

R29⁹⁰
(including VAT)

FEBRUARY 2008

ISSUE

noseweek





IF BURNING CHARCOAL TO MELLOW JACK DANIEL'S SOUNDS A BIT EXTREME, WELL, IT IS.

Fact is, we have our own way of doing things in Lynchburg, whether it's carefully burning the sugar maple charcoal used to mellow our whiskey or making our own white oak barrels. Some folks wonder why we go through such pains. Take one sip and you'll know why.



JACK DANIEL'S  TENNESSEE WHISKEY

www.jackdaniels.com

©2006 Jack Daniel's. All rights reserved. JACK DANIEL'S and OLD NO.7 are registered trademarks.

Not for sale to persons under the age of 18. Please drink responsibly.

400

FEBRUARY 2008

noseweek

noseweek's
March
deadline
looms!



Contact
Adrienne de Jongh
noseads@iafrica.com

- 4 **Letters** Bogus bonds ■ Bogus Rennie ■ Reckless driving ■ Road legislation ■
Can't bank on lawyers ■ Other species of legal lapdog ■ Ragtime in Hermanus ■
Hummer bumper ■ City slickers poisoning Riebeek ■ The banned strikes up his
own tune
- 6 **Dear Reader** Hundreds of issues
- 10 **Praise the good banker** Sometimes even noseweek stories have happy endings,
as in the case of Michael Harris, who was laid low by FNB and then lifted up by the
chairman
- 12 **Withering on the bough** Cynical fertiliser company sows death and devastation
in greedy bid for profit
- 14 **Juicy pickings for African Bank** Saambou deal has yielded spectacular loans
treasure
- 17 **A sinner at Saints** The chairman of the Board of Governors of St Charles College
in Maritzburg has been a very naughty boy
- 18 **Influence yields fat profits** Planning irregularities raise serious legal questions
- 22 **Spears back on the warpath** SA Rugby faces major legal battle
- 24 **Who pays to save the beach?** Deals within deals and wheels within wheels in the
battle of St Francis Bay
- 26 **Doctors out of pocket** Is the Workmen's Compensation Commission on its last
legs, or is it simply shirking its duties?
- 28 **Branded gods** Designers of a hip range of spoof T-shirts claim that they 'revolve
around the Son'
- 29 **Notes and updates** John Cameron: Do you swear to tell... ? ■ Accreditation:
Schools for scamming ■ Manyeleti Land Claim: Businessman loses out ■ Riebeek
Kasteel: Poisonous rumours
- 35 **Bosch cleans up with a load of eyewash** Manufacturer claims that machine
washing the dishes uses less water than doing them by hand
- 36 **Bites and pieces** Hilary Prendini Toffoli gallivants in gangland
- 38 **NoseArk** Black days for Lake Chrissie
- 40 **Web Dreams** This strange species
- 41 **Wine** Summer temperatures
- 42 **Last Word** Tree speech

Better get
a move on
planning your
noseweek
advertising
NOW!

SUBSCRIBE to noseweek and SAVE R82 on the retail price: see PAGE 37

Bogus bonds

Some years ago my very senior citizen father-in-law was enticed into investing in a participation mortgage bond investment scheme similar to those described in *nose99*, but when he wanted to call up his investment in April 2007, there were all sorts of problems and many bogus answers as to why the payout couldn't be made. I'll be following your investigation of the "industry" with interest.

Son in-law
Durbanville

Reckless driving a crime

I was horrified when I read your report on the Billion Buck Biker's claim against the Road Accident Fund. Apart from the horror of this accident, what about the idiot driver who caused the accident, M Nana, still being loose on our roads! He is clearly a criminal with little or no regard for life and should have got life imprisonment, keeping him where he belongs.

Graham
Cape Town

is my second home, such a crime would be punished with a 3-5 year prison sentence, withdrawal of a driver's licence, and possibly a heavy fine.

We all know justice is not even-handed, but the court sentence of R500 meted out to Mzuvukile Nana is a travesty. The RAF spokesperson has got it wrong. The criminals are Mr Nana and those who legislated the laws which allowed him to walk away so lightly.

Constance Böhler
Kenilworth

Ragtime in Hermanus

Now that Hermanus residents must rely on your august publication for news on their own local council issues, would you consider giving us a reduction in your subscription rate? You might also consider forwarding a complimentary copy each month to the mayor and the editor of Media24's local rag, the *Hermanus Times*, to keep them up to date.

AW Albertyn
Hermanus

Hummer bumper

I am surprised to see *noseweek* succumbing to an attack of herd mentality. First Tito Mboweni, then *The Star* and now my favourite magazine spitting on the Hummer for being the most evil gas guzzling polluter.

A quick glance through any motor magazine shows that there are many cars and 4x4s that are worse gas guzzlers than the Hummer.

And what's with the Toyota praise singing? You're right, they are selling more of these gas-guzzling polluters (Toyota Land Cruiser 4.7 litre and Fortuner 4 litre) than General Motors – but they have overtaken GM for reasons other than fuel economy. A recent review in *Autodealer* recorded that Toyota's Land Cruiser 200 consumes a litre of petrol every 3 to 5 kilometres! ("This is not a vehicle for those seeking to reduce their carbon footprint," it noted.)

Cell C and their ad agency should be congratulated for using the gas-guzzler with the smallest engine, the best fuel economy and the cheapest price compared to most of the other gas guzzlers – but they should be exposed for their ignorance about the product they are promoting. Good work.

JDW

Johannesburg

Thanks for drawing the facts about Toyota's gas guzzlers to our attention. So while the Hummer is monstrously big, some models hide a pisswilly engine inside. The psychology of it all gets more and more pathetic. – Ed.

City slickers poisoning Riebeeck

What a relief to find that this ridiculous story about Riebeeck Kasteel (*nose99*) has finally reached an editor who is capable of exposing the poison

Lou
Durban North

Cell-C should be congratulated for using the gas-guzzler with the smallest engine

Bogus Rennie

I was delighted to read about Fedbond and Craig Rennie in *noses98&99*. My company, together with Natal Construction, Starling Plumbers and International Glass, were among their victims. It's time their activities were brought to the public's attention. This type of white collar crime will continue to escalate and affect a lot more people if the guilty parties are not exposed and brought to book. Some people dream up success while others wake up and work hard at it.

Logan Naidu
KPD Power cc, Reservoir Hills, KZN

Road legislation inadequate

Seen from a South African perspective, Joachim Schoss's motorbike accident compensation claims are enormous. However, one cannot help wondering: if the legislation of road offences were better honed to the real situation on our roads, might we not have fewer accidents and compensation claims in Mr Schoss's category?

Speeding, reckless driving with the consequence of inflicting grievous bodily damage to innocent parties, and flight from the scene of an accident are no cavalier delicts. In Switzerland, which

You can't bank on lawyers

Thanks for explaining why lawyers don't take on banks (*nose99*).

I had a huge to-do with Standard Bank's Standard Executors and Trustees (SET) over my mother's estate, which took them four years to finalise even though there were no outstanding debts and just one beneficiary.

It became so bad that I asked my attorney at Fairbridge Arderne and Lawton to establish what the problem was. Thank goodness there was one reliable and brave attorney who did challenge SET – but he soon left Fairbridges, I believe to become an advocate.

I asked Fairbridges to seek compensation for unnecessary delays, etc from SET but my request fell on deaf ears.

Now I know why.

Pam Herr
Fish Hoek

Other species of legal lapdog

Your article regarding lapdog lawyers (*nose99*) should be extended to include lapdog liquidators and trustees, who are similarly beholden to the major banks. "We'll nominate you as liquidator/trustee of our insolvent clients – provided you then take instructions from us only – and not from other creditors." The large number of "lapdog" individuals within it makes one wonder about the state of our entire legal system.

Lou
Durban North

Gus



The banned strikes up his own tune

Your article about the secret deals by means of which banks keeping attorneys on a tight lead is redolent of my experience with those other pillars of virtue, insurance companies.

I have always accepted briefs according to the good old "taxi cab" principle of "first come first served". The name of my operation was Independent Forensic Consultants – and that is the way I wanted to be.

Shortly after I did a case against one of the insurance giants, one of the litigational geniuses of Deneys Reitz, Mr John Neaves, took it upon himself to give me some advice: "Don't take work from the insured, only from the insurers."

Why so? "The insurers won't like it," he confided.

He was right. It seems insurers don't want independent consultants, they want mercenaries. My feeling was that if that was what they wanted then they should go to Mike Hoare.

I continued to take work from clients in dispute with their insurers, and, sure enough, my work from the

insurers dropped off, until only SA Eagle was left.

One fine day I took on a case *against* them where they had clearly screwed up badly and were attempting to dream up ways of repudiating a claim from a man in the Western Transvaal. Piet Sandberg's house had burned down and he was left figuratively standing in his underwear for some months, on the profit-driven whim of the claims manager of the Eagle at the time, one Wynand van Vuuren. [See *noses* 61&62.]

As a result of that exercise on my part, the semi-head honcho of Eagle, Dennis Burton, banned me from ever again being employed by the company.

But then, some months later, I was phoned by the attorney acting for Eagle in a matter where I had been the expert investigator, to ask me to appear for Eagle in the case which was now ripe for trial.

I responded by calling the local claims manager, Marius Kuhn, and telling him, "Marius old darling, you have banned me and now you want to have me stand up as an independent

witness at a trial for you.

I think not. I like being banned and I think that I will stay banned."

Faced with his apparent incomprehension, I presented him with an analogy. "Marius," I said, "You lot at Eagle remind me of the young man who for no good reason divorced his comely wife and shortly afterwards found himself in town alone and palely loitering. So he decided to call on the object of his late affections.

"He knocked on the door and when the ex-wife opened, he asked her for a fuck. 'Sure' she said, 'Fuck off.'"

Let the attorneys be warned: the banks' patronage is a poisoned chalice. Drink from it at your peril. Independence is the most valuable tool in the drawer.

Banks and insurers, too, will soon enough discover that acting the bully on the block has only short term benefits. Long term it's going to cost them bigtime. Ask Hitler.

Meanwhile, being banned is not so bad. In fact I've come to like it.

David Klatzow
Rondebosch

dictate how the workers must be treated.

I have frequently visited the packing shed to find Johan Vlok standing shoulder to shoulder with his workers, handling the very grapes that have been "poisoned", and, unable to wait till I got home, I have consumed these grapes without washing them! It's time to examine Mr. Schirmacher's claims with a little logic.

[Mr Nose has examined his claims – and some of yours. See pg32 for what he found. – Ed.] The inhabitants of the town have in fact discussed the spraying with farmers and [pesticide supplier] Eric Venter. We took the trouble to inform ourselves about the type of spraying and the dangers. There has been an ongoing programme of experimentation, using eco-friendly solutions, such as sterile fruit flies. This programme was also generously extended to gardeners who realise that their own gardening practices contribute to the overall problems. If the products used by Mr Vlok and other farmers are so dangerous, why do they and their families live happy, healthy lives and why do so many of their workers make it to old age?

The changing seasons produce a certain amount of noise – tractors haul trailers of wheat and grapes during the harvest; for a few weeks before the harvest gas cannons scare the birds in the vineyards. I have found these a part of life in a rural setting – they mark the passing of the seasons and make me smile at the good fortune that brought me to this beautiful, fertile valley.

Dorothy Wodrich
Riebeek West

We're sorry to hear Mr Vlok's daughter's been ill. – Ed.

problem for what it is – pure nonsense!

I have been living in the Riebeek Valley for the past eight years and I have never been happier or healthier. This little piece of paradise has everything that weary city folk could possibly wish for – a beautiful mountain, an ever changing view of vineyards, wheat and canola fields and olive groves.

All that plus some excellent eateries, delicious wine and friendly, interesting people.

Regrettably, there are always a few city folk who arrive, attracted by all the above – and then immediately want to change everything. Messrs Schirmacher and Bellamy are of this ilk. Both gentlemen chose to buy property which adjoins vineyards or fruit orchards. Surely, anyone of basic intelligence would have realized that these belong to a man who does not farm for fun, but for profit? Even city folk know that fruit does not remain worm, fungus or blemish free

without some assistance; after all, most of us have at some stage grown the odd rose or two or tried a few tomatoes, or planted a fruit tree.

The farmer, who has the great misfortune of having acquired such neighbours as the gentlemen mentioned above, is one of the valley's most hard-working and knowledgeable. Both he and his wife are highly qualified. They export to the EU which has very strict guidelines as to what may be used, and even



YOUR COMPLETE SOFTWARE SOLUTION

- Trust Accounting
- Property Transfers
- Bond Registrations
- Debt Collection
- Litigation
- Bills of Cost
- Trade Marks
- Electronic Instructions
- Case Management
- Client Billing
- Diary System
- Time Management
- Management Reports
- Admin Orders

LEGALSUITE SOFTWARE

"MAKING COMPUTERS WORK FOR YOU"

0861 711 150

FOR A FREE DEMONSTRATION.
WWW.LEGALSUITE.CO.ZA

Editor

Martin Welz

Production editor

Tony Pinchuck

Assistant editor

Hans Muhlberg

Gauteng bureau chief

Jack Lundin

Censor-in-chief

Len Ashton

Sub-editor

Chas Unwin

Senior reporter

Mark Thomas

Cartoons

Myke Ashley-Cooper

Gus Ferguson

Dr Jack

Meg Jordi

Godfrey Mwampembwa

Contributors

Tony Beamish

Tim James

Marike Roth

Hilary Prendini Toffoli

Harold Strachan

Hilary Venables

Subscriptions

Maud Petersen

Advertising

Adienne de Jongh

Accounts

Nicci Joubert-van Doesburgh

Copyright All material in this issue is copyright, and belongs to Chaucer Publications (Pty) Ltd, unless otherwise indicated. No part of the material may be quoted, photocopied, reproduced or be stored by any electronic system without prior written permission. Disclaimer While every reasonable effort is taken to ensure the accuracy and soundness of the contents of this publication, neither the authors nor the publisher will bear any responsibility for the consequences of any actions based on information contained. Printed and Published by Chaucer Publications (Pty) Ltd.



SUBSCRIPTION RATES

Print

SA only R276

Neighbouring states (airmail) R350

Europe, Americas and Australasia R400

Internet edition

1 year R265

Combined

Print+Internet (SA only) R426

To subscribe

By post: Send cheque with name, address and phone no. to: noseweek, PO Box 44538, Claremont 7735.

Via Internet (pay by credit card): www.noseweek.co.za

For further information call (021) 686 0570 or email maud@noseweek.co.za

YESTERDAY, TODAY AND TOMORROW

MILESTONES NOT ONLY INFORM, and keep up the spirits of the traveller on a long road; they serve as small monuments to the roadbuilders' toil and progress – and later, by custom, as points at which travellers rest and arrange to meet. For all those reasons they deserve to be noted and to be celebrated.

Noseweek has reached a great milestone: issue 100! Who would have thought we would mature and turn into an institution, albeit of a distinctly otherwise kind?

This will be a year of milestones and of celebration for us: our 100th issue, our 15th birthday (in June) – and we have crossed the 20 000 copies sold per issue mark! (We plan to reach 25 000 before the year is out.)

Here's the programme: in this issue we take a brief look back. In Issue 101 we'll be looking forward and having some special friends help us suss the current scene and

redefine our role for the next ten years. Finally, in early June, we're proposing to throw two huge birthday parties – one in Cape Town, the other in Joburg – to celebrate our anniversary. Would you like to come? You'll be expected to arrive gift-laden. Those who do will, in any case, be required to either sing or pay for their supper. We will guarantee good food, good humour, good music and good company.

