



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$7.20

WINDHOEK - 28 December 2018

No. 6809

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\$4,190-00 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, 295, 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, tenders and welfare organisations:	
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.

768/2016 HAULYONDJABA Rakkell Ndahafa, Rundu, Kavango East, Republic of Namibia. Josep Kondjashili Hangala. Rundu. ENSafrica / Namibia (incorporated as LorentzAngula Inc.), LA Chambers, Ausspann Plaza, Dr Agostinho Neto Road, Private Bag 12007, Ausspannplatz, Windhoek, Namibia.

977/2018 KOTZE Hester Maria, 32041100192, Deon Louw Old Age Home, Gobabis. Gobabis. Windhoek. P.J. Kotze, P.O. Box 80021, Olympia.

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.

1746/2018 RIEKERT Gertruida Maria Magaritha, Windhoek, 5 October 1930, 30100500013, Otjiwarongo, 3 August 2018. Bank Windhoek Ltd, P.O. Box 15, Windhoek.

1752/2018 VILJOEN Fouche, Windhoek, 13 September 1971, 71091300038, Khomas, 2 November 2018. Bank Windhoek Ltd, P.O. Box 15, Windhoek.

1611/2018 SMITH Paul Johannes Jacobus, Windhoek, 29 November 1931, 31112910018, Windhoek, 17 July 2018. Standard Executors & Trustees, P.O. Box 2164, Windhoek, Namibia.

1086/2006 MONTERMANN Karl Heinz Jakob, Windhoek, 11 January 1948, R4801113M1103182, Farm Saturn, No. 103, Outjo, 10 June 2006. Engling, Stritter & Partners, No. 12 Love Street, P.O. Box 43, Windhoek, Namibia.

720/2016 MONTERMANN Ursula, Windhoek, 24 February 1952, 52022410017, Altersheim Otjiwarongo Old Age Home, Otjiwarongo, 25 April 2016. Engling, Stritter & Partners, No. 12 Love Street, P.O. Box 43, Windhoek, Namibia.

1642/2018 WILLIAM Peneyambeko Kanemo, 58021800291, Khomas, 5 September 2018. Shalongo Albinu, 670304110192. Windhoek. Windhoek. Kamuhanga Hoveka Samuel Inc., Unit 2, 20 Feld Street, P.O. Box 87350, Eros Park, Windhoek.

HC-MD-CIV-MOT-POCA-2018/00409
IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION
HELD AT WINDHOEK
ON FRIDAY, THE 7th DAY OF DECEMBER 2018
BEFORE THE HONOURABLE JUSTICE ANGULA

In the *ex parte* matter of:

THE PROSECUTOR-GENERAL Applicant

IN RE: The positive balance in Namibia Post Limited account number 34114536-0 held in the name of Getrud Nguvauva.

IN THE APPLICATION FOR A RESIDUAL COURT ROLL OF PROPERTY ORDER IN TERMS OF SECTION OF THE PREVENTION OF ORGANISED CRIME ACT, NO. 29 OF 2004

COURT ORDER

Having heard **MS. A. KEULDER**, on behalf of the Applicant and having read the Notice of Motion, Affidavit and annexures thereto;

IT IS HEREBY ORDERED THAT:

1. A preservation of property order as contemplated by section 51 of POCA is granted in respect of the positive balance in Namibia Post Limited account number 34114536-0 held in the name of Getrud Nguvauva, herein referred to as the "property".
2. 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 I or attaching or selling in execution, and I or dealing in any other manner with the property to which this order relate.
3. Warrant Officer Joel Shikongo ("W/O Shikongo") of the Anti-Money Laundering and Combating of Financing and Terrorism: Asset Recovery Sub-Division or, in W/O Shikongo's absence, any authorised member of the the Anti-Money Laundering and Combating of Financing and Terrorism: Asset Recovery Sub-Division in Windhoek is appointed to take care of the property in terms of section 93 of POCA and is immediately authorized to:
 - 3.1 Seize and or assume control over the property;
 - 3.2 Safeguard the property pending the finalization of the forfeiture proceedings under POCA;
- 3.3 If necessary to administer and preserve the property and to do all things necessary for that purpose, including keeping the positive balance in the bank account where it is currently kept subject to appropriate safeguards and / or deposit the positive balance in the account in a separate interest bearing account.
4. The applicant must:
 - 4.1 Effect service of the preservation of property order and the application on Ms. Getrud Nguvauva.
 - 4.2 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.
5. 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.
6. Such notice must be delivered to the applicant at the applicant's appointed address at the Office of the Government Attorney, second floor, Sanlam Centre, Independence Avenue, Windhoek :
 - 6.1 In the case of any person specifically identified for service in terms of this order, within 21 calendar days of service; and
 - 6.2 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.
 - 6.3 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:
 - 6.3.1 The full particulars of the identity of the person giving the notice;
 - 6.3.2 The nature and extent of his or her interest in the property concerned;
 - 6.3.3 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;
 - 6.3.4 Whether he or she admits or denies that the property concerned are the proceeds of unlawful activities and the basis for such defence; and
 - 6.3.5 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;
7. Any person, with an interest in the property, may, on good cause shown:

