00

11. The charge for the insertion of advertisements other than the notices mentioned in paragraph 10 is at the rate of N\$13,00 per cm double column. (Fractions of a cm must be calculated as a cm).

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.

#### 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.

1771/2014 MINNAAR Hendrik Jacobus de Villiers, 50031100392, Farm Wittmanshaar, Bethanie District. Bethanie. Windhoek. K&M Trust Services, P.O. Box 9179, Eros, Windhoek, Namibia.

1843/2011 KAHATJIPARA Emilie Nduno Rinouzeu, 52050100191, Windhoek, Namibia. Windhoek. K&M Trust Services, P.O. Box 9179, Eros, Windhoek, Namibia.

1528/2015 CAREW John Leonard, 57020800203, Kooper Avenue No. 92, Tamariskia, Swakopmund. Swakopmund. Windhoek. FNB Trust Services Namibia (Pty) Ltd, P.O. Box 448, Windhoek, Namibia.

#### NOTICE OF INTENDED SALE OF BUSINESS

Notice is hereby given of the intention of ELLERINE FURNISHERS (NAMIBIA) (PTY) LTD and ELLERINE RETAIL (NAMIBIA) (PTY) LTD to respectively dispose of the businesses which are conducted under and known by the name of "Ellerines" and "Beares", being the retail businesses of marketing and selling furniture in Namibia including but not limited to the stock, fixed assets, debtors book, certain intellectual property and the goodwill in the businesses, within the period of 30 (thirty) days after publication of this notice, which shall serve as due and proper notice in terms of Section 34 of the Insolvency Act, 1936 (Act No. 24 of 1936).

ENSAFRICA / NAMIBIA  
(INCORPORATED AS LORENTZ ANGULA INC.)  
PRIVATE BAG 12007  
AUSSPANNPLATZ  
WINDHOEK  
NAMIBIA

**CASE NUMBER: POCA 7/2015  
IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION  
HELD AT WINDHOEK**

**FRIDAY, THE 4TH DAY OF DECEMBER 2015**

**BEFORE THE HONOURABLE JUSTICE UEITELE**

In the matter of:

**THE PROSECUTOR GENERAL**

Applicant

*IN RE:* The positive balance in the Bank Windhoek savings account number 2000292882 held in the name of Nikanor Tunyanyukweni Ipinge.

**IN THE APPLICATION FOR A FORFEITURE OF PROPERTY ORDER IN TERMS OF SECTION 59 OF THE PREVENTION OF ORGANISED CRIME ACT 29 OF 2004**

**ORDER**

Having heard **Ms Kazondunge**, on behalf of the applicant and having read the Notice of Motion, affidavits and annexures thereto and other documents filed of record:

**IT IS HEREBY ORDERED THAT:**

1. The property which is presently subject to a preservation of property order granted by this Honourable Court under the above case number on 11 August 2015, namely: the positive balance in the Bank Windhoek Savings account number 2000292882 held in the name of Nikanor Tunyanyukweni Ipinge ("the property") be forfeited to the State in terms of section 61 of the Prevention of Organised Crime Act, 29 of 2004 ("POCA").
2. The property is to remain under the control and supervision of Warrant Officer Emilia Nambadi (W/O Nambadi) of the Commercial Crime: Anti Money Laundering Unit in Windhoek, in whose control the property is in terms of the preservation of property order, (in W/O Nambadi's absence, any authorized member of the Commercial Crime: Anti Money Laundering Unit) is authorized to:
  - 2.1 Pay the property into the Asset Recovery Account:
 

Ministry of Justice - POCA  
Standard Bank account number 589245309  
Branch Code: 08237200
3. That any person whose interest concerned is affected by the forfeiture order, may within 20 days after he or she has acquired knowledge of such order, set the matter down for variation or rescission by the Court.
4. This order must be published in the Government Gazette as soon as practicable after it is made.
5. Prayers 1 to 2 will not take effect before 30 days after the notice of this order was published in the Government Gazette or before an application in terms of section 65 of POCA or an appeal has been disposed of.

BY ORDER OF THE COURT  
REGISTRAR OF THE HIGH COURT  
TO: GOVERNMENT ATTORNEY

**CASE NUMBER: POCA 11/2015  
IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION**

**WINDHOEK, TUESDAY 24TH DAY OF NOVEMBER  
2015**

**BEFORE THE HONOURABLE JUSTICE UEITELE**

In the *ex parte* matter of

**THE PROSECUTOR-GENERAL**

Applicant

*IN RE:* The positive balance held at Bank Windhoek Account Number: CHK8004184618, bank account held in the name of Austrian Casino Technologies Afrika (Pty) Ltd.