Now on to some reminiscing. As I scan those early *noseweek* covers I'm aware of just how aesthetically superior Dr Jack's new ones are – but I do mourn the passing of speech bubbles! Issue One's cover set the standard. (Thank you Jane for so generously agreeing to come to this party as our guest of honour! – See opposite page.) Then there's the cover of *nose5* with our most famous Miss World, Anneline Kriel dressed as a Christmas fairy and declaring: "I was hoping for snow this Christmas". (Those were the days that this still passed as a joke.) Latoya Jackson dropped her mink stole to show a boob on the cover of *nose9* – in support of her (and mayor Patsy Kreiner's) plea: "Keep Parliament in Cape Town."

On the cover of *nose10* British Prime Minister John Major was addressing South Africa's parliament. The bubble had him telling the presumably awed "natives": "I come from a far-off land in a biiiig silver bird ...". On *nose25* we had Jani Allen, stripped of hairdo and makeup pre a face lift, snapping: "Do you know who the f**k I am?" Most didn't recognise her. Those were the days of innocence. All that changed as the arms deal gradually dawned in 2000, beginning in *nose30*. Issue 32, which contained the story about that famous arms deal organogram that got President Mbeki into a spin – and Judge Heath fired – still had an old-style joke on its





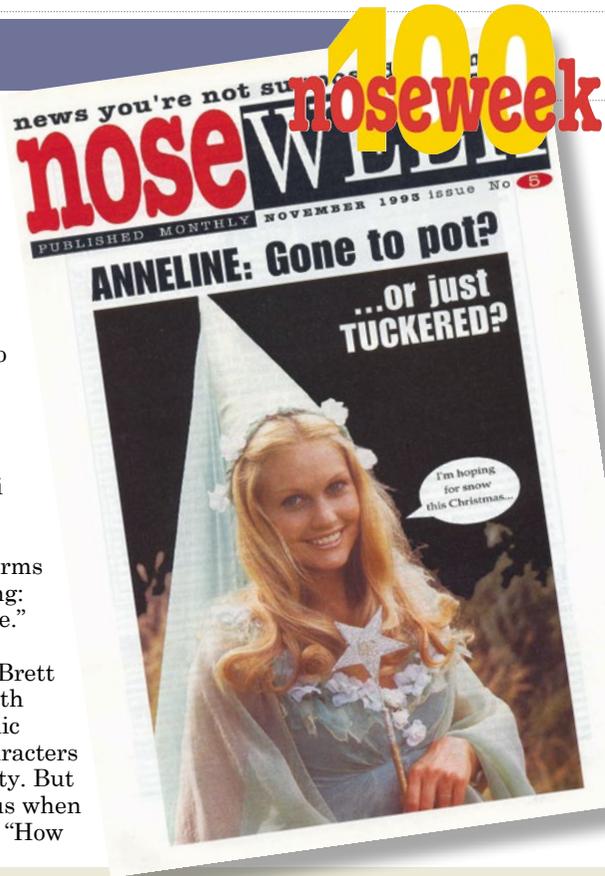
cover: Tony Leon draped in a Basotho blanket, desperately in pursuit of black votes, passionately declaring – in imitation of John Kennedy in cold war Berlin – “Ich bin ein Qwa-qwa.”

In retrospect, *nose*32 told us all we needed

to know: President Mbeki was at the centre of the corruption in the arms deals from inception. He has all the talents needed for the job and the cover-up: he’s a cool, arrogant and unshakeable liar. There are plenty of documents to prove it.

When the arms deal made its first appearance on the cover (of Issue 34), it was still a subject for some laughter: Tony Yengeni and friends were being driven in a Mercedes 4x4 by the local representatives of the German arms consortium, one of them declaring: “We’re just taking zem for ze ride.” The joke faded soon after that.

The series of covers featuring Brett Kebble also started (issue 55) with a (relatively) light touch: an ironic portrait of one of the grosser characters in New South African high society. But they quickly became more serious when the next one posed the question: “How



Noseweek cover girl reveals all!

NOW HE ASKS ME! 15 years ago Martin Welz put my head on top of the nude body of an artist’s model and used the image to launch his new magazine, *noseweek*. I first heard of it from Brian Astbury, a photographer friend, who said “It’s all right. I knew it wasn’t you. Your legs are better.” This crumb of comfort was badly needed in the weeks that followed as all my friends, and some of my readers, asked why on earth I had given permission to be used, or abused, like this. I thought it was funny and hoped that it had worked for *noseweek*, but I could not convince them that I hadn’t, in some way, collaborated in what most of them thought was bare-faced cheek.

For someone who had spent 29 years defending nudity in the media, and had recently beaten off the banning of an issue of *Cosmopolitan* which carried pictures of Madonna strolling round Miami in the buff and squirting sun cream on an equally unclothed Naomi Campbell, I was personally quite prudish. But I knew that, like it or not, I had, through the magazines I’d edited and promoted so vigorously, put myself in the public domain. I could not, and would not, complain – even when, subsequently, the unspeakable Joe Theron made me “asshole of the month” in *Hustler*. In comparison, the *noseweek* cover had been a walk in the park.

Professor Catherine MacKinnon, whose book *Only Words* claims that unwelcome sex talk is an unwelcome sex act, would not have been so sanguine. She would have seen it as the grossest invasion of my privacy and the worst insult imaginable.

If my dear mother-in-law had heard about it she would have horsewhipped its editor, and luckily, my children were either out of the country or out of the loop. Even more fortunate for Martin Welz is that my husband Michael and I share what our youngest daughter, Julia, used to call a “sense in humour”. Even now, 15 years later, we still think it’s a hoot. And we congratulate *noseweek* on having broken through the 20 000 circulation mark. Now, more than ever before, it is time for news that we are not meant to know.

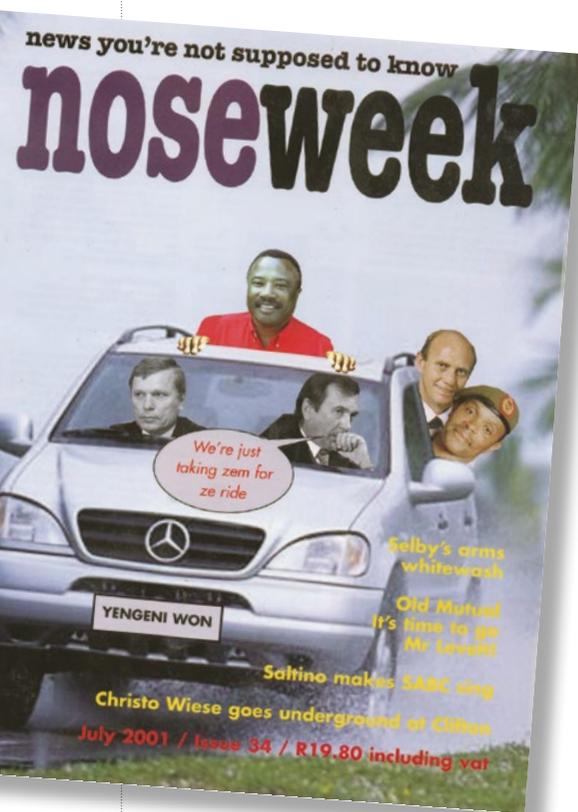
Jane Raphaely
Associated Magazines



come Brett Kebble never gets assessed for tax?"

Now, of course, we know the answer: he was paying the Party and all those that mattered in it – including the commissioner of police.

In Issue 56 we unwittingly started unpacking the third set of clues: the money-laundering networks used by organized crime. That, too, led us to ask a question: why were the police and tax authorities not acting on a dossier of information provided by key money launderer Michael Addinall? Why, instead, were they desperate to lock him up and silence him?



The question implied the answer: their bosses were all good Party men. The Party and all those who mattered in it – including the commissioner of police – were being paid by the criminals.

In that otherwise prescient cover featuring police commissioner Jackie Selebi, back in March last year, we did get one thing wrong: instead of being shown blocking his ears in anticipation of a bomb exploding, Thabo Mbeki should have been drawn posing as Mr Cool and saying: "Trust me, it's just a soccer ball."

The arms deal involved top class, big time corruption, as practised at the highest levels of government in many, if not most, states. Kebble, Agliotti,

Imran Ismail are big, but they represent "common crime". They do not normally enjoy the protection of the Official Secrets Act or the justification of national defence. The ANC has come to rely on both state and street level crime and corruption for its funding. President Thabo Mbeki and his closest advisers don't only know it – they operate the system.

Voters are easily persuaded that a democratic system needs to be funded democratically if political parties are to serve the needs of their voters, rather than those of their secret funders. Why, as we suggested long ago, has the ANC not simply changed the law to allow the State to fund political parties as, for example, is done in Norway? Why, at the very least, are political parties not obliged to identify their funders, so that voters may track their influence?

Because, while such a system will normally fund election campaigns and a party administration, it is unlikely to provide ambitious party functionaries with personal kickbacks, luxury 4x4s and all the other trappings of a millionaire lifestyle that corrupt corporations and the bosses of organised crime are so happy to provide as rewards for services rendered.

When it comes to arms deal corruption, the difference between Mbeki and Zuma is a matter of scale and class: the bribes secured by Mbeki were negotiated on a more-or-less government-to-government basis. They were massive, and cost the state and taxpayer massively – the cost of the arms deal, in fact. The best that might be said for Mbeki is that, since he heads a kleptocracy, he was acting in the course of duty. But his defence of Selebi has no class.

It aligns him with common crime and makes him the enemy of every honest citizen.

The bribes secured by Zuma were ridiculously puny by comparison, secured by means of backdoor begging, and a hint of extortion. They appear to have been entirely for his own and his family's enrichment. The best that can be said for him is that these bribes, since they came post the arms deal, cost the taxpayer little or no money – just world-wide humiliation.

In this context it becomes obvious that, while the evidence that he



solicited and received bribes is strong, the prosecution of Mr Zuma is undoubtedly politically motivated. The corruption of the party and its leadership in government far exceeds his own. How else does one explain why the extensive evidence to be found in the arms deal files that proves President Mbeki's role in and knowledge of the corrupt deals has not been pursued?

Everyone now knows that Mbeki lied about Selebi. The public has yet to learn of the many lies he has told about his own role in the arms deal. The Scorpions investigators, the Auditor General and the prosecuting authorities cannot, however, claim such ignorance. They've had the evidence for years.

That is the dilemma that a Zuma trial court will soon have to resolve.



The corruption of the party and its leadership in government far exceeds his own.

Meanwhile, where does all that leave the citizens of South Africa?

The entire government, and all the structures of the African National Congress, have been profoundly corrupted, to the extent that the party must be deemed intrinsically corrupt. (Thank you Mr Blair, Mr Mitterand, Mr Kohl, and HRH Prince Bandar of Saudi Arabia, that close, close friend and international slush fund operator whom British Aerospace, Mr Blair and the ANC so conveniently had in common.) Thank you Mr Keble and all your friends.

To understand the rank and file ANC MP support for Zuma, you need only think of Travelgate. To be on the take has become part of the party's culture. By now it should be clear to voters that all the alternatives the old party has to offer are probably corrupt. For honest options they'll have to look elsewhere.

FASCINATING BREAKING NEWS: You may have read that Britain's current Minister of Works and Pensions, as well as Welsh Secretary, Peter Hain – yes, the one-time hero of the anti-apartheid era – is under investigation for failing to disclose to parliament donations he received to help fund his campaign to be elected Her Majesty's new deputy prime minister. (He came fifth out of a field of six.) What's new to us is the discovery that Hain's main secret donor (via a front company) was Isaac Kaye, that well-known thieving pharmacist, who thirty years ago succeeded in systematically corrupting South Africa's entire medical establishment, from the minister of health, to deans of medical faculties and provincial heads of hospital services, to suburban GPs and the storemen in hospital pharmacies, before proceeding to fleece the shareholders of the country's then biggest pharmaceutical supplier, SA Druggists. By the time the "new" South Africa dawned, Kaye had managed to move his vast ill-gotten fortune off shore, and was ready to start afresh in the UK. In no time, he had the UK's national health service – and its politicians – jumping through his hoops. (See *nose29*.)

Another of the donors to Hain's secret election slush fund was that well-known diamond broker, Willie Nagel.



British MP need R2m-odd to help persuade his fellow MPs to elect him to higher office? To buy fur coats for their mistresses? Or diamond tie-pins for themselves (wholesale from Mr Nagel)?

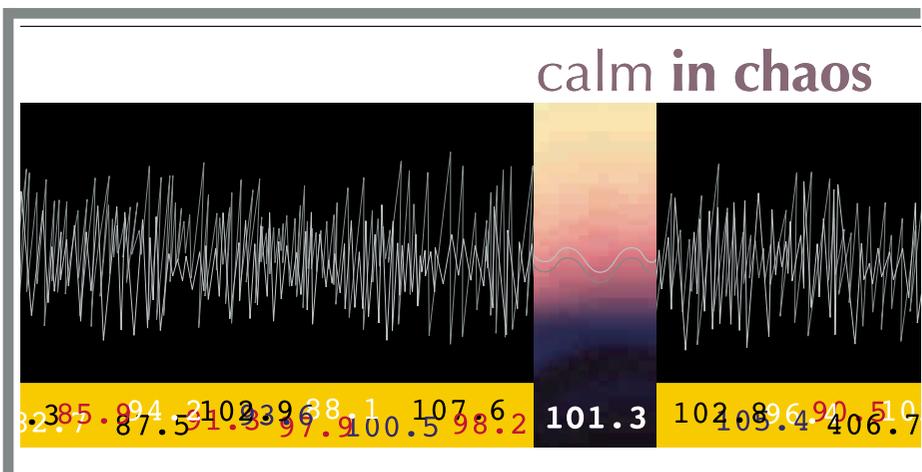
It all brings to mind the sharp comment of an American reader in a recent issue of *Time*: "In explaining the influence game in [President Vladimir] Putin's Russia, you quoted an insider referring to 'money that the politicians raise quietly from corporate sponsors that expect special treatment in return'. Golly, the Russians are becoming as democratic as we are."

And as we in South Africa appear to have become, too.

Don't forget our birthday parties in June!

The Editor

Now you know where Hain's campaign money came from. Obvious next question: where did it go? Come to think of it, why would an ambitious



When in Cape Town

Refining the art of leisure.
Calming life's tempo.
Striking the right chords.
Fine Jazz. Fine Classics. Fine Radio.



315641

Praise the good banker

GOOD HAPPENS TOO! Remember Michael Harris, the man who spent half a lifetime at war with FNB – to the point of ruin – and found God in the process (*nose87*)? The man who ended up shooting the bank's attorney?

Turns out that his story has a silver ending.

As founder and director of successful property development company Mazlen, Harris enjoyed the usual trappings – cars, planes, motorbikes – and loads of overdraft credit from Barclays/First National. Good times! Until his son was killed in a hijacking in 1994, and Harris turned to God.

Then, in 1997, rising interest rates created difficulties for Mazlen and FNB agreed to extend the overdraft provided it could register bonds over Mazlen's properties. Except that, once the bonds were registered, the promised extended credit didn't follow. When the bank then unlawfully sold off Mazlen shares which had not been



Michael Harris

Sometimes even
noseweek stories
have happy
endings, as in the
case of Michael
Harris, who was
laid low by FNB
and then lifted up
by the chairman

pledged to the bank. Harris wasn't sure if the bank's shenanigans were due to a vendetta involving an FNB manager cousin of Harris's ex-wife, or because the "gang" running FNB had it in for him.

After FNB liquidated Mazlen, Harris's relationship with FNB lawyer Christopher McEwan degenerated until, in a scuffle, Harris accidentally shot McEwan. Harris was charged with attempted murder and the bank got his bail revoked by giving false evidence, so he spent nine months in jail awaiting trial.