7.1 In terms of section 57 of POCA apply to Court for payment from the property of reasonable living expenses and reasonable legal expenses on conditions set out in section 57 of POCA;

7.2 In terms of section 58 of POCA, apply for the variation or recession of the preservation order on the conditions set out in section 58 of POCA.

BY ORDER OF THE COURT

REGISTRAR OF THE HIGH COURT

TO: THE PROSECUTOR-GENERAL
Lüderitz Street Corporate House
Windhoek
Khomas
Namibia

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: Getrud Nguvauva

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

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

In the *ex parte* application of:

THE PROSECUTOR-GENERAL Applicant

IN RE: The positive balance in Namibia Post Limited account number 34114536-0 held in the name of Getrud Nguvauva.

**IN THE APPLICATION FOR A PRESERVATION OF
PROPERTY ORDER IN TERMS OF SECTION 51 OF
THE PREVENTION OF ORGANISED CRIME 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 in Namibia Post Limited account number 34114536-0 held in the name of Getrud Nguvauva, herein referred to as "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 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 in the Government Gazette, apply to the High Court under section 59 of POCA for an order declaring the property forfeited 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 POCA. An appearance must comply with these requirements;
5. Your attention is specifically drawn to the 21 calendar days' 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 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.

HC-MD-CIV-MOT-POCA-2018/00410
IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION
HELD AT WINDHOEK
ON FRIDAY, THE 7th DAY OF DECEMBER 2018
BEFORE THE HONOURABLE JUSTICE ANGULA

In the *ex parte* matter of:

THE PROSECUTOR-GENERAL Applicant

IN RE: A Volkswagen Golf with registration number N15687WB, engine number CCZ021248 and Chassis number WVWZZZ1KZAW03264 registered in the name of Riaan Wesley Auchab,

IN THE APPLICATION FOR A RESIDUAL COURT ROLL OF PROPERTY ORDER IN TERMS OF SECTION OF THE PREVENTION OF ORGANISED CRIME ACT, NO. 29 OF 2004

COURT ORDER

Having heard **MS. A. KEULDER**, on behalf of the Applicant and having read the Notice of Motion, Affidavit and annexures thereto;

IT IS HEREBY ORDERED THAT:

1. A preservation of property order as contemplated by section 51 of POCA is granted in respect of a Volkswagen Golf with registration number N15687WB, engine number CCZO2148 and Chassis number WVWZZZ-1KZAW03264 registered in the name of Riaan Wesley Auchab, herein referred to as the "property".
2. 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 properties to which this order relates.
3. Inspector Johan Nico Green ("Inspector Green") of the Anti-Money Laundering and Combating of Financing and Terrorism: Asset Recovery Sub-Division or, in Inspector Green's absence, any authorised member of the the Anti-Money Laundering and Combating of Financing and Terrorism: Asset Recovery Sub-Division in Windhoek is appointed to take care of the property in terms of section 93 of POCA and is immediately authorized to:
 - 3.1 Seize and or assume control over the property;
 - 3.2 Safeguard the property pending the finalization of the forfeiture proceedings under POCA;
 - 3.3 To make the property available to the State, if the State wishes to use it as an exhibit during the criminal trial.
 - 3.4 If necessary to administer and preserve the property and to do all things necessary for that purpose.
4. The Applicant must:
 - 4.1 Effect service of the preservation of property order and the application on Riaan Wesley Auchab.
 - 4.2 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.
5. 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 appearancegiving notice of his or her intention in terms of section 52 (3) of POCA.
6. Such notice must be delivered to the Applicant at the Applicants appointed address at the Office of the Government Attorney, second floor, Sanlam Centre, Independence Avenue, Windhoek :
 - 6.1 In the case of any person specifically identified for service in terms of this order, within 21 calendar days of service; and
 - 6.2 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.
 - 6.3 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:

- 6.3.1 The full particulars of the identity of the person giving the notice;
 - 6.3.2 The nature and extent of his or her interest in the property concerned;
 - 6.3.3 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;
 - 6.3.4 Whether he or she admits or denies that the property concerned are the proceeds of unlawful activities and the basis for such defence; and
 - 6.3.5 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.
7. Any person, with an interest in the property, may, on good cause shown:
- 7.1 In terms of section 57 of POCA apply to Court for payment from the properties of reasonable living expenses and reasonable legal expenses on conditions set out in section 57 of POCA;
 - 7.2 In terms of section 58 of POCA, apply for the variation or recession of the preservation order on the conditions set out in section 58 of POCA.

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

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

In the *ex parte* application of:

THE PROSECUTOR-GENERAL Applicant

IN RE: A Volkswagen Goff with registration number N15687WB, engine number CCZ021248 and Chassis number WVVZZZ1KZAW03264 registered in the name of Riaan Wesley Auchab.

**IN THE APPLICATION FOR A PRESERVATION OF
PROPERTY ORDER IN TERMS OF SECTION 51 OF
THE PREVENTION OF ORGANISED CRIME 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 a Volkswagen Golf with registration number N15687WB, engine number CCZ021248 and Chassis number WVVZZZ-1KZAW03264 registered in the name of Riaan Wesley Auchab, herein referred to as "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 POCA in respect of the properties;
2. If you have an interest in the properties, 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 in the Govern-

BY ORDER OF THE COURT

REGISTRAR OF THE HIGH COURT

TO: THE PROSECUTOR-GENERAL
Lüderitz Street, Corporate House
WINDHOEK
Khomas
Namibia

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: Riaan Wesley Auchab

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

ment Gazette, apply to the High Court under section 59 of POCA for an order declaring the properties forfeited 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 properties, 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 POCA. An appearance must comply with these requirements;
5. Your attention is specifically drawn to the 21 calendar - 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 14 calendar days notice of the application by the applicant for a forfeiture order in respect of the properties;
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 properties to the State under section 64 of POCA;
8. You may, on good cause shown apply for variation or rescission of the order in terms of section 58 of POCA and or apply for legal and living expenses in terms of section 57 of POCA.
9. You are specifically advised that even if you intend to apply for reconsideration of the preservation order in this case in terms of section 58, 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 properties 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.

**HC-MD-CIV-MOT-POCA-2018/00251
IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION
HELD AT WINDHOEK
ON FRIDAY, THE 07th DAY OF DECEMBER 2018
BEFORE THE HONOURABLE JUSTICE ANGULA**

In the *ex parte* matter of:

THE PROSECUTOR-GENERAL Applicant

IN RE: A total cash amount of N\$847 702.52 in foreign and local currency consisting of: N\$97 412.99 seized by the Namibian Police on 24 February 2017 at Villa Erickson Flats, No.2, sectional plan 25/2012 situated at Trift Street, Aussspanplatz, Windhoek; and N\$750 289.53 seized by the Namibian Police on 24 February 2017 at Flat No.1, Hillside Mansion, sectional title no.14/1993, Aussspanplatz, held under pol7/12/2017 at the Bank of Namibia.

**IN THE APPLICATION FOR A RESIDUAL COURT
ROLL OF PROPERTY ORDER IN TERMS OF SEC-
TION OF THE PREVENTION OF ORGANISED CRIME
ACT, NO. 29 OF 2004**

COURT ORDER

Having heard **MS. SHILONGO**, on behalf of the applicant and having read the Notice of Motion, Affidavit and annexures thereto;

IT IS HEREBY ORDERED THAT:

1. The properties which are presently subject to a preservation of property order granted by this Honourable Court under the above case number on 10 August 2018, namely: a total cash amount of N\$847 702.52 in foreign and local currency consisting of:
 - 1.1 N\$97 412.99 seized by the Namibian Police on 24 February 2017 at Villa Erickson Flats, No.2, sectional plan 25/2012 situated at Trift Street, Aussspanplatz, Windhoek; and
 - 1.2 N\$750 289.53 seized by the Namibian Police on 24 February 2017 at Flat No.1, Hillside Mansion, sectional title no.14/1993, Aussspanplatz, held under pol7/12/2017 at the Bank of Namibia ("the properties"), the exact denomination of the different currency seized is set out in annexure A; be forfeited to the State in terms of section 61 of the Prevention of Organized Crime Act, 29 of 2004 ("POCA").
2. The properties are to remain under the control and supervision of Warrant Officer Hendrick Shaakumeni ("Warrant Shaakumeni") of the Commercial Crime Investigation Unit: Anti-Money Laundering & Combating of Financing and Terrorism: Asset Recovery Subdivision: The Namibian Police Force ("Nampol") in Windhoek, in whose control the properties are under in terms of the preservation order, and in Warrant Shaakumeni's absence, Inspector Green ("Inspector Green") or any other authorised member of Commercial Crime Investigation Unit: Anti-Money Laundering & Combating of Financing and Terrorism: Asset Recovery Subdivision, until the expiration of the statutory periods as set out in section 61(8) of POCA.

3. Warrant Shaakumeni or in his absence, Inspector Johan Nico Green ("Inspector Green") or any other authorised member of Commercial Crime Investigation Unit: Anti-Money Laundering & Combating of Financing and Terrorism: Asset Recovery Subdivision is directed to:

3.1 Convert the foreign currency as per annexure A into Namibian currency;

3.2 Pay the amount of the converted currency as well as the Namibian currency and South African currency into the Asset Recovery Account:

Ministry of Justice -POCA
Standard Bank account number 589245309
Branch Code: 08237200.

4. Any person, whose interest concerned is affected by the forfeiture order, may within 15 days after he or she has acquired knowledge of such order, set the matter down for variation or rescission by the Court.

5. This order must be published in the Government Gazette as soon as practicable after it is made.

6. Prayers 1 and 3 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: The Prosecutor-General
Corporate House Luderitz Street Windhoek
Windhoek
Khomas
Namibia
9000

**CASE NUMBER: HC-MD-CIV-MOT-POCA-2018/00251
IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION
HELD AT WINDHOEK ON FRIDAY
THE 7TH DAY OF DECEMBER 2018
BEFORE THE HONOURABLE JUSTICE ANGULA**

In the application of:

THE PROSECUTOR GENERAL Applicant

IN RE: A total cash amount of N\$847 702.52 in foreign and local currency consisting of: N\$97 412.99 seized by the Namibian Police on 24 February 2017 at Villa Erickson Flats, No.2, sectional plan 25/2012 situated at Trift Street, Ausspannplatz, Windhoek; and N\$750 289.53 seized by the Namibian Police on 24 February 2017 at Flat No. 1, Hillside Mansion, sectional title no. 14/1993, Ausspannplatz, held under po1711212017 at the Bank of Namibia.

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

VARIED COURT ORDER DATED 17 DECEMBER 2018

The court order generated on Ejustice dated Friday 07th December 2018, is varied by inserting the correct name of the counsel who appeared in court.

Having heard **MS. ANGULA** for the Applicant and having read the Notice of Motion, Affidavits and annexures thereto;

IT IS HEREBY ORDERED THAT:

1. The properties which are presently subject to a presentation of property order granted by this Honourable Court under the above case number on 10 August 2018, namely: a total cash amount of N\$847 702.52 in foreign and local currency consisting of:

1.1 N\$97 412.99 seized by the Namibian Police on 24 February 2017 at Villa Erickson Flats, No.2, sectional plan 25/2012 situated at Trift Street, Ausspannplatz, Windhoek; and

1.2 N\$750 289,53 seized by the Namibian Police on 24 February 2017 at Flat No.1, Hillside Mansion, sectional title no. 14/1993, Ausspannplatz, held under po17/12/2017 at the Bank of Namibia ("the properties"), the exact denomination of the different currency seized is set out in annexure A; be forfeited to the State in terms of section 61 of the Prevention of Organized Crime Act, 29 of 2004 ("POCA").