**IN THE APPLICATION FOR A PRESERVATION OF PROPERTY ORDER IN TERMS OF SECTION 51 OF THE PREVENTION OF ORGANISED CRIME ACT, ACT 29 OF 2004**

**ORDER**

Having heard **Mrs. K. Kazondunge** Counsel for the Applicant and having read the Notice of Motion, Affidavits and annexures thereto;

**IT IS HEREBY ORDERED THAT:**

1. The matter is heard as one of urgency and the Applicant's non-compliance with the forms and service provided for by the Rules is condoned.
2. The prescribed manner for applications of this nature as set out in the regulations to the Prevention of Organised Crime Act 29 of 2004 ("POCA") as well any other manner prescribed in POCA is dispensed with.
3. A preservation of property order as contemplated by section 51 of POCA is granted in respect of the positive balance held at Bank Windhoek Account Number: CHK8004184618, bank account held in the name of Austrian Casino Technologies Afrika (Pty) Ltd ("the property").
4. In terms of section 51 of POCA all persons with knowledge of this order, other than as required and permitted by this order, are prohibited from removing, and or taking possession of and / or control over, and / or dissipating, and / or encumbering and / or interfering with, and / or diminishing the value of, and / or attaching or selling in execution, and / or dealing in any other manner with the property to which this order relates.
5. Warrant Officer Johan Nico Green ("Warrant Green") of the Commercial Crime Investigation Unit: Anti - Money laundering Sub - Division in Windhoek or, in Warrant Green's absence, any other authorised member of the Commercial Crime Investigation Unit: Anti - Money laundering Sub - Division in Windhoek, is appointed as Curator Bonis in terms of section 55 of POCA and is immediately authorized to:
  - 5.1 Seize and or assume control over the property;
  - 5.2 Safeguard the property pending the finalization of the forfeiture proceedings under POCA;
  - 5.3 If necessary to administer and preserve the property and to do all things necessary for that purpose, including keeping the property in the bank account where it is currently kept subject to appropriate safeguards and/ or deposit the property in the account in a separate interest bearing account.
6. The Applicant must:

- 6.1 Effect service of the preservation of property order and the application on Wolf Jorg (Mr Wolf), Hanspeter Hofmann (Mr Hofmann), and Austrian Casino Technologies Afrika (Pty) Ltd.
- 6.2 in terms of section 52 (1) (b) cause notice of this order, in the form set out in Annexure A and Annexure B hereto, to be published in the Government Gazette as soon as practicable after the preservation of property order is granted.
- 7. The Applicant is granted leave to serve the preservation of property order on Mr Jorg and Mr Hofmann by publication of the order in one issue of the Namibian Newspaper and one issue of the New Era newspaper as provided for in regulation 3 (1) (b) in the regulations to POCA.
- 8. Any person who has an interest in the property and who intends opposing the application for an order forfeiting the property to the State or applying for an order excluding his or her interest from a forfeiture order in respect of the property, must enter an appearance giving notice of his or her intention in terms of section 52 (3) of POCA.
- 9. Such notice must be delivered to the Applicant:
  - 9.1 in the case of any person specifically identified for service in the terms of this order, within 21 calendar days of service; and
  - 9.2 in the case of any other person, 21 calendar days after the date when a notice of the order was published in the Government Gazette,
  - 9.3 A notice in terms of section 52 of POCA must contain full particulars of the chosen address for the delivery of documents concerning further proceedings in this matter and must be accompanied by an affidavit setting out:
    - 9.4 the full particulars of the identity of the person giving the notice;
    - 9.5 the nature and extent of his or her interest in the property concerned;
    - 9.6 whether he or she intends opposing the making of the forfeiture order, or whether he or she intends applying for an order excluding his or her interest in that property from the operation of the order;
    - 9.7 whether he or she admits or denies that the property concerned is the proceeds of unlawful activities and the basis for such defense;
    - 9.8. if he or she intends applying for the exclusion of his or her interests from the operation of the forfeiture order, the basis for such an application.
- 10. Any person, on good cause shown (including the non-availability of any other suitable remedy to protect their legitimate rights or interests), may on 3 days' notice in urgent instances and at least 7 days' notice in other instances to the applicant, and within 8 days of becoming aware of the order, apply for reconsideration of the order.