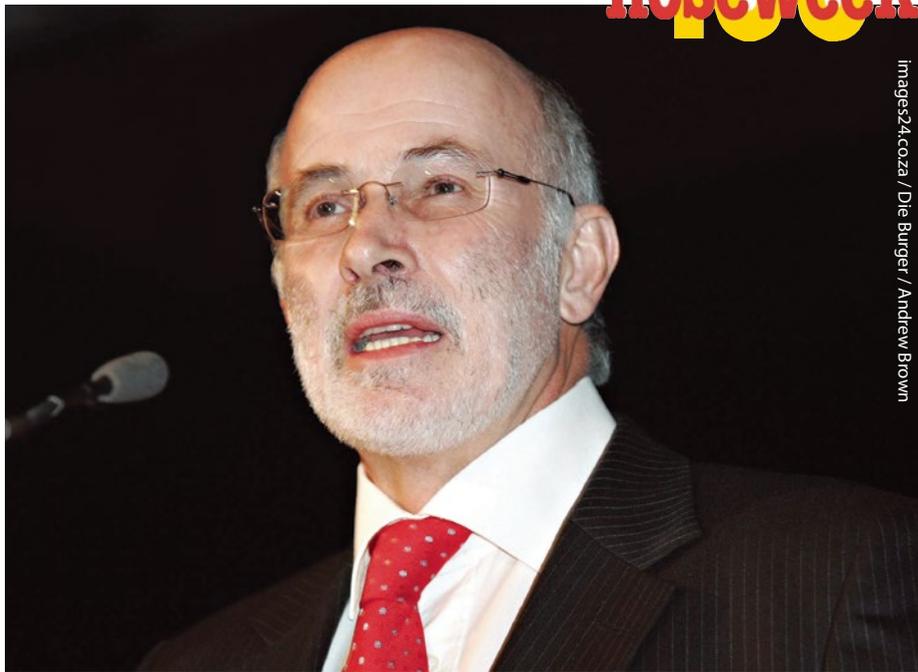
Harris's prison experience had a profound effect on him, and led to his introducing a "Read and Write" programme, now active in 162 prisons. When Harris finally came to trial he was acquitted of all charges. But his joy was short-lived, because FNB had also sequestered his personal estate, which meant he lost his properties, leaving his ex-wife homeless and his aging domestics out of work.

Harris ended up in a one-bed semi in Westdene, Johannesburg, where he ran a ministry and made silver crosses with Christian messages. He campaigned for years to get justice, writing to everyone from the State President downwards, and lodging criminal complaints against the bank, its directors, its auditors, Deloitte and PricewaterhouseCoopers, and its attorneys, Deneys Reitz. He also bought 100 FirstRand shares so that he could attend annual general meetings and ask awkward questions about his case and the R50m or so he felt the bank owed him. Meetings from which he was invariably ejected by FNB's security goons.

But then there was *noseweek* and a sympathetic ear. Though, to be honest, we too found Mr Harris pretty hard work!

Worth it, though. Because Harris has just written to tell us of a most extraordinary turn of events. He still "Praises the Good Lord" in almost every sentence, but it's a touching letter nonetheless.

He writes that FNB chairman GT



images24.co.za / Die Burger / Andrew Brown

FNB chairman GT Ferreira

Ferreira personally set up a meeting – “face to face, one on one” – with Harris and “resolved” the matter (apparently the word “settled” is not to be used).

“The horrible fight that lasted for 10 years is over, Praise the Good Lord,” he tells us.

The terms of the resolution are confidential – even we don’t know what they are. But we do know that as a result of his meeting, Harris has been able to make good. He’s traced the two domestics who were put out on the street and has reimbursed them for their many years of service.

First he found Agnes, who had worked for him for 25 years: when he broke the goods news to her, they held hands and prayed in the street. Then there’s Willie, who gave Harris 30 years of service and on one occa-

sion saved him from two armed robbers who had entered Harris’s home. He found Willie, old and feeble, out in Hammanskraal where he has a tin hut and a half-built house. (“No roof, just a shell with two steel windows.”)

It gave Harris great pleasure to explain to the old man that he now has a pension. Harris has also been able to pay back something to his ex-wife who lost her home. “I got back some of my dignity,” he says. And he has been able to pay back something to his two remaining children. Of whom he says: “Even when I went to prison for shooting the lawyer, they stood by me. They believed in me. They visited me. They listened to me.”

Harris was also able to pay something to other family members. (“Even to my brother, praise the Good Lord!”) The balance has been invested for the beneficiaries of the Mazlen Trust. (Harris is not one of them.)

G T Ferreira has even been persuaded to consider funding a crime-fighting and rehabilitation initiative involving the churches.

Harris keeps his greatest surprise for last. He has transferred a little donation to *noseweek*, which he explains as follows:

“I have had it in my little mind to transfer R10 000 to *noseweek* for use as a sort of reward or celebration. Please accept it in the ‘spirit’ that I offer it – for a party or something like that, to give you joy. The Lord Bless you all at *noseweek*. Keep up the good work.”

Sometimes this job is almost worthwhile! ☑

*The horrible
fight that lasted
10 years is over,
Praise the Good
Lord*

THE BOND MAN®
Sourcing the best home loan for you

Gary Peterson
082 453 7374
gary@bondman.co.za

www.bondman.co.za

THERE IS ONLY ONE BOND MAN

XA! nini
AFRICAN WILDLIFE SAFARIS

GORILLA SAFARIS
Small groups - enjoy the comforts and safety of these personally guided experiences!
* Only 340 gorillas left in Uganda.

Lisa: +27 83 448 4476 +27 21 434 7184
limar@iafrica.com

UK ORGANIZATION

looking to invest in & promote
**RSA venture suitable for
expansion into the UK &
Europe.**

If you feel your company has the suitable products/services to be successful, email
angloafricanventure@telkomsa.net

FEBRUARY WINNERS

Mr M J Mokhoabane, Cape Town 8001
Mr M W Westmore, Llundudno 7806
Mrs A Jerman, Pennington 4184
Mr BB Field, Sandton 2196
Mr SK Sacks, Parys 9585

5
Each month
new subscribers stand to win a wine
pack from Ken Forrester Wines

Withering on the bough

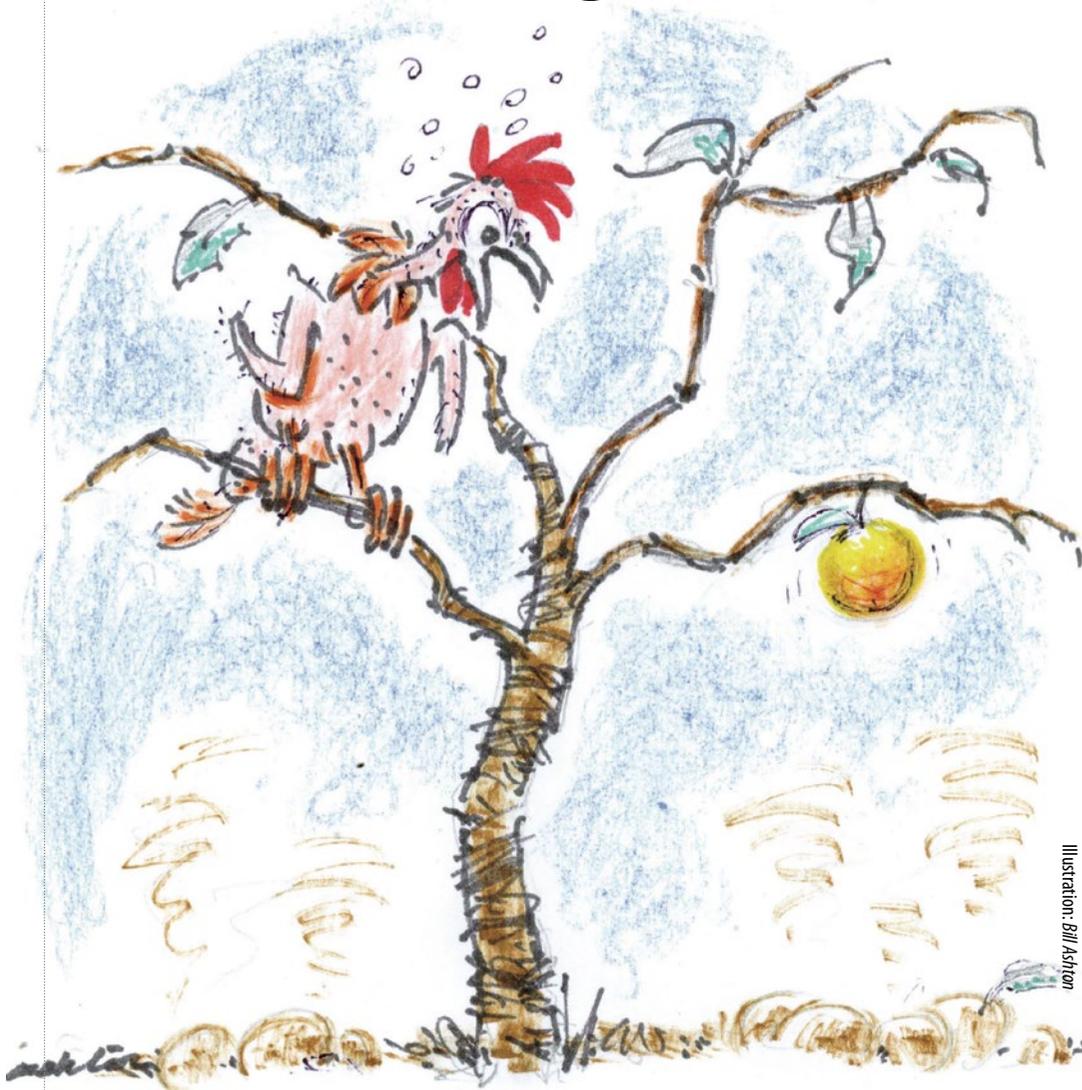


Illustration: Bill Ashton

poultry industry on the list of food producers blighted by contaminated products supplied by chemical giant Omnia.

noseweek has learnt that thousands of orange trees on farms around Citrusdal dropped their leaves within weeks of being sprayed with urea fertiliser sourced from Omnia.

The urea, a nitrogen-rich foliar feed, was distributed by a small Wellington firm called Ocean Agri Science. Ocean said it had been forced to buy urea from Omnia in 2002 when the mega-corporation undercut the landed price of Ocean's own imports. "At the time, we couldn't work out how they managed to keep the price so low, but we couldn't compete, so we had to buy from them," a spokesperson for Ocean said.

It was only after their customers reported the damage to their trees that Ocean decided to test the consignment and found that Omnia was selling sub-standard urea labelled as a superior product.

Poor quality urea has a high content of a compound called biuret, which is toxic to citrus trees. Low biuret urea should contain less than 0,5% of the

compound according to South African regulations. (US standards allow only 0,25%.) Tests now revealed that Omnia's product contained more than double the South African permitted maximum, putting it firmly in the high biuret category. (No wonder they were able to sell it so cheap.)

One of the farmers worst hit was Margaret McGregor, who couldn't afford the remedies available to neutralise the toxin. All 22 000 of her trees lost their leaves, and her fruit was so badly damaged it was useless for export. She says she lost R1,8 million in sales and "grew old" in the process.

She is frustrated that neighbouring farmers, who suffered similar damage,

FERTILISER GIANT OMNIA has yet again been caught selling contaminated products, confirming the already widely held view that the company's executives are cynically out to maximise profits regardless of the devastating effects they know these products will have on the agricultural sector and the health of consumers in general.

Most of Omnia's directors and senior executives are highly qualified chemists and agricultural scientists, so can be expected to know about appropriate standards and practices in their industry.

Their latest victims are citrus farmers, who join pineapple growers and the

Cynical fertiliser company sows death and devastation in greedy bid for profit

are unwilling to join her in a class action against the all-powerful Omnia. "I saw the leaves falling off their trees, but they deny it had anything to do with the urea. They are too scared to take these guys on. It's pathetic," the feisty lady farmer said.

It is this timidity that has allowed Omnia to continue its arrogant and irresponsible attitude towards food production in this country.

But they aren't having it all their own way any more. Rainbow Chickens, the first known casualty of the cadmium-contaminated zinc sulphate imported from China by Omnia subsidiary Protea, says it has finally succeeded in squeezing a belated out-of-court settlement out of the group.

Rainbow CEO Stephen Heath said he couldn't tell us how much they got because Omnia had insisted on a confidentiality agreement, but *noseweek* understands that it was half the R60m Rainbow claimed, and a fraction of their estimated losses of R120m. That's chickenfeed for Omnia, which last year reported revenues of more than R3bn.

Still, it's a start. Omnia's next challenger is the Pineapple Association, which is claiming R100m in damages, including the loss of export contracts, for the contamination of the pineapple crop by cadmium-laced zinc sulphate fertiliser.

Outgoing chair of the association Allen Duncan said the industry in the Eastern Cape had been "devastated" and would take years to recover. It would be decades before some fields were again fit for planting, if ever.

Duncan said his canning company, Summerpride, had been forced to merge with its main competitor, Collondale, to survive. Four hundred of their workers had lost their jobs.

"We were very disappointed with Protea's reaction," he said. "They should have come and said sorry about what happened. They didn't even offer to help us sort out the problem. All we got from them was a single letter telling us about their high ethical standards and social responsibility and asking us to return the zinc sulphate to them. Of course we didn't. They just wanted to take our evidence."

Duncan said he believed the Pineapple Association had "a very good case", and was hoping for a hearing in February or March.

Another customer seeking satisfaction is animal feed supplier Advit, formerly BASF, which bought cadmium contaminated zinc sulphate from another Omnia subsidiary, Intaba Holdings, in late 2004.

Omnia knew about the cadmium problem at least as early as January 2005. But they carried on selling their contaminated products

By early 2005, customers were beginning to complain about the effect of the supplement on their pigs and chickens, including sudden weight loss and even deaths among the poultry.

The long-term effects of cadmium, which accumulates in animal tissue, include liver and kidney damage, miscarriages, birth defects and cancer.

Advit's lawyer, Trudie Prinsloo, said her client had written to Omnia's Intaba subsidiary demanding combined compensation of around R25m for losses suffered by Advit and its customers.

True to Omnia form, the letter was ignored.

"I am very upset about the way my clients were dealt with," Prinsloo says. "There was no correspondence or apology from Intaba. All we got was a letter from their attorneys.

"You would have thought they would have responded immediately. My client suffered damage to his reputation, and his customers suffered huge losses. Big companies should take responsibility for their mistakes.

"My client no longer does business with Intaba. They were never a regular supplier. Advit only turned to them when they had difficulty getting hold of zinc sulphate."

Advit, like the pineapple producers, is still waiting for a court date. Or, presumably, a reasonable offer from Omnia.

Since both urea and zinc sulphate are widely used across all agricultural sectors, and Omnia is a major supplier, it would be surprising if these cases were isolated incidents. But with so few farmers willing and able to take on the might of the corporation, it's impossible to gauge the scale of the problem.

The Department of Agriculture, which should be protecting both farmers and consumers from contaminated imports, doesn't seem to regard the matter as particularly urgent. Six months after the cadmium scandal surfaced, there are still no legal limits to the amount of toxic heavy metals, like cadmium, lead and arsenic, allowed in fertilisers.

The department told us by email that it had established a joint "working group" with the fertiliser industry (no mention of farmers or the food industry or independent scientists, you'll notice). Their proposal is expected to be made available for public comment in April this year.

No doubt Omnia made a valuable contribution to the discussions.

But, even if the regulations look good on paper, there is no guarantee they will or can be enforced. The lack of proper controls in exporting countries, and China in particular, means almost every shipment, especially of chemicals, is suspect, and the department simply doesn't have the resources to conduct thorough checks.

And if Omnia's attitude is anything to go by, we can't expect much in the way of self-regulation from the industry.