2. The properties are to remain under the control and supervision of Warrant Officer Hendrick Shaakumeni ("Warrant Shaakumeni") of the Commercial Crime Investigation Unit: Anti-Money Laundering & Combating of Financing and Terrorism: Asset Recovery Subdivision: The Namibian Police Force ("Nampol") in Windhoek, in whose control the properties are under in terms of the preservation order, and in Warrant Shaakumeni's absence, Inspector Green ("Inspector Green") or any other authorised member of Commercial Crime Investigation Unit: Anti-Money Laundering & Combating of Financing and Terrorism: Asset Recovery Subdivision, until the expiration of the statutory periods as set out in section 61(8) of POCA.

3. Warrant Shaakumeni or in his absence, inspector Johan Nico Green ("Inspector Green") or any other authorised member of Commercial Crime Investigation Unit: Anti-Money Laundering & Combating of Financing and Terrorism: Asset Recovery Subdivision is directed to

3.1 Convert the foreign currency as per annexure A into Namibian currency;

3.2 Pay the amount of the converted currency as well as the Namibian currency and South African currency into the Asset Recovery Account:

Ministry of Justice -POCA
Standard Bank account number 589245309
Branch Code: 08237200.

4. Any person, whose interest concerned is affected by the forfeiture order, may within 15 days after he or she has acquired knowledge of such order, set the matter down for variation or rescission by the Court.

5. This order must be published in the Government Gazette as soon as practicable after it is made.
6. Prayers 1 and 3 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: The Prosecutor-General
Corporate House Luderitz Street
Windhoek
Khomas
Namibia
9000

HC-MD-CIV-MOT-POCA-2018/00418
IN THE HIGH COURT OF NAMIBIA, MAIN DIVISION
HELD AT WINDHOEK
ON FRIDAY, THE 07th DAY OF DECEMBER 2018 BE-
FORE THE HONOURABLE JUSTICE ANGULA

In the *ex parte* matter of:

THE PROSECUTOR-GENERAL Applicant

IN RE: A Volkswagen Polo with a VIN number AAVZZZ-6RZGUO60721, Engine number CJZA49656 and registration number N177-213W registered in the name of Helena Pendukeni Ithana.

IN THE APPLICATION FOR A RESIDUAL COURT ROLL OF PROPERTY ORDER IN TERMS OF SECTION OF THE PREVENTION OF ORGANISED CRIME ACT, NO. 29 OF 2004

COURT ORDER

Having heard **MS. A. KEULDER**, on behalf of the Applicant(s) and having read the Notice of Motion, Affidavit and annexures thereto;

IT IS HEREBY ORDERED THAT:

1. A preservation of property order as contemplated by section 51 of POCA is granted in respect of a Volkswagen Polo with a VIN number AAVZZZ6RZGUO60721, Engine number CJZA49656 and registration number N177-213W registered in the name of Helena Pendukeni Ithana, herein referred to as the "property".
2. 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.
3. Inspector Johan Nico Green ("Inspector Green") of the Anti-Money Laundering and Combating of Financing and Terrorism: Asset Recovery Sub-Division or, in In-

spector Green's absence, any authorised member of the the Anti-Money Laundering and Combating of Financing and Terrorism: Asset Recovery Sub-Division in Windhoek is appointed to take care of the property in terms of section 93 of POCA and is immediately authorized to:

- 3.1 Assume control over the property;
- 3.2 Safeguard the property pending the finalization of the forfeiture proceedings under POCA;
- 3.3 To make the property available to the State, if the State wishes to use it as an exhibit during the criminal trial.
- 3.4 If necessary to administer and preserve the property and to do all things necessary for that purpose.
4. The Applicant must:
 - 4.1 Effect service of the preservation of property order and the application on Helena Pendukeni Ithana and Kotje Ngaujake.
 - 4.2 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.
5. 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.
6. Such notice must be delivered to the Applicant at the Applicant's appointed address at the Office of the Government Attorney, second floor, Sanlam Centre, Independence Avenue, Windhoek:
 - 6.1 In the case of any person specifically identified for service in terms of this order, within 21 calendar days of service; and
 - 6.2 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.
 - 6.3 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:
 - 6.3.1 The full particulars of the identity of the person giving the notice;
 - 6.3.2 The nature and extent of his or her interest in the property concerned;
 - 6.3.3 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;

6.3.4 Whether he or she admits or denies that the property concerned are the proceeds of unlawful activities and the basis for such defence; and

6.3.5 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.