BY ORDER OF THE COURT  
 REGISTRAR OF THE HIGH COURT  
 TO: GOVERNMENT ATTORNEY

**FORM 5**

**ANNEXURE A**

**NOTICE OF PRESERVATION OF PROPERTY ORDER**

**MINISTRY OF JUSTICE**

**PREVENTION OF ORGANIZED CRIME REGULATIONS: PREVENTION OF ORGANISED CRIME ACT, 2004 (ACT 29 OF 2004)**

**(Section 52 (1), Regulation 4 (5))**

To: Jorg Wolf;  
 Hanspeter Hofmann; and  
 Austrian Casino Technologies Afrika (Pty) Ltd.

**IMPORTANT - DO NOT IGNORE THIS DOCUMENT**

Upon receipt of this notice you should obtain legal advice to help you understand this document and your rights and obligations under the preservation of property order.

**WHY YOU HAVE RECEIVED THIS NOTICE**

The High Court has made a preservation of property order over property pursuant to section 51 of the Prevention of Organised Crime Act 2004. A copy of the preservation of property order is attached to this notice. The order describes the property that has been preserved and may contain directions relating to the seizure of that property. It may also contain other orders that the court considers appropriate.

You have received this notice because the Prosecutor-General considers that you might have an interest in the property which is the subject of the preservation order.

The preservation of property order has been made for the purpose of securing property in order to satisfy any forfeiture order that might be pursuant to Part 3 of Chapter 6 of the Prevention of Organised Crime Act 2004.

**WARNING**

The preservation of property order prohibits any person from dealing, in any manner, with the property to which the order relates. A person who intentionally refuses or fails to comply with a court order made under this Act commits an offence punishable by a fine not exceeding N\$300,000 or to imprisonment for a period not exceeding 15 years.

Dated: .....

.....

For Prosecutor - General

**ANNEXURE B**

**CASE NUMBER: POCA 11/2015**

**IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION HELD AT WINDHOEK**

In the *ex parte* application of:

**THE PROSECUTOR-GENERAL** Applicant

**IN RE:** The positive balance held at Bank Windhoek Account Number CHK8004184618, bank account held in the name of Austrian Casino Technologies Afrika (Pty) Ltd.

**IN THE APPLICATION FOR A PRESERVATION OF PROPERTY ORDER IN TERMS OF SECTION 51 OF THE PREVENTION OF ORGANISED CRIME ACT, ACT 29 OF 2004**

**Notice in terms of section 52 of the Prevention of Organised Crime Act 29 of 2004 (POCA)**

This notice is addressed to all persons who have an interest in the positive balance held at Bank Windhoek Account Number: CHK8004184618, bank account held in the name of Austrian Casino Technologies Afrika (Pty) Ltd 'the property';

**Take notice that:**

1. The Prosecutor General has obtained a preservation of property order (the order), a copy of which is attached to this notice, in terms of section 51 of the POCA in respect of the property;
2. If you have an interest in the property, you should understand that it is now at risk. You are advised to obtain legal advice on whether your interest can be protected and, if so, on how to protect it;
3. You are notified that the Prosecutor General will, within 120 days of publication of this notice, apply to the High Court under section 59 of the POCA for an order declaring the property forfeit to the state. The order will remain in force until the application for a forfeiture order is finalised, and until any forfeiture order that has been made is satisfied;
4. If you intend to oppose the application for a forfeiture order, or you intend to apply for an order excluding your interest from a forfeiture order in respect of the property, you must enter an appearance in terms of the order. The requirements for such an appearance are set out in the order and are also dealt with in sections 52 (3), (4) and (5) of the POCA. An appearance must comply with these requirements;
5. Your attention is specifically drawn to the 21 - day time limit prescribed in section 52 (4) for the entry of an appearance referred to in paragraph 4 above;
6. If you enter an appearance in terms of the order you will be entitled to be given 21 days' notice of the application by the applicant for a forfeiture order in respect of the property;
7. If you fail to enter an appearance in terms of the order or to comply with the above requirements, you will not be given notice of the application for a forfeiture order and you will not be entitled to appear at the hearing of the application. In such a case, the court may grant a default order forfeiting the property to the state under section 64 of the POCA;
8. You may, on good cause shown (including the non-availability of any other suitable remedy to protect your legitimate rights or interest), on 3 days' notice in urgent instances and at least 7 days' notice in other instances to the applicant, and within 8 days of becoming aware of the order, apply for reconsideration of the order;
9. You are specifically advised that even if you intend to apply for reconsideration of the preservation order in this

case, you must, in addition, comply with paragraph 4 and 5 above if you intend to oppose the forfeiture application at a later date. Failure to do so can result in a forfeiture order being granted against the property by default and without further notice to you.