It's worth repeating that Omnia knew about the cadmium problem at least as early as January 2005, when both Rainbow and BASF alerted them. But they carried on selling their contaminated products to farmers until July 2007 when *noseweek* broke the story.

The group's contempt for public opinion is obvious from its response to our questions. Protea MD Edu Cloete pulled out the old *sub judice* excuse to avoid providing answers. "I am not going to reply. I am not going to explain anything," he said.

When we put it to him that the Rainbow case had been settled and was therefore no longer *sub judice*, he denied that any such agreement had been reached.

He also denied that contamination of food products was a subject of public interest. "You might think it's in the public interest, I don't," he said.

So it looks like it's up to ordinary people like farmers, consumers and the media to keep the industry honest.

The Department of Agriculture, which must be commended for responding to our questions without delay, urged the public to inform it of any cases of "contaminated or adulterated products". And so we should.

Clearly the authorities need all the help they can get. **■**

Juicy pickings for African Bank

AFFORDABLE, RESPONSIBLE and convenient. That's the lead-in slogan in the latest annual report of African Bank, South Africa's biggest legalised loan shark.

Using the word "affordable" to describe African Bank's loans is almost funny – if you have a taste for cynical oxymorons. The hypocrisy is even more apparent after a closer look at how African Bank has feasted off the Saambou personal loans book it took over in 2002, with kind blessings from the SA Reserve Bank.

Indeed a steady look at African Bank's figures shows that the bank has clearly survived in part due to loan shark practices.

In terms of the Usury Act, lenders may charge up to 26% on loans above R10 000; on the assumption that they are of high risk and cost disproportionately more to administer, "microloans" of less than R10 000 are not subject to interest rate limits, and are usually made at around double the maximum rate – 40% to 60% is common.

Saambou itself had happily been cheating its clients: a large proportion of Saambou's personal loans book was

*Saambou deal
has yielded
spectacular loans
treasure*



Saambou curator John Louw

made up of R20 000 loans, generally to civil servants, but the bank had treated these as microloans, charging usurious interest rates. Found out, Saambou pleaded "innocent error".

Yet when African Bank took over the loans, say inside sources, the bank persisted in charging the higher interest rate. And, for its own reasons, the Reserve Bank has turned a blind eye.

Today the African Bank/Saambou deal is generally accepted as having been a disguised gift from the Treasury – African Bank, bankrupt but politically well-connected, was being thrown a life raft.

The gross value of the Saambou personal loans book was thought to be R2,8bn, but net value was given as R1bn due to a massive R1,8bn provision for bad debt.

Shortly before the deal, FirstRand had acquired Saambou's equally controversial mortgage book, valued at R4,9bn. FirstRand assumed liability for Saambou's client deposits of R12,8bn, and the difference of R7,9bn was structured as a loan from FirstRand to the Reserve Bank, to be repaid from the sale of Saambou's other assets, such as the personal loans book sold to African Bank.

Court papers reveal that at the time

TEL +27(0)21 855 2374
FAX +27(0)21 855 2373
marketing@kenforresterwines.com

KF
KEN FORRESTER
VINEYARDS

PO BOX 1253 STELLENBOSCH
SOUTH AFRICA 7599
www.kenforresterwines.com

Saambou curator John Louw believed (on a very conservative valuation of Saambou's assets) that that bank's liabilities would exceed its assets by R2,4bn. Theoretically, this would be the net shortfall the Treasury would have to pay to settle up FirstRand. Bad enough. But in 2005 the Treasury revealed in its Budget Review that the likely cost would be R4,3bn. Why would the deal cost the Treasury – the South African taxpayer – around R2bn extra? Inter alia, because the Saambou loans book was in the meanwhile sold to African Bank for well below its value.

Almost immediately after clinching the deal, African Bank moved R252m of the Saambou bad debt provisions to its own loan book, surely an acknowledgement that it had indeed received a lifeboat from the Treasury. Here it may be instructive to note how distinctly African Bank's financial structure differs from, say, Absa's. Only 7,5% of Absa's assets of R460bn are funded with shareholder funds. But 25,2% of African Bank's R11,8bn assets are funded with shareholder funds. African Bank funds the balance of its assets with bonds and other long term funding.

In layman's language, you have to squeeze your loan customers harder

The implication of the proportionally bigger shareholder capital base is that you need to make proportionally much higher profits to satisfy JSE shareholders. In layman's language you have to squeeze your loan customers harder.

Absa earned, on average, interest income of 10,5% on its advances in 2006. The comparative number for African Bank is 41,8%.

This is where the crunch lies. If the Usury Act maximum is around 26%, then it's clear that to end with an average of 41,8% a substantial part of the book is generating super interest rates. Clearly the Saambou book

is playing no minor part in this. The bank, it appears, has been charging interest rates of 40%–60%, deemed only acceptable on "microloans" (less than R10 000), for loans of R20 000 and up.

Consider the following: By 2007 African Bank had raised provisions of R1,9bn against its entire loan book. Given that five years earlier, the Saambou book alone carried provisions of R1,8bn, and that the loan book is growing all the time, one would expect much higher provisions by now.

In 2002 African Bank's total provision for bad debt was R2,1bn. It doesn't make sense that African Bank would have been unaffected by the A2 banking crisis at the time. Yet the provisions against African Bank's own loan book looks suspiciously modest against the Saambou book.

Between 2003 and 2007 actual write-offs of R3,9bn occurred. Despite this, the total balance sheet provision for bad debt is now at roughly the same level as it was in 2002.

This all suggests only one thing: There was plenty of juicy fat in the 2002 Saambou provision and African Bank have been feasting on it for years. ■

The Southern African Institute of Government Auditors congratulates **noseweek on its 100th issue**



noseweek like SAIGA is advancing accountability by asking probing questions... by conducting in-depth research... by stimulating public debate...

100*

A game reserve without the Big 5?



Well, some animals, like impala, are "generic" to almost every game reserve in South Africa - but it's the presence of the Big 5 that make South African game reserves unique.

Similarly, all types of auditing share some "generic" elements. But what makes the government auditing environment unique, is the public sector's Big 5: The *Public Finance Management Act*, the *Municipal Finance Management Act*, the *Treasury Regulations*, the *GRAP/GAMAP* accounting standards and the *Public Audit Act*.

Although fundamental to the public sector, these topics are noticeably absent from the syllabi of the academic institutions training private sector auditors, and from their professional examinations. Surely it is in the public interest that private sector auditors pass SAIGA's Qualifying Examination for Registered Government Auditors before being allowed to engage in government audits.



The Southern African Institute of Government Auditors
advancing auditing and accountability
www.saiga.co.za

Saints and sinners

FOR A PRIVATE CHRISTIAN SCHOOL whose boys and staff are nicknamed “Saints”, it is something of an embarrassment to be caught sheltering a sinner in their midst. The alleged sinner, Gae Bestel, is a person of some consequence; he holds the position of chairman of the board of governors of St Charles College in Pietermaritzburg. Until recently, his alleged misdemeanours have been hushed up, so as not to tarnish the school’s reputation.

St Charles College is one of South Africa’s oldest private schools. Originally established as a Roman Catholic school in 1875, it is now a Christian non-denominational campus. It was saved from closure in 1978 by loyal old boys who set up a board of governors to steer the school out of penury to new horizons. Having helped to build it into a successful, competitive modern school, the old boys have clout at St Charles. The old boys’ association has about a thousand members. Given the school’s long history, some of the old boys are fairly mature. And it is the older old boys who are up in arms about Mr Bestel’s refusal to confess and quit.

Mr Bestel is well-known in Pietermaritzburg. For almost three decades he worked for the animal feed company Meadow Feeds, rising to the position of general manager. He has chaired St Charles College’s board of governors for seven years, although, strictly speaking, he’s never been a Saint – never having attended the school himself.

Four years ago Mr Bestel was somewhat dramatically fired from Meadow Feeds. Then, he offered to resign as chair of the board. But he allegedly explained that he was the victim of vindictive company politics, and that in due course his name would be cleared. Friends rallied around and the board was assured that Mr Bestel was “clean”.

But something did not ring true, and a little digging here and a little sleuthing there by energetic dissenters turned up a different story altogether. Documents at the CCMA showed that Mr Bestel had been fired for pressurising one of the Meadow Feeds laboratory technicians to falsify a laboratory report on animal feed to show deceitfully that it was contaminated by deadly salmonella.



Gae Bestel

The chairman of the Board of Governors of St Charles College in Maritzburg has been a naughty boy

And although Mr Bestel was reinstated through arbitration, the Labour Court set this decision aside in November last year and Mr Bestel’s firing was upheld. And, it emerges, Meadow Feeds laid charges of forgery against him at the Meadow Rise Police station in 2005. Added to this was a fraud charge for allegedly contravening

company policy when buying a new car.

When all this was flushed out last year, there were mixed feelings in his small community. Some felt the whole saga was a rather tragic end to Mr Bestel’s career. To add to his woes, his wife has had enough and he’s had to move out of the family home. He’s lost his job and his marriage, but he is clinging to his last vestige of respectability, the chairman’s seat of St Charles.

The board convened a special meeting to discuss his fate a year ago and overwhelmingly voted that he should be allowed to stay on. “Should there be any inkling of prosecution Gae Bestel would stand-down until the verdict is finalized,” said a compassionate governor. But not all agreed. One of the objectors, old boy Adrian King, felt the situation was intolerable, and asked for leave of absence.

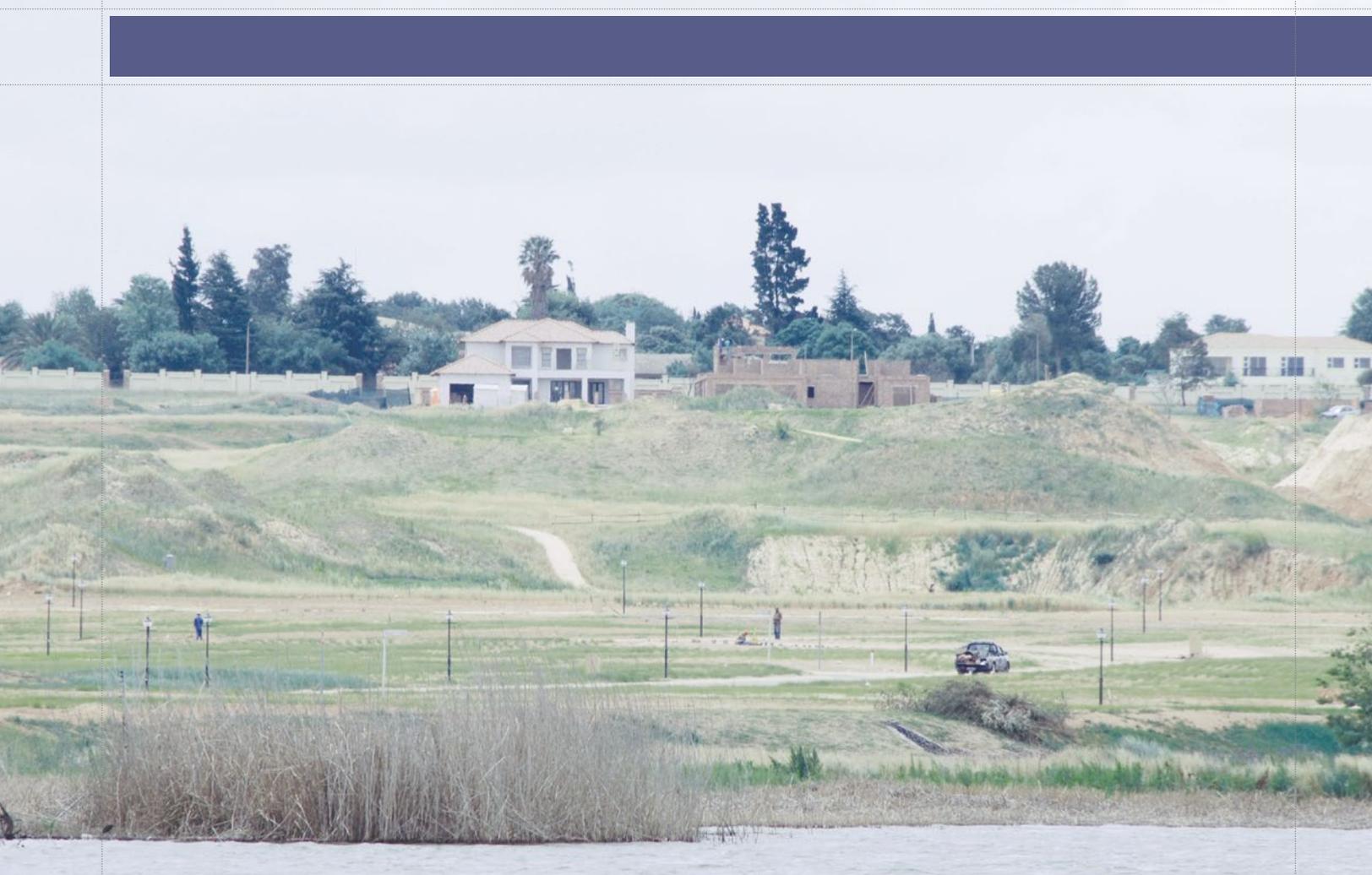
“It was in protest against Mr Bestel continuing to sit on the board as a governor and in his capacity as chairman,” he told *noseweek*. Mr Bestel accused Mr King – who has been cross-checking Mr Bestel’s *bona fides* – of being “vindictive”. At the same meeting, another board member, Richard Boote, suggested that they start planning “damage control”. All this at a school that prides itself on its Christian values and turning youths into gentlemen, straight and true.

Peter Mortimer, head of the old boys’ association, says that they will be taking up the matter at a special meeting very soon, but would not comment further. The school’s headmaster, Ronnie Kuhn, refused to comment unless *noseweek* revealed the source of its information.

Mr Bestel spluttered to *noseweek* that there were no criminal charges against him. “I can’t talk to you about the information that is confidential to the board,” he said.

Yet as recently as December, attorneys for Meadow Feeds said they were still pursuing a criminal case against Mr Bestel.

Now 12 old old boys – circa class of 1956 – have drawn up a petition to pile pressure on Mr Bestel to resign. Word is getting about in the town that there’s a blot on the school’s copybook; that for all their saintliness, the guardians of St Charles are indulging a little bit of sin. **17**



Influence yields fat profits

ONGOING NOSEWEEK INVESTIGATIONS into a number of large property developments in Gauteng, together worth billions of rands, have revealed a disturbing pattern of environmentally damaging, and possibly illegal, decisions made by senior figures in the province's Department of Agriculture, Conservation and the Environment (GDACE).

Elias Khabisi Mosunkutu, MEC for GDACE – which is responsible for issuing environmental authorisations for developments and upholding environmental laws – has on several occasions overruled the advice of specialist officials in his department, in favour of wealthy and politically connected developers who have either overstepped guidelines or broken regulations, or who wish to build in ecologically sensitive areas. Mosunkutu, an ex postal-union leader, has confirmed in written responses to questions

Planning
irregularities
raise serious
legal
questions

posed in the provincial legislature that he, the “MEC of environment” (sic), does not need related qualifications.

Mosunkutu's department head, Dr Steven Cornelius, has signed controversial documents allowing environmentally destructive developments to go ahead – after questionable departures from normal departmental procedures. GDACE itself has illegally ignored at least two formal requests made in terms of the Public Access to Information Act relating to these developments.

The three developments under investigation each consist of hundreds, or even thousands, of housing units, and each is set to make its developers hundreds of millions, if not billions, in profit.

