**THE NATIONAL ASSEMBLY**

 **QUESTION FOR WRITTEN REPLY**

**1572. Mr B H Holomisa (UDM) to ask the Minister of Trade and Industry:**

1. With reference to his replies to questions 616, 723 and 724 on 17 March 2016 and 1153 on 3 May 2016 relating to the activities of the original owners of the Gold Reef City Casino Gambling Licence, the Gauteng Gambling Board, the Registrar of Companies and the National Lotteries Commission, (NLC) formerly known as the National Lotteries Board (NLB), during which investigations carried out by him in consultation with the Companies and Intellectual Property Commission (CIPC) and the NLC it was unearthed that a company, named The South African Apartheid Museum at Freedom Park, Registration Number: 2001/019108/08, date of registration 14 August 2001, existed which had not previously been introduced into the questions for his reply and that, according to paragraph (3)(a) of his reply to question 1153 on 3 May 2016, the two company names are not registered on the CIPC’s database, (a) has the CIPC determined that these two company names and their memorandums have never ever been incorporated by the Registrar of Companies and, therefore, are not registered on the CIPC database, (b) has the CIPC determined that these two company names and their memorandums were in fact incorporated by the Registrar of Companies and later removed by the Registrar, because of some or other irregularity and (c) is it that the directors of these two companies have themselves deregistered their companies and that this therefore explains why their names and memorandums are now not registered on the CIPC database;

**1. Response from CIPC**

(a) and (b) In order for the CIPC to confirm the above, the name and registration number of the two entities to whom the casino licence was awarded (owners of the Gold Reef City Casino Gambling Licence), needs to be provided. Full content of the entity file The South African Apartheid Museum at Freedom Park was provided but for completeness is provided again (**Annexure A**).

(c) It should be noted that even if an entity has been deregistered or dissolved, the CIPC will still retain the entity history and information as at the date of deregistration or dissolution.

1. **Response from NLC**.

The National Lotteries Commission (NLC), formerly known as National Lotteries Board, confirms that it received an application on 24.11.2004 from The SA Apartheid Museum at Freedom Park, with the registration number 2001/019108/08. There is no reflection of Gold Reef City Casino Gambling Licence in the application form (FORM 03/1).

1. and (b) n/a

1. In terms of the proof of registration submitted, that reflects the company registration number reflected in application pack, the directors of The SA Apartheid Museum at Freedom are as follows:
* Kim Feinberg
* Christopher Kroese
* Solomon Krok
* Christopher Martin Till
* Richard Thabo Moloko
* Lesego Wa Lesego
* Sidney Abromowitch
1. whether, with reference to a summation of all the facts on his version through the CIPC, which reveals the existence of two companies sharing Unique Company Registration Number: 2001/019108/08 and sharing date of incorporation: 14 August 2001, one of these companies, the SA Apartheid Museum, enjoys the benefit of public funds in the amount of R1,585,000 received from the NLB after submission of a statutory declaration by Mr Christopher Till, when applying for funding in November 2004; if so, can he, (a) in consultation with officials of the NLC, who were named in previous replies, provide the National Assembly with non-confidential information of SA Apartheid Museum under Project Number: 18052 regarding the Constitution of SA Apartheid Museum and the Registration Certificate and Memorandums, (b) confirm that all applicants are advised to read the rules before applying for funds and that one of those rules stipulates that the three referee's given in any application must be independent of the applicant and (c) in consultation with officials of CIPC who were named in previous replies, provide the National Assembly with each of the two CM5 Name Reservation Forms, that with payment of a fee, are a prerequisite to registration of the memorandum of a company;
2. **Response from CIPC**

According to the CIPC register, there is only one entity with registration number 2001/019108/08, namely The South African Apartheid Museum at Freedom Park NPC. The question regarding whether the company can apply for funding, can only be answered by the National Lottery Board that issues such funding. See NLC response 2 on page 3.

It should be noted that according to the CIPC electronic workflow system, two name reservations were submitted. The first on 10/04/2001 which was only valid for two months from date of reservation and therefore lapsed before the entity registration could occur. The lapsing of the name reservation resulted in the second name reservation being submitted on 07/06/2001 and reserved on 11/06/2001. The South African Apartheid Museum at Freedom Park NPC was subsequently registered on 14/08/2001.

1. and (b) Kindly raise this question, with the NLC since the CIPC cannot confirm what information regarding the entity was submitted to them.

(c) As stated above, there is only one entity on the CIPC register with the name The South African Apartheid Museum at Freedom Park NPC with registration number 2001/019108/08. All information regarding the registration of the The South African Apartheid Museum at Freedom Park NPC was provided previously, but for completeness is provided again **(Annexure A).**

**2. Response from NLC**.

A grant of R1, 585,000.00 was allocated to The SA Apartheid Museum at Freedom Park into Nedbank as follows:

* Name of account: SA Apartheid Museum
* Payments:
	+ R600, 000.00 on 08.09.2006;
	+ R585, 000.00 on 01.07.2011; and
	+ R400, 000.00 on 18.08.2016.
1. The scanned copy of the submitted proof of registration and founding documents are in the possession of the NLC and can be made available if the writer follows the processes as outlined in the NLC’s policy for accessto information, or if specifically requested by the Minister of Trade and Industry.
2. In terms of the application form, FORM 03/1, submitted on 24.11.2004, applicants are requested to “Please give the names, positions and telephone numbers of three credible referees from the community in support of your application e.g. police commissioner, religious leader, local councillor, etc.”

The referees were provided in application #18052, however, the names have not been included because information relating to the application for grants in considered confidential in terms of the 2001 Regulations (Gazette No 7013, 22 February 2001 – See attached, clause 08: Security of Information) **(Annexure B)**

1. n/a

(3) whether, in consultation with officials of CIPC who were named in previous replies, he has found that the specified officials are unable to provide the two CM5 Name Reservation Forms; if so, can he have them categorically state that as a fact?NW1742

**3. Response from CIPC**

The CIPC does not have the requested CM5 form in its records.