10. Whenever this order states that you must deliver or serve any notice, affidavit or other process document on the applicant, you must deliver or serve them on the applicant at the following address:

GOVERNMENT ATTORNEY  
LEGAL PRACTITIONERS FOR THE APPLICANT  
2ND FLOOR, SANLAM BUILDING  
PRIVATE BAG 13189  
WINDHOEK, NAMIBIA

Any correspondence or other enquiries must also be directed to this address.

**CASE NUMBER: POCA 12/2015**

**IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION WINDHOEK, WEDNESDAY, THE 16TH DAY OF DECEMBER 2015 BEFORE THE HONOURABLE JUSTICE ANGULA DJP**

In the *ex parte* matter of

**THE PROSECUTOR-GENERAL** Applicant

**IN RE:** The positive balances in:

Nedbank Namibia, account number 11000474276 held in the name of Aveshe Consulting CC;

FNB, account number 62049835111 held in the name of Mamsy Hilma Nuuyoma;

Standard Bank, account number 60001146067 held in the name of Mamsy Hilma Nuuyoma;

FNB account number 62252527711, held in the name of Guelmane Augusto Cazembe;

Nampost, account number 33953487 held in the name of Guelmane Augusto Cazembe;

Nedbank account number 12990035278 held in the name of Lucio Jose Cazembe;

FNB, account number 62254270558, held in the name of Isaac Captiva Cupessala;

Nampost, account number 34215111 held in the name of Isaac Captiva Cupessala;

Nedbank Namibia, account number 12990069253 held in the name of Isaac Captiva Cupessala;

Nedbank Namibia, account number 12990061031 held in the name of Aurelio Nelson Sarayelo Miapia;

Nampost, account number 3423411 held in the name of Benvido Momafuba;

Nampost, account number 34171028 held in the name of Joao Manuel Dos Santos;

Nampost, account number 34191309 held in the name of Pedro Evaristo Ngando;

Nedbank Namibia, account number 12990064529 held in the name of Pedro Evaristo Ngando;

Nampost, account number 34056973 held in the name of Pembele Zimutu;

FNB, account number 62251858092 held in the name of Tatiana L M Gongga;

FNB account number 62156493456 held in the name of Noa N. Naukosho;

FNB, account number 62248061921 held in the name of Noah N. Naukosho T/A Triple N Transport,

FNB account number 62256229983 held in the name of Fisher, Quarmbly and Pfeifer section 26(3) for TLM Gongga.

Nedbank account number 12990045052 held in the name of Edward Simpu;

**IN THE APPLICATION FOR A PRESERVATION OF PROPERTY ORDER IN TERMS OF SECTION 51 OF THE PREVENTION OF ORGANISED CRIME ACT, ACT 29 OF 2004**

**ORDER**

Having heard **Mr M. Boonzaier** Counsel for the Applicant and having read the Notice of Motion, Affidavits and annexures thereto;

**IT IS HEREBY ORDERED THAT:**

1. The matter is heard as one of urgency and the Applicant's non-compliance with the forms and service provided for by the Rules is condoned.
2. The prescribed manner for applications of this nature as set out in the regulations to the Prevention of Organised Crime Act 29 of 2004 ("POCA") as well any other manner prescribed in POCA is dispensed with.
3. A preservation of property order as contemplated by section 51 of POCA is granted in respect of the positive balances in Nedbank Namibia account number 11000474276, held in the name of Aveshe Consulting CC ("Aveshe's Nedbank Account"); FNB account number 62049835111, held in the name of Mamsy Hilma Nuuyoma ("Nuuyoma's FNB Account"); Standard Bank account number 60001146067, held in the name of Mamsy Hilma Nuuyoma ("Nuuyoma's Standard Bank Account"); FNB account number 62252527711, held in the name of Guelmane Augusto Cazembe ("Cazembe Junior's FNB account"); Nampost account number 33953487, held in the name of Guelmane Augusto Cazembe ("Cazembe Junior's Nampost account"); Nedbank account number 12990035278 held in the name of Lucio Jose Cazembe ("Jose Cazembes' Nedbank account"); FNB account number 62254270558, held in the name of Isaac Captiva Cupessala ("Cupessala's FNB account"); Nampost account number 34215111, held in the name of Isaac Captiva Cupessala ("Cupessala's Nampost account"); Nedbank Namibia account number 12990069253, held in the name of Isaac Captiva Cupessala ("Cupessala's