Because such large developments realise massive profits, they are of increasing concern to environmentalists, generating as they do ample cash to “sweeten” deals. In 2005 West-

ern Cape environment MEC David Malatsi was sentenced to five years for corruption when he was found guilty of arranging environmental authorisation for the ecologically unsound Roo-dfontein golf estate near Plettenberg Bay. Italian Count Riccardo Agusta (a close business associate of Mafia banker Vito Palazzolo) paid a R1m fine for bribery in a plea bargain.

Waterfall Country Club

THE EXTRAORDINARILY wealthy and influential Mia family have owned a large piece of land just north of Johannesburg since the late 19th century, when it was given to them by President Kruger of the Transvaal Republic. Under apartheid, the “Indian” Mia family held onto their land by putting it into the ownership of companies and trusts. (They owned the land that Eskom’s Megawatt Park headquarters is built on.)

Muslims of a somewhat extreme flavour, the Mias refuse to be photographed and ban the sale of alcohol on their property. They are known to be cosy with senior members of the ANC. Although portions of the vast tract of Midrand land colloquially known as Mia’s Farm have been developed, much of it remains as natural grassland.

But in 2005 the Mias announced their intention to turn the large stretch of grassland alongside the Ben Schoeman highway between Johannesburg and Pretoria, south of Allandale Road, into the Northern Golf Course, a luxury golf estate.

Mia family companies and Section 21 entities involved in this venture include the Waterval Islamic Institute, Waterfall Golf Estate (Pty) Ltd, Witwatersrand Estates Limited and Waterfall Properties WUQF (Pty) Ltd. The latter company’s directors – all in their 30s – are listed as Ebrahim Mia, Muhammad Ahmed Mia, Yahya Muhammad Ameen Mia and Zakariya Mia.

The scoping assessment, done by the firm Strategic Environmental Focus (SEF), found rare plant and animal species on the site, and noted that most of it was covered by the largest remaining remnant of a rare grassland type, Egoli Granite Grassland. (Which is why the area’s preferred land use had previously been identified, at provincial level, as “conservation”.)

Although the Mias’ golf course plan made provision for nominal protection for “wetlands”, rare plants in granitic

outcrops would be destroyed.

GDAEC asked the Mias to do a complete environmental assessment because of the site’s sensitivity – which they never did. Yet public requests for information from GDAEC and SEF were ignored.

Then the Mias quietly redesigned the site as the Waterfall Country Club – in fact not a club at all but a high-density housing development of 3 220 houses and a giant “commercial district”.

Such a redesign should normally be communicated to interested and affected parties and trigger a new environmental assessment process – neither of which happened.

SEF’s Dave Rudolph told *noseweek* that his company hadn’t communicated the changes in plan “because

However, the public has not seen this agreement, the province does not have an offset policy, and no comparable chunk of Egoli Granite Grassland exists anywhere else. It is also highly questionable for developers to engage with the MEC during a planning process, which should be conducted with specialist officials.

The Wildlife and Environment Society of SA (WESSA) is now appealing the authorisation – an appeal that will be heard by MEC Mosunkutu.

The Wildlife Society has also used the Promotion of Access to Information Act to file a formal request for information around the decision-making process in this case. Although the request was filed in October 2007, and according to the act GDAEC is

GDAEC itself has illegally ignored at least two formal requests made in terms of the Public Access to Information Act relating to these developments

the environmental impact of high-density houses is lower than that of golf courses”.

Readers can judge for themselves whether dense housing has a lower impact than golfing greens, but consultants certainly cannot use “lesser impact” as an excuse for not communicating substantive planning changes.

MEC Mosunkutu put pressure on his department to “achieve deadlines” with respect to the Mias’ environmental authorisation, and department head Steven Cornelius decided to avoid a proper environmental impact assessment EIA, and (highly unusually, given the circumstances), signed an environmental authorisation on 12 October 2007 – merely on the basis of the scoping report.

He justified this by saying the Mias had agreed with MEC Mosunkutu that they would buy an “offset” – another parcel of Egoli Granite Grassland elsewhere in the province, which they would declare a nature reserve in return for destroying their section of Waterval Farm.

obliged to respond within 30 days, they have completely ignored it, despite dozens of further phone calls and emails from WESSA.

In an email to Dr Cornelius, dated 10 January 2008, WESSA notes that GDAEC is trampling on the public’s constitutional rights and says: “We have to conclude that the information is being withheld to allow the department to hide the irregularities leading up to the approval of the development. We ... ask that you ensure that the files have not been sanitised and that we are granted urgent access to the information”. This email has also been disregarded.

Ebotse Estate

PROPERTY CONSULTANTS say that the 500-plus properties in the Ebotse Golf and Country Estate in Benoni are a great investment. Set around the Rynfield Dam, vacant freehold stands currently go for between R620 000 and R1,8mn, and the estate is now a giant mansion-building site.

A large part of it was previously a public park, controversially bought from the Ekurhuleni Municipality for only R1,25m in 2003, though its real value was about R15 million. This upset both ANC and opposition councillors, but no formal investigation was conducted into the sale.

Ebotse Golf and Country Estate (Pty) Ltd commissioned a full EIA shortly after acquiring the land, and were granted environmental authorisation in September 2004. They were allowed to build subject to conditions included in an official Record of Decision (RoD). Among these were that wetlands (including the Rynfield Dam) must be protected by a 55-metre buffer zone in which no development was to take place. Grass Owl, a threatened bird, was among the wild species found in wetland zones on the site.

Ebotse's owners, however, brazenly began building inside the buffer zone.

Andrew Shwegmann wrote to GDACE, and, following a meeting between the parties, Ebotse was cut some slack. A letter confirming a "variance" of the compliance notice, signed by Steven Cornelius, was sent to Ebotse on 21 September 2006. Ebotse wouldn't be required to demolish buildings in the buffer zone unless it received further notice from GDACE specifically instructing it to do so.

Cornelius, rather nicely, also undertook not to send any such demolition notice within 60 days. However, he insisted that various parts of the golf course constructed within the one-in-a-hundred-year floodline should be removed, and natural vegetation restored to damaged areas.

This was still not good enough for Shwegmann. He appealed to Cornelius as Head of Department for an amendment to reduce the buffer zone to a mere 10 metres, and pack the sides of

pressurising Cornelius to allow the controversial 15th hole of the course to remain. In a letter dated 3 March 2007, Cornelius caved in, allowing Ebotse to modify the layout plan to include the hole as constructed, and not as originally approved. But he wasn't going to reduce the buffer zone.

Clearly frustrated, Shwegmann went over Cornelius's head, appealing directly to MEC Mosunkutu. After a bit of sweet-talking, Mosunkutu overturned Cornelius' decision to deny Ebotse a changed RoD, and unilaterally – without consulting specialist ecologists in his own department, nor the registered interested and affected parties – reduced the buffer zone to 20 metres on the eastern side of the dam and 25 metres on the west.

Formal requests for reasons for GDACE's decisions, made by the Environment and Conservation Association (an NGO) in terms of the Promotion of Access to Information Act, have been ignored by GDACE.

When *noseweek* called Schwegmann to ask why his company had ignored the 55m buffer zone stipulated in the RoD, his response was a tense "Who told you about this?" and "No comment, no comment. I'm not going to say anything about this. I think it's really unfair of you, calling me on my cellphone about this."

How had they secured publically owned land at such a low price? "No comment" again. Did he wish to place on record that there were in fact no irregularities with his development? "I'm not placing anything on record. This call is now over!"

We weren't able to ask him if he had financial connections to Mosunkutu, his business associates, his friends and family, or the ANC.

Eye of Africa

THIS GOLF ESTATE was proposed early in 2004 by Pixley World Investments, owners of sections of the farm Alewynspoort 145 IR, near Walkerville, south of Johannesburg. Early in the authorisation process Pixley somehow gained the buy-in of several influential members of the ANC and GDACE officials soon began complaining to their seniors of intense, and completely irregular, political pressure to approve the development.

Despite this, in February 2005 they refused environmental authorisation to the Eye of Africa estate, saying it would impact ecologically sensitive areas, sterilise useful farmland, and

I'm not going to say anything about this. I think it's really unfair of you, calling me on my cellphone about this

Ebotse director Andrew Shwegmann

Following complaints, in July 2006 GDACE issued a "pre-compliance notice" to Andrew Shwegmann, an Ebotse director. GDACE inspectors had found golf holes and residential buildings being built within the buffer, and below the 1:100 year floodline.

(A pre-compliance notice is a warning that unless contraventions of RoDs are rapidly rectified, the department will issue a "compliance notice" – which in this case would force Ebotse to demolish houses and restore damaged areas, and lay the company open to civil and criminal charges and withdrawal of environmental authorisation.)

Ebotse did not correct their transgressions, and argued that GDACE's inspectors were mistaken, an excuse found wanting by the department. A stern compliance notice, issued on 28 August 2006, ordered all construction on the site to cease within 24 hours, the buildings within the buffer to be demolished and the area rehabilitated.

the dam with rocks to prevent reeds growing there – effectively destroying bird habitat. Shwegmann also wanted a retrospective OK for the 15th hole of the course, which had been constructed in a wetland area deep in the buffer zone, where Grass Owl had previously been seen. In October 2006 Cornelius refused the request for an amended RoD, saying that Ebotse had consistently failed to keep to the terms of its environmental authorisation. Any developer wanting to change plans must apply for an amended RoD before going ahead with any construction that conflicts with the original RoD, not after. Schwegmann was obviously trying retroactively to "legalise" his infringements by asking for a variation of his RoD after he had overstepped regulatory bounds. Normally, for an RoD to be amended, a new EIA has to be done, which should include public participation and specialist studies.

Shwegmann persisted, somehow

THE ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

The South African environmental impact assessment process consists of two stages. First, a developer must commission a "scoping" assessment, a preliminary – and often superficial – environmental assessment. Once the Draft Scoping Report has been circulated to registered "Interested and Affected Parties" for comment, a Final Scoping Report is handed to the relevant environmental authority, usually at provincial level. This authority can order the developer to commission a "full" environmental impact assessment (EIA), especially if the scoping exercise has raised any red flags, such as rare species or fragile ecosystems, but can also issue environmental authorisation without a "full" EIA if scoping indicates that no environmental harm will result from the development. For obvious reasons, developers and their consultants sometimes pressure authorities into granting environmental authorisation on the basis of a scoping exercise alone.

bring unwanted urban sprawl outside the urban edge.

Pixley World appealed the decision. In a lengthy letter from their lawyers, Dykes, van Heerden Inc, Pixley World said that GDACE officials had erred in their refusal, and produced a table claiming massive job creation and economic benefits from the development. Bizarrely, they also claimed the support of numerous ANC-controlled government bodies, including the Gauteng Economic Development Agency and the national Labour, Education and Arts and Culture Departments. Even more strangely, they said their golf estate was backed by the "Nelson Mandela Children's Foundation" – but while there is a Nelson Mandela Children's Fund and a Nelson Mandela Founda-

tion, no one has heard of a Nelson Mandela Children's Foundation.

Pixley World director Rui Graça arranged for ANC loyalist Carl Niehaus, then CEO of the Gauteng Economic Development Agency (a provincial business support agency), to write a formal letter on its letterhead to GDACE MEC Mosunkutu (who was to decide on Pixley World's appeal). The letter, dated 9 June 2005, repeated Pixley's table of job and economic benefits and encouraged Mosunkutu to arrange a (highly irregular) round-table meeting between GDACE staff and Pixley World to "assist" in their "decision-making process" and allow the project to proceed.

Such interference by another state department in an appeal process is, according to *noseweek's* sources, unprecedented. Besides, appeal documents should be submitted to the MEC within 30 days of the decision being announced – otherwise they are not normally considered.

Residents around Eye of Africa claimed that they were being bullied into selling their properties to Pixley World. In letters to GDACE they said estate agents had told them – long before official decisions had been made – that the golf estate was a *fait accompli*, as it had high-level political support. If they did not sell, the provincial government would allow squatter camps in the area, thus devaluing their land.

The appeal worked out for Pixley. On 21 July 2005 Mosunkutu overturned his department's refusal of authorisation to Eye of Africa, and in 2006 Graça notified GDACE that ownership of the property was transferred from Pixley to Lexshell Investment 659 (Pty) Ltd. (Online searches of the Registrar of Companies database reveal no trace of Lexshell Investment 659.)

noseweek's sources say that GDACE's chief director of legal services, advocate John Nesidoni, had long supported the Eye of Africa development in intra-departmental meetings.

Curiously, in their 5 July 2006 edition, local paper *Southern Courier* carried a photograph of Nesidoni allegedly "purchasing" a plot at the estate. However, online title-deed searches show no property registered in John Nesidoni's name in Eye of Africa.

Nesidoni is tipped to take over as head of department in GDACE when current department head Steven Cornelius leaves. **■**

This space
is a snip at

**ONLY
R1800...**

Why not try
it for size?

noseads@iafrica.com



Who nose and 'ears
everything on
the Garden Route?

ACTION ADS

Knysna

12 000 copies weekly

Tel: 044 382 6673 / 044 382 7010
ads@actionads.co.za • www.actionads.co.za

COMPANY DIRECTORS

Websec offers 24-hour online information on directors of all SA-registered companies.

Low volume searches
(1000 pa) for R2750 plus VAT.
Contact lennon@accfin.co.za



Discover the
transformative
power of story

www.storytelling.co.za

Spears back on the warpath

SA Rugby faces major legal battle

TONY MCKEEVER IS NOTHING if not persistent. The guy at the forefront of the Southern Spears' fight against SA Rugby (*nose84*), is back on the warpath: he's determined to force SA Rugby to pay up what is rightfully owed (or some of it), and see Spears back where they belong – on the field.

To recap: After SA Rugby, under new president Oregon Hoskins, stopped financial assistance to the Spears, reneged on a deal to get them into the Super 14, and excluded Spears from the 2006 Currie Cup, Spears, led by McKeever, took SA Rugby to court.

But when Judge Dennis Davis held that the agreement was binding and left it to the parties to sort the matter out, SA Rugby simply threw more money at the problem. When mean tricks didn't work, they persuaded Spears to go into voluntary liquidation. SA Rugby's "victory" came at a cost – McKeever reckons they've spent some R8m trying to kill off the Spears. And it ain't over yet!

But the wily McKeever has a couple of smart new stratagems.

Firstly, in October, he lodged a formal complaint with the Competition Commission. His basis for this move is the argument that with SA Rugby and the five franchises being run by commercial companies, the Competition Commission has jurisdiction over them, just as it has over any big business.

McKeever's charging that, under its new presidency, SA Rugby and the five major franchises have collaborated, colluded and conspired as a cartel to financially suppress, subdue and deliberately prevent the Southern Spears from competing in the 2006 Currie Cup and 2007 and 2008 Super 14 competitions.

They did this, says McKeever, by depriving the Southern Spears of assets granted to it by the 2005 agreement, namely three years of rugby

fixtures; they also terminated financial support for Southern Spears just three months into a 12-month agreed period.

McKeever argues that, as the Competition Commission has imposed fines of R100m against SAA and R692m against Mittal Steel, why shouldn't it fine SA Rugby R40m – being 10% of its annual turnover of R400m?

In addition, the big five franchises could collectively be fined an amount of some R30m. And the various parties might still be required to make reparations to the Southern Spears.

This could be disastrous for SA Rugby says McKeever, because its reserves have inexplicably dropped from R45m four years ago to R18m today (this doesn't take into account any windfall from last year's World Cup, which McKeever thinks could be in the order of R43m), whereas the administration budget has shot up from some R30m per annum to some R80m.

