

## Media Releases 2007

### Court dismisses Delport

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**Pretoria, 22 March 2007** -- The Pretoria High Court today dismissed with costs an application by Mr. Hendrik Delport to have an asset forfeiture order overturned that was executed on 28 February 2007 by the Asset Forfeiture Unit (AFU) of the National Prosecuting Authority and the South African Revenue Service (SARS).

Mr. Delport and 12 other individuals face more than 7 000 charges relating to cigarette smuggling, fraud and racketeering. SARS' contention is that documents submitted by the entities were false in order to fraudulently claim VAT and excise duties from SARS. SARS further contends that fraudulent claims for VAT and excise duties amounts to a potential loss to the fiscus of approximately R264 million.

On 28 February this year, assets listed in Mr. Delport's name, the names of his co-accused and/or associated business entities – including 10 light aircraft at Rand Airport, a large number of vehicles and a number of properties. The seizure was one of the biggest executed by the AFU.

In reaction, Mr. Delport this week approached the Pretoria High Court to set aside the forfeiture order. Counsel for the Mr. Delport unsuccessfully attempted to convince the court that affidavits presented by SARS in the criminal trial were based on hearsay and was a distortion of fact.

Judge van der Merwe, however, dismissed Mr. Delport's application.

SARS welcomes the decision of the court. The criminal trial against Mr. Delport and his co-accused resumes on 16 April 2007.

ENDS

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