Nedbank account"); Nedbank Namibia account number 12990061031, held in the name of Aurelio Nelson Sarayelo Miapia ("Miapia's Nedbank account"); Nampost account number 3423411, held in the name of Benvindo Momafuba ("Momafuba's Nampost account"); Nampost account number 34171028, held in the name of Joao Manuel Dos Santos ("Dos Santo's Nampost account"); Nampost account number 34191309, held in the name of Pedro Evaristo Ngando ("Ngando's Nampost account"); Nedbank Namibia account number 12990064529, held in the name of Pedro Evaristo Ngando ("Ngando's Nedbank account"); Nampost account number 34056973 held in the name of Pembele Zimutu ("Zimutu's Nampost account"); FNB account number 62251858092, held in the name of Tatiana L M Gongga ("Gongga's FNB account"); FNB account number 62156493456, held in the name of Noa N. Naukosho ("Naukosho's FNB account"); FNB account number 62248061921, held in the name of Noah N. Naukosho T/A Triple N Transport ("Triple N Transport's FNB account"); FNB account number 62256229983, held in the name of Fisher, Quarmbly and Pfeifer section 26 (3) for TLM Gongga ("Fisher Quarmbly's section 26 (3) account") Nedbank account number 12990045052 held in the name of Edward Simpu herein collectively referred to as "the properties".

4. In terms of section 51 of POCA all persons with knowledge of this order, other than as required and permitted by this order, are prohibited from removing, and or taking possession of and / or control over, and / or dissipating, and / or encumbering and / or interfering with, and / or diminishing the value of, and / or attaching or selling in execution, and / or dealing in any other manner with the property to which this order relates.
5. Warrant Officer Johan Nico Green ("Warrant Green") of the Commercial Crime Investigation Unit: Anti - Money laundering Sub - Division in Windhoek or, in Warrant Green's absence, any other authorised member of the Commercial Crime Investigation Unit: Anti - Money laundering Sub - Division in Windhoek, is appointed as Curator Bonis in terms of section 55 of POCA and is immediately authorized to:
  - 5.1. Seize and or assume control over the properties;
  - 5.2. Safeguard the properties pending the finalization of the forfeiture proceedings under POCA;
  - 5.3. If necessary to administer and preserve the properties and to do all things necessary for that purpose, including keeping the properties in the bank accounts where they are currently kept subject to appropriate safeguards and / or deposit the properties in the accounts into separate interest bearing accounts.
6. The Applicant must:
  - 6.1. effect service of the preservation of property order and the application on the following persons:
    - 6.1.1. Aveshe Consulting CC;
    - 6.1.2. Mamsy Hilma Nuuyoma;
    - 6.1.3. Guelmane Augusto Cazembe;

- 6.1.4. Lucio Jose Cazembe;
- 6.1.5. Isaac Captiva Cupessala;
- 6.1.6. Aurelio Nelson Sarayelo Miapia;
- 6.1.7. Benvindo Mamafuba;
- 6.1.8. Joao Manuel Dos Santos;
- 6.1.9. Pedro Evaristo Ngando;
- 6.1.10. Pembele Zimutu;
- 6.1.11. Tatiana Gongga;
- 6.1.12. Noa Naukosho;
- 6.1.13. Noa Naukosho t/a Triple N Transport;
- 6.1.14. Fisher, Quarmby & Pfeifer;
- 6.1.15. Edward Simpu
- 6.2. in terms of section 52 (1) (b) cause notice of this order, in the form set out in Annexure A and Annexure B hereto, to be published in the Government Gazette as soon as practicable after the preservation of property order is granted.
7. Since most of the interested parties are foreign nationals whose addresses are unknown to the Applicant, the Applicant is granted leave to also serve the preservation of property order by publication of the order in one issue of the Namibian Newspaper and one issue of the New Era newspaper as provided for in regulation 3 (1) (b) of the regulations made in terms of POCA.
8. Any person who has an interest in the properties and who intends opposing the application for an order forfeiting the properties to the State or applying for an order excluding his or her interest from a forfeiture order in respect of the properties, must enter an appearance giving notice of his or her intention in terms of section 52 (3) of POCA.
9. Such notice must be delivered to the Applicant:
- 9.1. in the case of any person specifically identified for service in the terms of this order, within 21 calendar days of service; and
- 9.2. in the case of any other person, 21 calendar days after the date when a notice of the order was published in the Government Gazette.
- 9.3. A notice in terms of section 52 of POCA must contain full particulars of the chosen address for the delivery of documents concerning further proceedings in this matter and must be accompanied by an affidavit setting out:
- 9.4. the full particulars of the identity of the person giving the notice;
- 9.5. the nature and extent of his or her interest in the property concerned;
- 9.6. whether he or she intends opposing the making of the forfeiture order, or whether he or she intends ap-