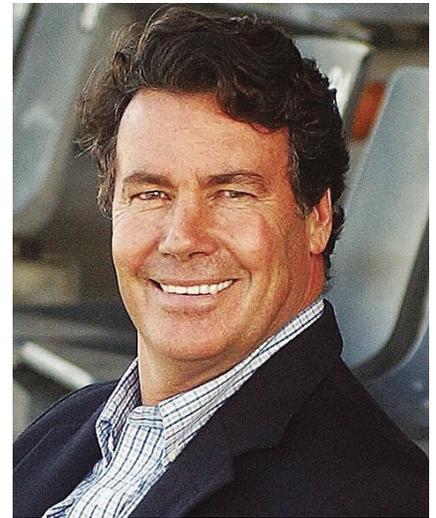
So McKeever is suggesting instead that a settlement be reached, where SA Rugby is fined just 5%, some R20m. Of this, R3,7m could be used to get the Spears out of liquidation, and the balance towards preparing for a Super 14 season.

McKeever certainly seems to have done his homework. An interesting feature of the case is that Dennis Davis is now president of the Competition Appeal Court.

Easily applying the language of competition law to the world of rugby, McKeever argues that competition law is designed to promote and maintain competition within SA, with the aims *inter alia* of:

- Promoting the efficiency, adaptability and development of the economy – in this case Southern Spears attracting commercial sponsorship and generating significant revenues in the Eastern Cape.

- Providing consumers with competi-



Tony McKeever

tive prices and product choices – Southern Spears becoming a Super 14 Rugby franchise in the Eastern Cape, where no franchise has existed before.

- Promoting employment and advancing the social and economic welfare of South Africans – Southern Spears offering close to 50% of registered rugby players in South Africa the chance to play for a franchise in their own area.

- Expanding opportunities for South African participation in world markets and recognising the role of foreign competition in South Africa – allowing the Southern Spears to host foreign Super 14 teams.

- Ensuring that small and medium-sized enterprises have an equitable opportunity to participate in the SA economy – Southern Spears being granted rights to develop a franchise in the Eastern Cape.

- Promoting a greater spread of ownership, and in particular the ownership stakes of historically disadvantaged people – Southern Spears would clearly promote such ownership possibilities.

McKeever argues that, as the Competition Commission has fined SAA R100m and Mittal Steel R692m, why shouldn't it fine SA Rugby R40m?

McKeever further claims that SA Rugby is abusing a dominant position, and points out that SA Rugby enjoys "market power" as defined by the law, namely the power to exclude competition or to behave to an appreciable extent independently of its competitors.

He says it's unlawful for a dominant firm like SA Rugby to refuse to give a competitor like Southern Spears access to an essential facility when it is economically feasible to give such access. SA Rugby is also engaging in exclusionary acts, for example by requiring Southern Spears' three member companies to abandon a court order, and by refusing to supply Spears with scarce goods, in this case finance.

McKeever's second approach has a political theme. Since Jake White was told "Thanks mate but now piss off", it's been apparent that SA Rugby's version of transformation – two darkies out on the wing – will no longer cut it.

On 2 January 2008 McKeever wrote an open letter to the SA Rugby president's council (in anticipation of its 9 January meeting at which Peter de Villiers was announced as the new Springbok coach – without mention that he'd coached Spears for eight months) and copied it to the minister of sport and the Competition Commission.

The emotional letter reminds the council that, in terms of clause 1 of the SA Rugby constitution, it is required to ensure that rugby is "played, administered and promoted on a non-racial, non-political and democratic basis, and that all persons, irrespective of race, colour, creed or gender, should have the right in whatever capacity to participate in the game of rugby".

McKeever goes on to tell those members of the 19-member council who aren't completely in the loop, like deputy-president and likely next president Mike Stofile, that a group of six individuals at SA Rugby has waged a clandestine campaign against Southern Spears, in concert with SA Rugby's legal counsel De Klerk & van Gend (erstwhile attorneys to ex-president PW Botha no less), a firm which generally costs SA Rugby over R6m per annum, and has cost it some R8m on this issue alone.

He claims that this group of six has recklessly exposed SA Rugby and the five franchises to paying penalties of over R70m. McKeever singles out SA Rugby president Oregon Hoskins, vice president Koos Basson, SA Rugby (Pty) Ltd CEO Jonathan Stones, SA Rugby Union CEO Johan Prinsloo, chief financial officer Basil Haddad, and general manager of legal affairs Christo Ferreira.

McKeever describes their conduct as a "repeated failure to comply with, and a systematic contravention of, the SA Rugby Constitution and a display of gross negligence and *mala fides*". He calls on the council, on behalf of over 200 000 rugby players in the Eastern Cape, and supporters around South Africa, "to either hold rugby as an example of sportsmanship, transparency and transformation or to continue along the path of discrimination and exclusionary acts as has been the case with Spears".

It is, warns McKeever, "inconceivable that the Eastern Cape rugby, business and legal communities, as well as the national authorities would stand idly by and permit the pillaging of the Southern Spears by a monopolistic body, SA Rugby, and the collusive cartel made up of the other five Super 14 franchises".

Once again McKeever proposes a solution – one that should go down like a lead balloon in Jozi. His suggestion is that Southern Spears should play in the 2008 Super 14 season. The Lions (the last-placed South African team for the past two years) should stand down and become a junior partner of the promoted Southern Spears, with 50% of home games being played at Ellis Park and a 50/50 revenue split between the franchises on Ellis Park revenue (McKeever claims this concession will alleviate the economic isolation suffered by the relegated side). Up to eight Lions players can be drafted into the Southern Spears squad. The new Springbok coach should assist the Southern Spears with its preparations, which will have the added advantage of getting the national coach directly involved with Super 14 and therefore with all of South Africa's top players. SA Rugby will be responsible for finding sponsorship for the Southern Spears, and in return, the Southern Spears will drop all its claims against SA Rugby. Was McKeever's letter discussed at the 9 January meeting? Who knows. SA Rugby simply won't talk. ■

**ASSOCIATION OF ARBITRATORS
(SOUTHERN AFRICA)**



The Association has been presenting correspondence courses in arbitration for over 20 years, for which the qualifications are well respected both locally and internationally. The following courses are now being offered to Members of the Association and those wishing to apply for membership.

- Certificate Course in Arbitration
- Fellowship Admission

Registration:

- Certificate Courses: 15 February 20
 - Fellowship Courses: 15 March 2008
- For further information, kindly contact the Association at: PO Box 653141, Benmore 2010, 3rd Floor, Sandown House, Norwich Close, (off 5th Street), Sandown

Tel: (011) 884-9164/5 Fax: (011) 884-9167
di.arbitrators@gmail.com
www.arbitrators.co.za



Who pays to save the beach?

THE SEARCH FOR A SOUND method of restoring the fast eroding beach at St Francis Bay goes on – and continues to divide the local community (*noses89&91*).

The original Beach Trust lost the confidence of residents and holiday-homeowners when it falsely claimed to have a mandate from them, and an agreement in place with the municipality. The Beach Joint Action Committee (BJAC) was then formed to find a way forward, and a referendum was proposed to get the buy-in of the bay's residents.

Now this too has been delayed, amid confusion over who would be included in such a referendum, and the role of "certain well-heeled" ratepayers in getting officially sought legal opinion changed without a mandate from the municipality or BJAC.

The original bunch of wealthy, beach property owners – Michael Wylie of WBHO (the development company awarded the lucrative Green Point 2010 stadium contract), Anthony Ball, Pat Kelly and James Horne – have enlisted the support of two other tycoons; FNB chairman GT Ferreira and Brian Dowley, chief executive of the Spec-Savers Group. Ferreira is South Africa's fifth wealthiest individual, with assets valued at R5bn.

Deals within deals and wheels within wheels in the battle of St Francis Bay

After BJAC was formed, the Kouga municipality retained Municipal Consultants (Pty) Ltd to advise them on the legal situation regarding New Zealand company Amalgamated Solutions and Research's (ASR) artificial reef proposal (solicited by the Beach Trust), and on who should be paying.

On 5 September last year, advocate Werner Zybrands submitted legal opinion to municipal manager Dr E Rankwana, that effectively trashed Wylie and Co's expensive plans.

Zybrands raised four vital obstacles:

- The beach and seashore are public spaces, and both fall under national government as custodian of coastal public property.

- Any envisaged rehabilitation would be subject to the provisions of Sections 16, 28 and 30 of the National Environmental Management Act, and would thus have to gain the approval of the Department of Environmental Affairs and Tourism.

- The National Environmental Management: Coastal Management Bill, although currently only in bill form, also clearly indicates the dominant role played by national government in this regard.

- The proposed cost (the earlier R25m – now at least R50m) would be beyond the means of the majority of

property owners in St Francis Bay.

But no sooner had the wider community recovered from a celebratory hangover than they discovered that the Beach Trust gang wasn't ready to let their carefully laid plans be washed away.

An unmandated delegation had met with Zybrands in Johannesburg – and Anthony Ball reported to the community that Zybrands' new legal opinion allowed the municipality to support the ASR project. The Beach Trust guys informed the community that they were ready to contribute towards the settlement of the pending ASR bill (for preliminary research and project development) of R480 000, with GT Ferreira apparently pledging R20 000.

But many residents aren't happy with how things are being handled. Letters to local newsletter *The Milkwood Speaks* accuse individuals "from up north" of overriding all that has been achieved in the past year by BJAC – a reference to Wylie and Co, who, it seems, aren't about to hand over the reins, despite ongoing dissatisfaction among residents at their high-handed behaviour.

Mike Wylie recently assured New Zealand company Amalgamated Solutions and Research (ASR), that the Kouga municipality are "fully behind the project", although the municipality itself hasn't come forward with a clear position, leading to speculation among residents that hidden deals are being struck. For example, Wylie is believed to have met in January with the Kouga municipality, to offer his own development company WBHO to rehabilitate roads in the municipality if the council backed the ASR project and supported a plan to have residents contribute towards the massive projected cost of the artificial reefs.

When *noseweek* contacted advocate Zybrands and asked why he had changed his legal opinion, and in indeed what his new opinion was, he replied: "After giving the first legal opinion, the brief was changed, so we had to adjust our opinion."

Who had changed the brief, given that the original one had been made by the Kouga municipality?

"Originally I had been furnished with the draft agreement between the Municipality and the St Francis Bay Beach Trust and subsequently with the amended, signed agreement. No municipal official visited me in my Gauteng office."

Zybrands statement bears out what many have suspected – that Wylie and Co do indeed have an "agreement"

with the Kouga municipality, but it's not one being communicated to the community. Nor one negotiated by mandate from the wider community.

How come Zybrands changed his opinion without a new brief from the municipality? At the time of going to press, Zybrands had not returned to us with an explanation. And, although there's much heat around the alleged change of legal opinion, no-one, including Zybrands, is saying what exactly has changed.

Despite repeated attempts by *noseweek* to get official comment from the Kouga municipality, at the time of going to press we had not received answers to our questions concerning the nature of the claimed agreement with the Beach Trust.

Still-insolvent Beach Trust member Alan Tonkin is confident that a referendum would sort things out – that's what "real democracy is about", he says. But who would be included in the referendum, and what are its terms?

Zybrands' original legal opinion was that, for the proposed referendum to be binding, its terms must be decided by the municipality and monitored by the Independent Electoral Commission. And the Kouga municipality's responsibility is to a much wider community than simply those homeowners affected by erosion of a 2,6km portion of the area's extensive beaches.

GT Ferreira tells *noseweek* that the way it's been explained to him the proposed levy would be around R150 to R200 per month. But this is apparently based on levying a much larger local population than has been drawn into the BJAC process. BJAC's Joe Oosthuizen writes: "Spurred on by Alan Tonkin, beachfront owners, who have in the past been responsible for their own properties, now feel that it is time that the entire community be levied so that the beach can be restored."

Yet a levy figure of 1,5% per annum of rateable property value has also been given on many occasions, by Wylie himself among others. This translates as around R15 000 per annum on a home worth R1m. Nothing for some; everything for others.

Meantime Danish firm Skagen, with a record of successful interventions against beach erosion in Malaysia, Ghana, Sweden and elsewhere, are suggesting a price of around R5m for their technology, and a small group of residents are raising funds to fly Skagen in to do a full survey. **W**

PROPERTY MANAGEMENT

maxigroup

COMMERCIAL PROPERTY BROKERS

Cape Town and suburbs

PROPERTY BROKING Tel: 0861 422 427
E-mail: reception@maxigroup.net
PROPERTY MANAGEMENT Tel: 0861 422 426
E-mail: admin@maxigroup.net

**Want to invest
in quality start-up
businesses?**

Venture capital opportunities
for private investors

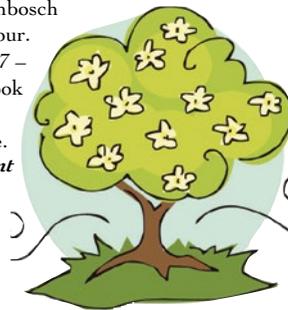
www.quickberry.com
021 465 7021

quickberry
unlocking ideas

CHELSEA TOUR 2008!

Gardens of Delight

It gets better every year!
Celebrate the next annual horticulture extravaganza.
See the finest English gardens on the 13th Anniversary Kirstenbosch Chelsea Flower Show Tour.
Departure date is May 17 –
But it's a good idea to book early for this swirl of flowers, food and theatre.
Inquiries: Gillian Durrant
(021) 685 2858
or 085 261 3961



**Convert debtor's &
credit sales into CASH!**

Confidential Invoice Discounting &
Bridging Finance to SME's.

Alcrest

OUTSOURCING (PTY) LTD

Tel: 011 467 0285 or 083 458 0805
Email: dale@alcrest.co.za

Doctors out of pocket

Is the Workmen's Compensation Commission on its last legs, or is it simply shirking its duties?

IS THE WORKMEN'S Compensation Commission (WCC) broke, or simply not doing its work? If the frustrations of a group of 22 Western Cape doctors are anything to go by, both could be true. The Commission, managed by the Department of Labour under the reluctant watch of Cosatu, may well be hiding a serious incapacity to deliver.

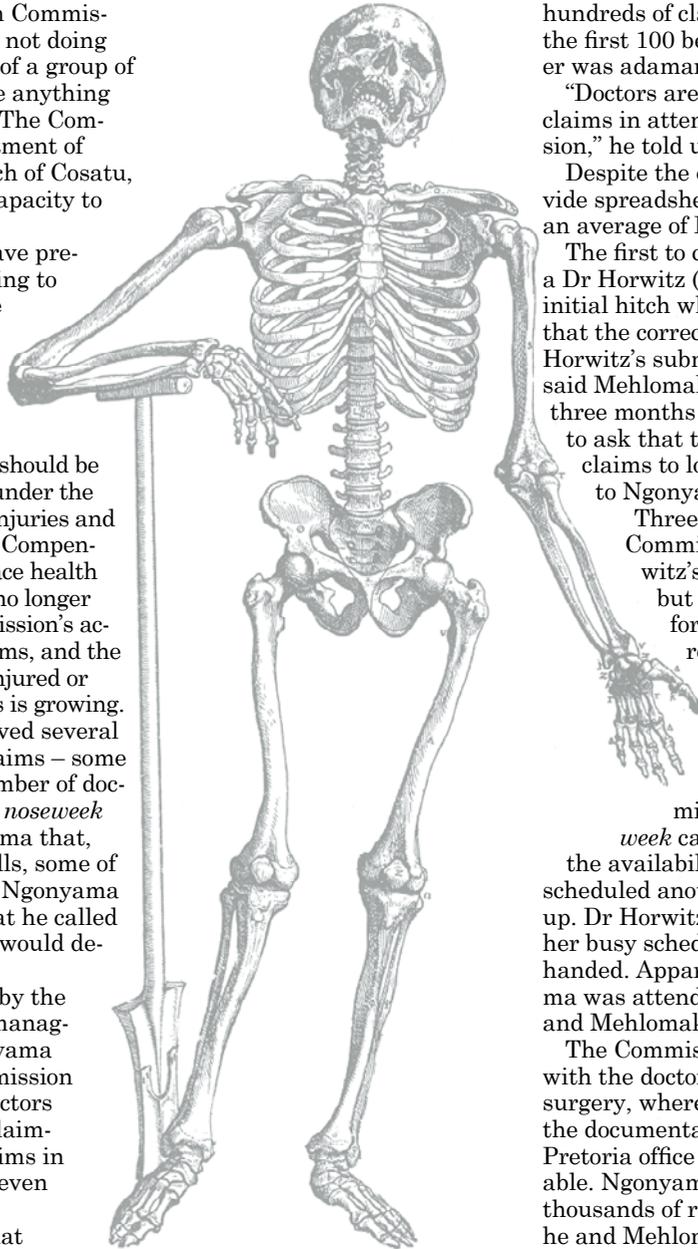
Now a group of doctors who have presented unsettled claims amounting to many millions are waiting to see if the claims will finally be processed, after (then) Western Cape Commissioner Thozama Ngonyama undertook to look into the matter.

