

SCOM 20190731

**FOREVER CONSORTIUM BROAD BASED BLACK
ECONOMIC EMPOWERMENT
FORUM
T/A Forever Consortium (Pty) LTD
Reg: 2017/288208/07
SARS: 9747858166.**

To: Select Committee on Communications and Public Enterprises.

C/o: Phumelele Lolly Sibisi (Committee Secretary)
Email: psibisi@parliament.gov.za

And

To: The Department of Public Enterprises.

C/o: The Ministry, Mr.P.Gordan (The Minister).

Email: ministry.registry@dpe.gov.za

And

To: The State Capture Commission.

C/o: Mr Peter Pedlar (The Secretary).

Email: peterp@commissionsc.org.za.

Good Day,

Re: The Repeal of the Overvaal Resorts Limited Bill [B 36 – 2017], Additional Chapter to the State Capture of the Republic of South Africa.

Kindly be informed that this communication letter is in relation to the **Presentation** by the **Department of Public Enterprises**, scheduled to be on the **31st day of July 2019** at the **Parliament of the Republic of South Africa**.

Kindly take serious consideration to the following comments:

. The **Portfolio Committee on Public Enterprises** issued instructions dated: **Fri, Dec 7, 2018** in relation to the "**Land Claims**" and the "**Ex-Overvaal/Aventura Resorts B-BBEE Act 56 of 2003** as amended by **Act 46 of 2013 Slippage**" and the **Committee** envisaged to get a progress report on the above issues by **28 Feb 2019.** (*DPE Report Meeting attached*).

The **Portfolio Committee on Public Enterprises** and the **Department of Public Enterprises** are reading the same page of the book, but both differ with the interpretations.

The **Portfolio Committee on Public Enterprises** instructed that the "**Land Claims**" and the "**Ex-Overvaal/Aventura Resorts B-BBEE Act 56 of 2003 as amended by Act 46 of 2013 slippage**" must be implemented in line with the "**Seller and Purchaser Agreement**" between the **Department of Public Enterprises and Forever Siyonwaba Consortium** dated the **20th July 2003**, but the **Department of Public Enterprises** is reluctant on the abovementioned, instead **fast tracking and pushing** for the "**Repeal of the Overvaal Resorts Limited Bill [B 36 – 2017]**", (*The Bill Attached*) which deals with the transfer of the **Chain** of the **Resorts** from the **State and the board** to a **Privately Owned Company** **it's all liabilities, rights, obligations, movable properties including the 30% B-BBEE Share Holding**.

It is important to make mention that, the **Secret and Unlawful R60ml Transaction Sale** of the **30% B-BBEE Share Holding** between **Forever Resorts and Siyonwaba Consortium** during the year **2008** is interpreted by the **Department of Public Enterprises** as **lawful and permissible** transaction.

The **Department of Public Enterprises** interpreted that the **Share Holder Agreement** signed between **Forever Resorts and Siyonwaba Consortium**, **supersedes** the **Original/Initial Seller and Purchaser Agreement**, but simultaneously the **Department** is not in a possession of the **Share Holder Agreement**, and **ignoring** the **Share Holder Agreement** stipulated on **clauses 21.1.7 and 21.1.8**, and also due to the **Department failed to supervise and guide** the **Share Holder Agreement** stipulated on **clause 21.1.9** of the **Seller and Purchaser Agreement of 20 July 2005**.

The Department of Public Enterprises deliberately and intentionally ignores the instructions by the Portfolio Committee on Public Enterprises (Parliament of the Republic of South Africa) **but fast tracking and pushing for the "Repeal of the Overvaal Resorts Limited Bill [B 36 – 2017]"**.

OVERVAAL RESORTS LIMITED ACT NO. 127 OF 1993.

It is important to note that, initially the Resorts were **15** in number, stretching from **Musina to Plattenburg Buy**, but the "**Repeal of the Overvaal Resorts Limited Bill [B 36 – 2017]**" is targeted only at **12 Resorts** as per **Schedule 1** of the **Overvaal Resorts Limited Act No. 127 of 1993 (attached)**, deliberately ignoring or sidelining **Eiland Resort, Swadini Resort and Plattenburg Resort**.

It is further noted that the **Department of Public Enterprises** speaks about the **15 Resorts** but in reality is more than **15 properties** sold, and that includes the **Farming Plots/Lands (contradictions to the "Land Expropriation without Compensation")** and other **unrecorded properties** in the **Seller and Purchaser Agreement** dated the **20th July 2003**..

It must be added that the "**Repeal of the Overvaal Resorts Limited Bill [B 36 – 2017]**" could result in the prospect of success for **Forever Resorts** in pursuing their **Deliberately Planned Fraudulent Business** activities and the **Department of Public Enterprises, beyond any reasonable doubts, with its actions, is definitely involved** and is the reason why the **Department of Public Enterprises is protective to Forever Resorts, an American Company**.

It is for this reasons that we say the "**Repeal of the Overvaal Resorts Limited Bill [B 36 – 2017]**" is an **Additional Chapter** to the **State Capture** of the **Republic of South Africa**.

The progress report schedule for the **31st July 2019** from the **Department of Public Enterprises** will be to **mislead** the **Parliament of the Republic of South Africa** to **concentrate and focuses only on the servitude of water in only three (3) Resorts**.

The Department was made aware of the irregularities of **Fraudulent R60ml Transaction** of the **30% B-BBEE by Forever Resorts** from the year **2010**, which is unlawfully transcending the **Economic Borders** of the **Republic of South Africa to America**, and the **Department** gives a **blessing** to that particular actions.

It is our **hopes** and **believes** that the **Authorities** will seriously intervene by helping **Forever Consortium** to **STOP Corruption** activities by **Forever Resorts** and the **Department of Public Enterprises** as the authenticity of the documentary evidence is **beyond any reasonable doubt** that, this is an **Additional Chapter** to the **State Capture** of the **Republic of South Africa**.

Forever Greetings,

Mrs. Middah Manala-Laubscher.
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Monday, 29 July 2019.

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