plying for an order excluding his or her interest in that property from the operation of the order;

9.7. whether he or she admits or denies that the property concerned is the proceeds of unlawful activities and the basis for such defense;

9.8. if he or she intends applying for the exclusion of his or her interests from the operation of the forfeiture order, the basis for such an application.

10. Any person, on good cause shown (including the non-availability of any other suitable remedy to protect their legitimate rights or interests), may on 3 days' notice in urgent instances and at least 7 days' notice in other instances to the applicant, and within 8 days of becoming aware of the order, apply for reconsideration of the order.

BY ORDER OF THE COURT  
REGISTRAR OF THE HIGH COURT  
TO: GOVERNMENT ATTORNEY

FORM 5

ANNEXURE A

**NOTICE OF PRESERVATION OF PROPERTY ORDER**

**MINISTRY OF JUSTICE**

**PREVENTION OF ORGANIZED CRIME  
REGULATIONS: PREVENTION OF ORGANISED  
CRIME ACT, 2004 (ACT 29 OF 2004)**

**(Section 52 (1), Regulation 4 (5))**

To: Aveshe Consulting CC;  
Mamsy Hilma Nuuyoma;  
Guelmane Augusto Cazembe;  
Isaac Captiva Cupessala;  
Aurelio Nelson Sarayelo Miapia;  
Benvindo Momafuba;  
Joao Manuel Dos Santos;  
Pedro Evaristo Ngando;  
Pembele Zimutu;  
Tatiana Gongga;  
Noah Naukosho;  
Triple N Transport;  
Fisher Quarmby and Pfeifer;

**IMPORTANT - DO NOT IGNORE THIS DOCUMENT**

Upon receipt of this notice you should obtain legal advice to help you understand this document and your rights and obligations under the preservation of property order.

**WHY YOU HAVE RECEIVED THIS NOTICE**

The High Court has made a preservation of property order over property pursuant to section 51 of the Prevention of Organised Crime Act 2004. A copy of the preservation of property order is attached to this notice. The order describes the property that has been preserved and may contain directions relating to the seizure of that property. It may also contain other orders that the court considers appropriate.

You have received this notice because the Prosecutor-General considers that you might have an interest in the properties which are the subject of the preservation order.

The preservation of property order has been made for the purpose of securing property in order to satisfy any forfeiture order that might be pursuant to Part 3 of Chapter 6 of the Prevention of Organised Crime Act 2004.

#### WARNING

The preservation of property order prohibits any person from dealing, in any manner, with the properties to which the order relates. A person who intentionally refuses or fails to comply with a court order made under this Act commits an offence punishable by a fine not exceeding N\$ 300,000 or to imprisonment for a period not exceeding 15 years.

Dated: .....

.....

For Prosecutor - General

#### ANNEXURE B

**CASE NUMBER: POCA 12/2015**

#### IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION HELD AT WINDHOEK

In the *ex parte* application of:

**THE PROSECUTOR-GENERAL** Applicant

*IN RE:* The positive balances in:

Nedbank Namibia account number 11000474276 held in the name of Aveshe Consulting CC;

FNB account number 62049835111 held in the name of Mamsy Hilma Nuuyoma;

Standard Bank account number 60001146067 held in the name of Mamsy Hilma Nuuyoma;

FNB account number 62252527711, held in the name of Guelmane Augusto Cazembe;

Nampost account number 33953487 held in the name of Guelmane Augusto Cazembe;

FNB account number 62254270558, held in the name of Isaac Captiva Cupessala;

Nampost account number 34215111 held in the name of Isaac Captiva Cupessala;