The Commission, by all rights, should be flush – all employers are bound, under the Compensation for Occupational Injuries and Diseases Act, to contribute to the Compensation Fund, as a form of workplace health insurance. Yet most pharmacies no longer dispense medicines on the Commission's account, due to non-payment of claims, and the list of doctors unwilling to treat injured or sick workers carrying WCC forms is growing.

Early last year *noseweek* received several large boxes of unsettled WCC claims – some dating back to 2001 – from a number of doctors in the Western Cape. When *noseweek* informed Commissioner Ngonyama that, largely due to unsettled WCC bills, some of these doctors were deep in debt, Ngonyama quickly invited us to discuss what he called “unnecessary bad publicity that would destroy the Commission”.

At the meeting, also attended by the Commission's Cape Town area manager, Tobeka Mehloimakulu, Ngonyama assured *noseweek* that the Commission wasn't broke, and blamed the doctors themselves for their problems, claiming they were not filing their claims in time and that some doctors had even submitted fraudulent claims.

Ngonyama expressed doubt that *noseweek* could be in possession of hundreds of unprocessed claims, but said the doctors should submit their claims, in spreadsheets, to his office. Tobeka Mehloimakulu protested that they couldn't handle



hundreds of claims at once, asking that only the first 100 be submitted. The Commissioner was adamant – he wanted to see them all.

“Doctors are known to make multiple claims in attempts to defraud the Commission,” he told us, “I'll prove *noseweek* wrong.”

Despite the extra work of having to provide spreadsheets, the doctors, who are owed an average of R500 000 each, complied.

The first to complete her spreadsheet was a Dr Horwitz (not her real name). After an initial hitch when Mehloimakulu claimed that the correct format hadn't been used, Dr Horwitz's submissions were accepted. But, said Mehloimakulu, the claims would take three months to process. She later called to ask that the other doctors submit their claims to location offices, and not directly to Ngonyama's office.

Three months down the line, the Commission filed a report on Dr Horwitz's claims. Some were accepted, but the Commission alleged that, for most of the claims, “the records of the accidents cannot be traced or employers' records are not available”.

Dr Horwitz went through her records and obtained copies of the data the Commission couldn't find, and *noseweek* called Ngonyama to alert him to the availability of the “missing data”. He scheduled another meeting, but didn't turn up. Dr Horwitz, who had taken time out of her busy schedule, had to go home empty handed. Apparently Commissioner Ngonyama was attending a conference in Pretoria and Mehloimakulu was also not available.

The Commissioner arranged to meet with the doctor on the following day, at her surgery, where she presented him with the documentation that the Commission's Pretoria office had claimed was untraceable. Ngonyama then signed for hundreds of thousands of rands worth of claims, which he and Mehloimakulu then carried away.

Three weeks later Dr Horwitz received a copy of an email that had been sent to Ngonyama by a Maria Scheepers of Crosscape Express, the department's contracted courier company. The email, dated 22 May

Last year noseweek received several large boxes of unsettled claims

2007, reads: "I would like to inform you that on the 4th of May 2007, we had an armed robbery incident at our Crosscape Express Johannesburg branch. During the robbery, the robbers got away with three consignments that were sent by yourself to the Department of Manpower (UIF). Can you please urgently supply the value of the consignment, replacing the documents."

Exactly why the batch of WCC claims were being delivered to the Unemployment Insurance Fund is not clear, but the Commission did offer to supply an assistant to help Dr Horwitz produce replacement copies.

A week later, Mehlomakulu called to announce that Dr Horwitz had been handed R21 000 of her pending R400 000 plus claim – rather puzzling, given that she was still busy preparing the relevant documentation.

In an email dated 7 August 2007 and copied to his boss Thobile Lamati, Nkonyama wrote: "Her accepted accounts have been paid and that has been communicated to you and the concerned doctor. The payment includes accounts that were lost in transit due to a robbery. This was an unfortunate incident for which the department cannot be blamed. The alleged unpaid accounts could be those that had just been received and we will check their status and report back."

Congratulations should go to the Commission – at least they had cleared 5,25% of Dr Horwitz's bills. What didn't amuse the doctor was a further remittance of R86: after VAT and bank charges she received R60.

"This is a joke," she says, "Doctors are not supposed to complain, but being treated like this, while we sit with huge bank overdrafts, is just unacceptable. What are we expected to do? Stop offering services?"

Dr Horwitz knows several doctors who have stopped attending to the Commission's clients because they don't get paid out for their claims. She continues to do so, but only while she can.

noseweek attempted to get comment from Cosatu General Secretary Zwelzima Vavi, but at the time of going to press, he hadn't returned our calls.

There are others who seem to be doing rather well out of the Commission's difficulties – but they aren't doctors. Compensation Solutions (Pty) Ltd, for example, which lists Arthur Shipalana, Lincoln Xate, Peter Franklin, Harold Allnut and Friedrich Johann as its directors.

Compsol, as the company is known, is apparently making good money by collecting the Commission's debts on behalf of frustrated doctors – at a commission ranging from 10 to 35%, depending on how old the claim is.

www.compsol.co.za boasts a bunch of doctors very eager to publicise Compsol's successes. Dr DF Malherbe writes: "I would like to take the opportunity to thank Compsol as an organisation and Lise, Lee-Ann and Anne-Marie and Mornè in particular for their fantastically efficient and friendly assistance. My practice was days away from closing down because of cashflow problems and you made sure that this did not happen, thereby saving my livelihood. Thank you that you were always friendly and very pleasant even when I got a little worked up."

Why such satisfaction with Compsol's services? Simply, the company delivers, offering doctors the outstanding amount upfront, less commission, and only then collecting from the Commission.

Of course not everyone is smiling – some doctors are asking how it is that the Commission seems to readily pay out to Compsol, while claims submitted by doctors are either ignored or subjected to lengthy delays.

"Is the frustration meant to ensure that we contract Compsol, which seems to have its own way of getting action from the Commission?" one angry doctor asks.

Were the Commission doing its work properly, Compsol would, of course, disappear.

Technically, since Compsol pays upfront, and charges interest on this "loan" should they fail to obtain payment from the Commission, it appears that Compsol is operating as an unregistered financial services provider.

None of Compsol's directors answered messages left at their offices in Port Elizabeth. ■



PALMS!

LARGEST STOCK AVAILABLE!

We Transplant and Transport

www.palmsupplies.co.za

CALL DAVID FROST 082 574 3766

BASED IN THE WESTERN CAPE

Powerful Presentation Masterclass
Conflict Resolution **Diversity Training**
Effective Business Writer
Business Etiquette **Hiring Smart**
SOFT SKILLS TRAINING
SOLUTIONS

HR for the non-HR Manager

Energizing your customer workforce

The Effective Manager: Business Leadership
 Understanding Project Management

www.assessmentwarehouse.com
 ph: 021 685 0533 fax: 086 684 2608
courses@assessmentwarehouse.com

the Assessment WarehouseSM

WATER LEAKS FOUND



Underground & in walls
Flow logging done to establish
extent of water leak

Thermal imaging done using infrared
camera for predictive maintenance
in the industrial environment.

www.findaleak.co.za
(011) 763 6306



Branded gods

THREE YEARS AGO, in a David and Goliath struggle, SAB Miller took on that fearsome giant Justin Nurse. SAB Miller was laid low, if not slain, when the Constitutional Court held it perfectly legal to sell spoof T-shirts – as in “Black Labour”, or ... how did the Standard Bank spoof go again?

Why the corporate-unfavourable ruling? Well, the brand owner wasn't suffering any economic loss. And anyway, according to one judge, humour isn't actually a bad thing.

More recently, in a case involving BMW and Verimark, the Supreme Court of Appeal has said that it's legal for one company to refer to another's brand, provided it's quite clear that the companies aren't connected.

These heretical developments led to much wailing and self-flagellation in glitzy Sandton corporate boardrooms, but much rejoicing in the cheaper parts of town. You see, it surely follows that if it's legal to refer to another company's brand, then comparative advertising, long an absolute taboo in South Africa, is now legit!

This makes space for start-up brands which want to be noticed, or struggling older brands which want to re-assert themselves, to piggyback (to some extent) on market leaders.

Take the case of God, a long-established but now struggling brand which, with best-selling authors like Richard Dawkins around, needs all the help it can get. Capitalising on the new heresies, some God fellows

have formed Celestial Studios (www.celestialstudios.co.za), whose slogan is “We revolve around the Son” (nothing to do with the low-brow newspaper). The company's vision “is to increase awareness of Christianity on planet earth in a cool and relative way”.

Now apparently St Francis of Assisi proclaimed that one must “preach the Gospel to every creature, and if necessary ... use words!” And as “a well-worn T-shirt is seen by over 50 000 people in its lifetime”, t-shirts are the way to spread His Word – hence Celestial's other devilishly clever slogan: “Like no wear on earth.”

Hayes Cunningham, director of Celestial, regards what Justin Nurse does as “hate-speech” because Nurse's slogans denigrate brands that have required great cost to establish. He tells *noseweek* that Celestial elevates brands by associating them with the highest name in the universe.

Not only is Celestial Studios prepared to reap where it hasn't sewn, but it's even happy to engage in that much-loved South African practice of charging foreigners a little bit more – T-shirts sell for R120, £12 and \$20. The company appears to have four T-shirts: the Lego look-alike *Let Go – Let God Be True*; the Coca Cola look-alike *Enjoy Jesus Christ – Life is Good*; the Superman look-alike *Super J*, and the Disprin look-alike *Disciple*. Each T-shirt comes in five options: S, M, L, XL and XXL – maybe that translates as: Saintly, Moral, Loving, Extra Loving and Extra Extra Loving. **W**

*Designers of a hip
range of spoof
T-shirts claim
that they ‘revolve
around the Son’*



JOHN CAMERON

Do you swear to tell...?

F OUL-MOUTHED ATTORNEY John Cameron, drummed out of Joburg's exclusive Inanda Club for swearing on its hallowed bowling green (*nose87*), is, over four years later, still pursuing Erica Badsey, the now 66-year-old grandmother who dared to complain to the club's disciplinary committee about his noxious behaviour.

Cameron, who has a legal practice in Joburg's Illovo, sued Badsey for defamation in Johannesburg magistrates court in 2004, but his R100 000 claim was dismissed. As were his appeal to Johannesburg High Court and final appeal to the Supreme Court of Appeal.

But the 52-year-old loony lawyer is still out for Badsey's blood. He's suing two of her witnesses, former Inanda bowls chairman Frank Nightingale and his wife Valerie, for R50 000 each in separate actions in Randburg magistrates court, claiming they defamed him in their evidence for Badsey.

Last June Badsey, who suffers from permanent headaches after surgery to partially remove a tumour on her brain some years ago, left the bustle of Joburg to live with her daughter Kim on the KwaZulu-Natal coast.

When Cameron subpoenaed her to appear as a witness in his case against Valerie Nightingale last August, she was recovering from pneumonia and couldn't face the stress of travelling to Randburg to step into the witness box. A medical report by psychiatrist Dr Lennart Eriksson informed the court that she was unfit to travel; the brain operation had left her significantly neurologically vulnerable and this frail, gentle lady was unable to cope with the litigious onslaught against her.

Cameron's version is that the psychiatrist's report merely stated that Badsey was nervous about giving evidence in a court of law. "And nervousness is not an excuse."

Magistrate Fourie agreed, and authorised a warrant ordering the Scottburgh sheriff to arrest Badsey for default and bring her before the court when Valerie Nightingale's case resumed this 22 January. On 7 January

this year the vengeful Cameron went completely over the top, expanding the warrant with a string of his own orders to Scottburgh Sheriff Kleintjie Matthews.

"In terms of the warrant you are authorised to arrest Mrs E Badsey and to furthermore place her into the custody of the officer in charge of the Umzinto Prison where she must remain until the morning of 21 January 2008 and on which morning you should collect her.

"Although the warrant permits you to arrest Mrs E Badsey immediately we deem it sufficient that she be arrested by you on Thursday 17 January 2008 and then handed over to the officer in charge of the Umzinto prison and to remain in jail until 21 January 2008."

So while Sheriff Matthews might have reasonably arranged to arrest Badsey on the



John Cameron

morning of 21 January and take her directly to Randburg, Cameron wanted the 66-year-old to spend four pre-trial nights in prison.

In an earlier letter to the Sheriff Cameron added a postscript: "Under no circumstances should you make Badsey aware of these travel arrangements and more particularly her impending arrest and detention." In other words, the attorney wanted the maximum shock when the sheriff arrived to cart Badsey off to the slammer.

In the event, a sheriff's deputy pitched up on 10 January, to inform Badsey of her imminent arrest and imprisonment. Badsey was out, but she duly arrived at Sheriff Matthews' office and the sheriff was shocked to see her weeping and incoherent at the prospect of arrest and imprisonment.

Sheriff Matthews, a well-known character in Scottburgh, would dearly love to tell *noseweek* what she thinks of John

Cameron and his preemptory orders. "Unfortunately the Sheriff's Board does not allow us to comment to any news media," she says.

Badsey's attorney John Mendelsohn intervened and next day produced a written undertaking by Badsey to attend Valerie Nightingale's trial. The sheriff was instructed to suspend the execution of the arrest warrant.

Ironically, nine days after Erica Badsey failed to show for Valerie Nightingale's trial last August, Cameron's case against her husband Frank Nightingale was due to begin in the Randburg magistrates' court. Erica Badsey pitched, but this time Cameron himself didn't!

Cameron tells us he had presumed that Badsey ("a critical witness to my case") would not be coming since she was in "such a nervous state" just days before. "So I didn't need to come to court. I'm a very very busy practitioner, I've got huge, massive matters on my plate," he says.

However, when Frank Nightingale's secretary phoned Cameron's office a few days later she was told that Cameron was on holiday overseas and had left on the night of 16 August – the day before the trial was due to begin.

Cameron condemns *noseweek* for not contacting him for comment before publication of *nose87* in January 2007. We tried, but you were overseas, we said. No, I was not, insists Cameron. For the record, *noseweek* phoned Cameron's office on 15 December 2006 when his secretary told us: "He's gone overseas, he flew yesterday. He'll be back in the office on 8 January. I know he's taking his children to Disneyland."

Of the arrest warrant for Mrs Badsey Cameron says: "I could have arranged for her arrest on the 13 August [2007] and she could have sat in jail until shortly before 22 January [2008]. But I'm reasonable and thought I would only arrange for the execution of the warrant nearer the actual date of the court case. I've been an attorney for over 20 years. I conduct myself properly."

After four years of continuing hassle, does Erica Badsey now regret reporting Cameron to the disciplinary committee for his deplorable behaviour? "Not at all," she says. "Cameron and his friend Rudi Wolter were drinking bloody marys on the bowling green and using foul language. This man has got to be

stopped; he's abusing innocent people."