7. Any person, with an interest in the property, may, on good cause shown:

7.1 In terms of section 57 of POCA apply to Court for payment from the property of reasonable living expenses and reasonable legal expenses on conditions set out in section 57 of POCA;

7.2 In terms of section 58 of POCA, apply for the variation or recession of the preservation order on the conditions set out in section 58 of POCA.

BY ORDER OF THE COURT

REGISTRAR OF THE HIGH COURT

TO: THE PROSECUTOR-GENERAL
Corporate House
Lüderitz Street
WINDHOEK
KHOMAS
Namibia

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: Helena Pendukeni Ithana; and
Kotje Ngaujake

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 or-

der 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

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

In the *ex parte* application of:

THE PROSECUTOR-GENERAL Applicant

IN RE: A Volkswagen Polo with a VIN number AAVZZZ-6RZGU060721, Engine number CJZA49656 and registration number N177-213W registered in the name of Helena Pendukeni Ithana.

**IN THE APPLICATION FOR A PRESERVATION OF
PROPERTY ORDER IN TERMS OF SECTION 51 OF
THE PREVENTION OF ORGANISED CRIME 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 a Volkswagen Polo with a VIN number AAVZZZ-6RZGU060721, Engine number CJZA49656 and registration number N177-213W registered in the name of Helena Pendukeni Ithana, herein referred to as "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 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 in the Government Gazette, apply to the High Court under section 59 of POCA for an order declaring the property forfeited 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 POCA. An appearance must comply with these requirements;

5. Your attention is specifically drawn to the 21 calendar - 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 14 calendar 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 POCA;
8. You may, on good cause shown apply for variation or rescission of the order in terms of section 58 of POCA and or apply for legal and living expenses in terms of section 57 of POCA.
9. You are specifically advised that even if you intend to apply for reconsideration of the preservation order in this case in terms of section 58, 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.

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

I, **PETER KUDUMO HAUSIKU**, residing at 438, One Nation, Julius Nyerere Street and unemployed intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **KANDUME** for the reasons that **HAUSIKU** is my father's name, it's not the surname and I want **KANDUME** to be the surname, because it's my father's surname.

I previously bore the name **PETER KUDUMO HAUSIKU**.

Any person who objects to my assumption of the said surname of **KANDUME** 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. K. HAUSIKU
WINDHOEK
NAMIBIA

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

I, **EVANGELINE NDAHALA-OVANHU JOHANNES**, residing at Uuhdamo, Eenhana and unemployed intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **SHIHEPO** for the reasons I want to use my father's surname

I previously bore the name **EVANGELINE NDAHALA-OVANHU JOHANNES**.

Any person who objects to my assumption of the said surname of **SHIHEPO** 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. N-O. JOHANNES
EENHANA
NAMIBIA

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

I, **KAINO DAPEWA MAGANO IIPITO**, residing at Okapya, Ondangwa and employed as a teacher intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **IIPITO-SAMUEL** for the reasons that my surname can be combined with my husband's surname and become **IIPITO-SAMUEL**.

I previously bore the name **KAINO DAPEWA MAGANO IIPITO**.

Any person who objects to my assumption of the said surname of **IIPITO-SAMUEL** 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.

K. D. M. IIPITO
ONDANGWA
NAMIBIA

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

I, **ALOYSIA KASHIVI KASUMBI**, residing at Erf 8, Omuvapu Street, One Nation 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 **SHINGUNGU** for the reasons that the surname which appears on my full birth certificate is not correct, therefore the correct surname is **SHINGUNGU**.

I previously bore the name **ALOYSIA KASHIVI KASUMBI**.

Any person who objects to my assumption of the said surname of **SHINGUNGU** 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.

A. K. KASUMBI
NAMIBIA

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

I, **RAUHA OUVROU HELLAO**, residing at Erf 1615, Bernadus Street, Nau-Aib, Okahandja and employed as a administrative and HR officer intend applying to the Minister of Home Affairs for authority under section 9 of the Aliens Act, 1937, to assume the surname **ANDIMA** for the reasons that I am the biological daughter of Nangula Saimi Hellao, who was married to Jambeulu Hellao, but Mr. Hellao is not my biological father. Therefore I would like to change back to my mother's maiden surname **ANDIMA**.

I previously bore the name **RAUHA OUVROU HELLAO**.

Any person who objects to my assumption of the said surname of **ANDIMA** 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.

R. O. HELLAO
OKAHANDJA
NAMIBIA