Nedbank Namibia account number 12990069253 held in the name of Isaac Captiva Cupessala;

Nedbank Namibia account number 12990061031 held in the name of Aurelio Nelson Sarayelo Miapia;

Nampost account number 3423411 held in the name of Benvindo Momafuba;

Nampost account number 34171028 held in the name of Joao Manuel Dos Santos;

Nampost account number 34191309 held in the name of Pedro Evaristo Ngando;

Nedbank Namibia account number 12990064529 held in the name of Pedro Evaristo Ngando;

Nampost account number 34056973 held in the name of Pembele Zimutu;

Bank Windhoek Namibia account number NDP-3000874584 held in the name of Tatiana L M Gongga;

Bank Windhoek Namibia account number OFC-2000210512 held in the name of Tatiana L M Gongga;

Standard Bank Namibia account number 60000799660 held in the name of Tatiana L M Gongga;

FNB account number 62251858092 held in the name of Tatiana L M Gongga;

FNB account number 62156493456 held in the name of Noah N. Naukosho;

FNB account number 62248061921 held in the name of Noah N. Naukosho T/A Triple N Transport,

FNB account number 62256229983 held in the name of Fisher, Quarmbly and Pfeifer section 26(3) for TLM Gongga

#### IN THE APPLICATION FOR A PRESERVATION OF PROPERTY ORDER IN TERMS OF SECTION 51 OF THE PREVENTION OF ORGANISED CRIME ACT, ACT 29 OF 2004

#### Notice in terms of section 52 of the Prevention of Organised Crime Act 29 of 2004 (POCA)

This notice is addressed to all persons who have an interest in the positive balances in Nedbank Namibia account number 11000474276, held in the name of Aveshe Consulting CC ("Aveshe's Nedbank Account"); FNB account number 62049835111, held in the name of Mamsy Hilma Nuuyoma ("Nuuyoma's FNB Account"); Standard Bank account number 60001146067, held in the name of Mamsy Hilma Nuuyoma ("Nuuyoma's Standard Bank Account"); FNB account number 62252527711, held in the name of Guelmane Augusto Cazembe ("G A Cazembe's FNB account"); Nampost account number 33953487, held in the name of Guelmane Augusto Cazembe ("G A Cazembe's Nampost account"); FNB account number 62254270558, held in the name of Isaac Captiva Cupessala ("Cupessala's FNB account"); Nampost account number 34215111, held in the name of Isaac Captiva Cupessala ("Cupessala's Nampost account"); Nedbank Namibia account number 12990069253, held in the name of Isaac Captiva Cupessala ("Cupessala's Nedbank account"); Nedbank Namibia account number 12990061031, held in the name of Aurelio Nelson Sarayelo Miapia ("Miapia's Nedbank account"); Nampost account number 3423411, held in the name of Benvindo Momafuba ("Momafuba's Nampost account"); Nampost account number 34171028, held in the name of Joao Manuel Dos Santos ("Dos Santos's Nampost account"); Nampost account number 34191309, held in the name of Pedro Evaristo Ngando ("Ngando's Nampost account"); Nedbank Namibia account number 12990064529, held in the name of Pedro Evaristo Ngando ("Ngando's Nedbank account"); Nampost account number 34056973 held in the name of Pembele Zimutu ("Zimutu's Nampost account"); Bank Windhoek Namibia account number NDP-3000874584, held in the name of Tatiana L M Gongga ("Gongga's NDP Bank Windhoek account"); Bank Windhoek Namibia account number OFC-2000210512, held in



the name of Tatiana L M Gongga (“Gongga’s OFC Bank Windhoek account”); FNB account number 62251858092, held in the name of Tatiana L M Gongga (“Gongga’s FNB account”); Standard Bank Namibia account number 60000799660, held in the name of Tatiana L M Gongga (“Gongga’s Standard Bank account”), FNB account number 62156493456, held in the name of Noa N. Naukosho (“Naukosho’s FNB account”); FNB account number 62248061921, held in the name of Noah N. Naukosho T/A Triple N Transport (“Triple N Transport’s FNB account”), FNB account number 62256229983, held in the name of Fisher, Quarmby and Pfeifer section 26 (3) for TLM Gongga (“Fisher Quarmby’s section 26 (3) account”) herein collectively referred to as “the properties”;

**Take notice that:**

1. The Prosecutor General has obtained a preservation of property order (the order), a copy of which is attached to this notice, in terms of section 51 of the POCA in respect of the property;
2. If you have an interest in the property, you should understand that it is now at risk. You are advised to obtain legal advice on whether your interest can be protected and, if so, on how to protect it;
3. You are notified that the Prosecutor General will, within 120 days of publication of this notice, apply to the High Court under section 59 of the POCA for an order declaring the property forfeit to the state. The order will remain in force until the application for a forfeiture order is finalised, and until any forfeiture order that has been made is satisfied;
4. If you intend to oppose the application for a forfeiture order, or you intend to apply for an order excluding your interest from a forfeiture order in respect of the property, you must enter an appearance in terms of the order. The requirements for such an appearance are set out in the order and are also dealt with in sections 52 (3), (4) and (5) of the POCA. An appearance must comply with these requirements;
5. Your attention is specifically drawn to the 21 - day time limit prescribed in section 52 (4) for the entry of an appearance referred to in paragraph 4 above;
6. If you enter an appearance in terms of the order you will be entitled to be given 21 days’ notice of the application by the applicant for a forfeiture order in respect of the property;
7. If you fail to enter an appearance in terms of the order or to comply with the above requirements, you will not be given notice of the application for a forfeiture order and you will not be entitled to appear at the hearing of the application. In such a case, the court may grant a default order forfeiting the property to the state under section 64 of the POCA;
8. You may, on good cause shown (including the non-availability of any other suitable remedy to protect your legitimate rights or interest), on 3 days’ notice in urgent instances and at least 7 days’ notice in other instances to the applicant, and within 8 days of becoming aware of the order, apply for reconsideration of the order;
9. You are specifically advised that even if you intend to apply for reconsideration of the preservation order in this

case, you must, in addition, comply with paragraph 4 and 5 above if you intend to oppose the forfeiture application at a later date. Failure to do so can result in a forfeiture order being granted against the property by default and without further notice to you.

10. Whenever this order states that you must deliver or serve any notice, affidavit or other process document on the applicant, you must deliver or serve them on the applicant at the following address:

GOVERNMENT ATTORNEY  
LEGAL PRACTITIONERS FOR THE APPLICANT  
2ND FLOOR, SANLAM BUILDING  
PRIVATE BAG 13189  
WINDHOEK, NAMIBIA

Any correspondence or other enquiries must also be directed to this address or contact number.

**THE ALIENS ACT, 1937**

**NOTICE OF INTENTION OF CHANGE OF SURNAME**

I, **EUNIKE TULIPENI-OMAKE ERASTUS**, residing at Windhoek West and a student, intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **NAKAPIPI** for the reasons that the surname I am using now is my father’s name and no I want to change to **NAKAPIPI**.

I previously bore the name **EUNIKE TULIPENI-OMAKE ERASTUS**.

Any person who objects to my assumption of the said surname **NAKAPIPI** should as soon as may be lodge his or her objection, in writing, with a statement of his or her reasons therefor, with the Magistrate of Windhoek.

**E. T-O. ERASTUS**  
**P.O. BOX 50057**  
**WINDHOEK**  
**NAMIBIA**

**THE ALIENS ACT, 1937**

**NOTICE OF INTENTION OF CHANGE OF SURNAME**

I, **FERNANDO REIVO**, residing at Erf No. 917, Omulunga, Grootfontein and unemployed, intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **NASINI** for the reasons that it is wrongly used on my old South African ID. **REIVO** is my christian name, my surname is **NASINI** as it appear on my birth certificate.

I previously bore the name **FERNANDO REIVO**.

Any person who objects to my assumption of the said surname **NASINI** should as soon as may be lodge his or her objection, in writing, with a statement of his or her reasons therefor, with the Magistrate of Windhoek.

**F. REIVO**  
**P.O. BOX 548**  
**GROOTFONTEIN**  
**NAMIBIA**

**THE ALIENS ACT, 1937**  
**NOTICE OF INTENTION OF CHANGE OF SURNAME**

I, **PAULUS ISHUANGA ELIA**, residing at Okasheshete Village, Omusati Region and a pensioner, intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **KAMATI** for the reasons that ELIA is my father's first name and not the surname.

I previously bore the name **PAULUS ISHUANGA ELIA**.

Any person who objects to my assumption of the said surname **KAMATI** should as soon as may be lodge his or her objection, in writing, with a statement of his or her reasons therefor, with the Magistrate of Windhoek.

**P. I. ELIA**  
**OMUSATI REGION**  
**NAMIBIA**

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