Former Inanda bowls chairman Dennis Robinson was Erica Badsey's third witness in Cameron's original action against her. A magistrate dismissed Cameron's R50 000 defamation action against him in July 2006.

Of the maverick lawyer, Robinson says: "We would never have him back at Inanda in a million years."

■ As *noseweek* went to press, John Cameron had a new summons served on Erica Badsey, claiming R25 270 (plus interest) for costs incurred when he subpoenaed Mrs Badsey to attend Valerie Nightingale's trial in August 2007: Badsey's air travel R1 998; her hotel accommodation R370; bus fares R170; taxis and refreshments R1 200; Cameron's advocate's fee R6 384; his attorney's costs, R15 148.

ACCREDITATION

Schools for scamming

T

ENS OF THOUSANDS OF matriculants country-wide are still being duped into signing up for further education that is not regulated by the authorities set up to do so.

In *nose94* we exposed the scam involving Media24's two correspondence institutions, Damelin and INTEC. Thereafter, Media24 hurriedly sold off Educor, the group's education wing, to Leo Chetty's ICESA Education Services.

But there's no shortage of other colleges purporting to deliver further education and training (FET), but which are simply riding the bandwagon of "provisional accreditation by Umalusi Council" without taking the process further.

"Provisional accreditation" was intended as a first stage, a take-off point for colleges to begin a proper process of developing and adjusting their education programmes to meet national industry-related standards.

In fact, only 20 FET colleges have done the work and registered with the national Department of Education, and

we publish their names below. Well done to them – not that this means *noseweek* necessarily endorses their programmes. This leaves around 1300 FET colleges who haven't moved beyond provisional accreditation.

Early in January, *Beeld* carried a story about 15 students who between them had spent over R1m on what amounted to worthless "education". The 15 had spent four years, at around R70 000 each, studying for a qualification in arts management at an institution that, it turned out, was not registered with the Department of Education.

Faced with mounting public concern at the whole state of affairs, the SA Qualifications Authority responded – by email to names on their database. No general public warning to prospective students about to register for the year. And it looks like no mechanism has been put in place to police the whole process of accreditation.

The "warning" was also placed on their website – which half the time simply doesn't function. And this is how many tens of millions later?

SAQA's message runs as follows:

Students can avoid the heartbreak and expense of studying for an inferior qualification by asking two simple questions:

■ *Where is the college or service provider's certificate of accreditation from the Education and Training Quality Assurance body (ETQA)? The ETQA accredits providers that offer qualifications that meet strict standards.*

■ *Is the institution registered with the Department of Education?*

Information on SAQA and the ETQAs is available on our website. Note that even though a college or other service provider may be accredited by an ETQA, this does not mean that all the qualifications they offer are automatically accredited. You can check this by asking to see the SAQA ID

number of the specific qualification.

In addition, the Department of Education keeps a National Register of Private FET Colleges which lists all service providers registered with the Department. Ask to see the service provider's certificate of registration, or look it up on www.education.gov.za (click on "FET Register" on the sidebar).

Learners and parents are requested to ensure they take these steps before signing any contractual agreements.

Please Miss, may I go to the Umalusi?



The Registered FET Colleges:

- Aldabri 106, KZN
- Boston Administrative Services, Gauteng
- Boston School of Finance, Gauteng
- Bytes People Solutions, Gauteng
- CTU Training Solutions, Gauteng
- Early Learning Resource Unit, Western Cape
- Edutel Skills Development, Gauteng
- Falcon Business Institute, Gauteng
- GSF Education, Gauteng
- Gelvenor Consolidated Fabrics, KZN

- Goldex 545, Gauteng
- Institute of Tourism & Hospitality Technology, KwaZulu
- Natal Tourism Training Centre, KZN
- LSA School of Technology, Western Cape
- Micromatica 285, KZN
- Oakfields College, Gauteng
- Rand International Management & Training Consultants, Gauteng;
- Scientec, KZN
- Sector Education & Skills Training Organisation, Gauteng
- The South African Breweries, Gauteng

So if you or anyone you know is enrolled with any other FET institution, *noseweek* offers its condolences. SAQA of course will simply remind you that you should have checked before parting with your money. (Publishing this list in no way implies an endorsement of these institutions.)

MANYELETI LAND CLAIM

Businessman loses out

CONTROVERSIAL WHITE River businessman Karl van Vuuren's grand plan to get control of a chunk of the Manyeleti Game Reserve when the reserve's 23 000 hectares are handed over to the Mnisi land claimants (*noses*93 & 95) has been dashed. On 15 November Pretoria High Court Judge Bill Prinsloo rejected an application brought by Van Vuuren – in his wife's name – to have an agreement he made with Mnisi chief Hosi Mnisi to manage and develop the Mnisi ancestral land declared binding.

As detailed in *nose*93, Van Vuuren had been sacked by the chief when the penny dropped that the burly businessman stood to profit massively from the soon-to-be Mnisi land, with concessions to build at least two luxury game lodges with "indefinite, irrevocable and transferable" occupation rights, plus a development structure that would see only a percentage of returns going to the Mnisi.

Land Affairs Minister Lulu Xingwana pitched in with a tough affidavit declaring that Van Vuuren's plan, as proposed in his agreement, "simply constitutes the taking away of the community's land neighbouring the Kruger National Park, even before they have obtained such land".

In any event, said the minister, the state retains the responsibility to conserve national and provincial parks, and will manage Manyeleti even after its ownership is transferred to the Mnisi. Any agreement with joint venture partners to develop the reserve must be done within a framework agreed between the Mpumalanga Parks and Tourism Agency and the Mnisi community.

Judge Prinsloo, who appeared to be suffering from severe laryngitis throughout the two-day hearing, rejected Van Vuuren's application

in a barely-audible whisper. He will deliver his reasons at a later date.

Karl van Vuuren and his wife Edith did not attend the Pretoria hearing. They were both in the dock of Johannesburg's Commercial Crimes Court, on fraud and theft charges concerning R300 000 allegedly uplifted from former Road Accident Fund chairperson and Absa board member Danisa Baloyi.

In a bid to have the criminal charges dropped, the Van Vuurens got in a huddle in the court corridor with Baloyi's attorney, Jurgens Bekker, offering R300 000 in compensation to his client. This was refused, but Bekker finally decided that Baloyi would withdraw her complaint in exchange for R345 000. The R345 000 was due to be paid into Bekker's trust account as we went to press. Senior Public Prosecutor Wolvaardt had still to decide whether the state will go along with this or not. If Wolvaardt concludes that justice would be served by a payout,

all charges against the Van Vuurens could be withdrawn and Baloyi will get the R345 000. If the state decides to proceed – prosecutor James Bhengu reckons he's got a strong case – the money is to be returned to the Van Vuurens.

Although such settlements are common in civil cases, they are rare in criminal courts, raising issues of public policy. If the payout succeeds

in getting the Van Vuurens off the hook, it will create a precedent enabling anyone to steal or commit fraud to their hearts content – if caught, they can escape prosecution and prison simply by repaying what they got away with. Shoplifting prosecutions, for one, would never even get off the ground, since stores invariably retrieve purloined goods before they leave the premises.

In this case, Danisa Baloyi complained that she had paid R300 000 into an allegedly bogus company of which Edith van Vuuren was sole director and shareholder. The Van Vuurens, who had not yet pleaded to the charges when we went to press, are out on bail of R30 000 each. If the case proceeds, their next court appearance will be on 24 February.



Chief Hosi Mnisi with Karl van Vuuren

Private Apartments to let

FULL FACILITIES • TV • SECURITY

LONDON £100 per day* between Park Lane and Grosvenor Square

NEW YORK \$120 per day* Midtown/E63rd & Madison Ave

PARIS €120 per day*

206 Rue de Rivoli on Tuileries Gardens

Cell 082 445 1804 or Tel/Fax: 021 712 1712

*Costs apply for stays of 3 or more days. Cost of 1 or 2 days extra 25%.

EMAIL: ddn@iafrica.com



noseweek

ADVERTISING
noseads@iafrica.com

NEED TO CATCH A SNAKE?

Africa's premier
snake catchers
(We're not bad at sharks either)

Mercantile Investigation
Litigation support
Recoveries & resolutions

Tel: +27+83 357 8555
mark@vumbu.com



VUMBULULA
RESOURCES PTY LTD

SITUATED NEAR WHITE RIVER...

...fine food, accommodation, and functions in a beautiful 6 hectare garden!



I-GWALA GWALA

A COUNTRY HOUSE IN THE LOWVELD



www.igwalagwala.co.za (013) 750-1723

RIEBEEK KASTEEL

Poisonous rumours

THE GREAT PESTICIDE Battle of Riebeeek Kasteel is getting uglier by the day. As told last month (*nose99*) interior designer Jurgen Schirmacher and guesthouse owner David Bellamy are up against vineyard king Johan Vlok and his pesticide supplier, Eric Venter, in a war over Vlok's use of

dangerous pesticides in his vineyards on the edge of the town.

Right from the start, farmer Vlok has refused to talk to *noseweek* – “talking to journalists doesn't help anything”. To get the truth, said Vlok, we should go into the dorp and ask ordinary people what was really going on. What we heard seemed to confirm our worst fears – that the citizens of this pretty little town have indeed been over-exposed to brain-rotting chemicals.

Schirmacher, we “learned”, is actually a psychologically disturbed shit-stirrer, a serial complainer with a deep need for attention (he's been “psychologically profiled” by Venter).

Did we know he's been run out of more than one town for causing endless trouble (Moorreesburg and Cape Town, by some accounts)? And that, as he doesn't really believe the chemicals are dangerous, he deliberately allows his children to play outside when the pesticide blowers drive past, simply to find an excuse to hammer Vlok. And he has money problems and is looking for international “green” NGOs to fund his campaign and bail him out of debt.

Worse! When Schirmacher's month-old child suffered breathing difficulties, he deliberately made the problem worse by driving the infant all the way to the Constantiaberg Medi-Clinic (in Cape Town) instead of bringing him to a perfectly competent doctor in the Riebeeek Valley – just to get attention [see *letters page* – Ed.]. He's also jealous of farmer Vlok's financial success so he's taking him to court to extract massive payment for “damages”, to bring him down a notch.

People told us that Schirmacher is a racist who hates Afrikaners and coloured people – even English-speakers when they don't agree with him. Only newly-immigrated Germans are allowed into his social circle, and he'd prefer the Riebeeek valley to become exclusively Deutsch.

We also “learned” that farmer Vlok is a pillar of the community, a generous man who donates to the church and loves coloured folk. He's a salt-of-the-earth Afrikaner who employs hundreds of people, and works shoulder to shoulder with the poorest of them. He's a straight-talking Boer who's been taunted by the *uitlanders* one too many times, and isn't afraid to say what everyone else thinks about “Shitmacher” & Bellamy.

Vlok's pesticides, say the wise townfolk, are 100% safe, at least in the low concentration he sprays. We need look no further than his international certification in terms of the Eurepgap and Tesco's Nature's Choice protocols – which apparently ban the use of dangerous chemicals and ensure the protection of farmworkers and the environment, and are stringently enforced. Farmer Vlok's “100% Boer” appearance makes him a target for the racist English media, who love spreading lies about Afrikaners.

We went back to Schirmacher. When had he lived in Moorreesburg? He's never even overnighted there. He left Cape Town to come and enjoy living in



BISHOPSCOURT R15.2m +VAT
Newly created masterpiece built with a simple credo: “IF IT'S NOT 100% RIGHT, DO IT AGAIN.” Extensive use of neutral palettes, exotic textures, bespoke joinery and tasteful designer gadgetry. For discreet, intelligent handling of any property needs in Cape Town, please call Anton or Debbie +27-21 674 4444
VINEYARD ESTATES

Your problem



Our solution



maxibin

NO BUTTS ABOUT IT

- Perfect for keeping building entrances & exits clean
- Cigarette butts are kept out of sight
- Outlasts alternatives
- Effective in demarcating smoking areas
- Weather resistant
- Never gets filled with other types of litter
- Encourages smokers to stand where the bin is placed

ORDER NOW!
0861 422 426 or
blaine@maxigroup.net
www.maxibin.co.za

The Stompie Bin is serviced and sanitised at regular intervals & all removed butts are incinerated.

the country, and his neighbours there want him back because he was such a pillar of the local community.

We returned to the “ordinary people of the dorp” for proof that Schirmacher had ever lived in Malmesbury, Piketburg, Mooresburg, or the other little places he was rumoured to have been evicted from. A deafening silence.

Riebeeek Valley Rumour Mill 0: Schirmacher 1.

And does he deliberately send his children into the pesticide spray, by making them play next to the vineyard? A quick tour around Schirmacher’s property shows that they don’t have much option; it’s either play in the road and get flattened by traffic, or play on the lawn which directly abuts the vineyard. Schirmacher explained that the spray tractors sometimes appeared very suddenly, and that the wind often carried poison rapidly over the garden, before his kids could get inside. He showed us video footage of dense clouds of pesticide floating from Vlok’s tractors, through his garden and into town – pretty compelling evidence for his version of the facts.

Riebeeek Valley Rumour Mill 0: Schirmacher 2

And the rumour that he’s doing this for money, that he’s broke and looking for someone to sue?

Schirmacher told us he has contracts to do the interiors of major hotels and casinos. We saw some invoices with decent numbers on them – he’s certainly not poverty-stricken.

Riebeeek Valley Rumour Mill 0: Schirmacher 3

Why had he driven his month-old son to Constantiaberg MediClinic rather than consult a local doctor? Schirmacher explained that when the breathing problems started, he did go to a nearby doctor, who told him to get the child to Constantiaberg. It was only some time after the child had been admitted (along with Mrs Schirmacher) that he stopped breathing altogether, and needed emergency resuscitation. His medical records bear out these facts.

Riebeeek Valley Rumour Mill 0: Schirmacher 4

Double-checking Schirmacher was getting a little dull, so we had a look at Vlok’s claims that he was 100% in the right. We started by contacting Tesco, the UK’s largest supermarket chain. (Farmer Vlok claims, in sworn court

documents no less, that he is “Tesco’s Nature’s Choice” certified.

This apparently means he conforms to the highest international environmental and social standards.) To our surprise, Tesco’s PR office couldn’t put enough distance between themselves and Vlok – they downplayed their relationship with him (they had only bought a tiny percentage of his output last season, and had not bought anything this season, and his Nature’s Choice certification was due to lapse soon). They also wouldn’t tell us anything about Nature’s Choice.

Why not? Turns out the Nature’s Choice certification protocol is top secret. It’s proprietary information that we’re not allowed to see. We can’t know which pesticides are allowed or not allowed by Nature’s Choice – farmer Vlok could be spraying anything, as far as we know, and still be Nature’s Choice accredited! Tesco’s PR folks let us know in no uncertain terms that we were being watched, and would be sued senseless

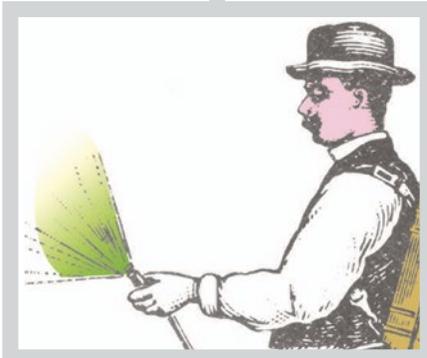
if Tesco was in any way associated with possible wrongdoing by farmer Vlok.

Curiouser and curiouser, as they say in the classics.

If rumour-mongering can be said to be evil, small towns like Riebeeek Kasteel are truly places of evil, as rumour supplants truth

at every turn. The big-city journalist, accustomed to dealing with cynicism and disbelief, is quite overwhelmed to discover how willingly the denizens of little places offer themselves up to the myths propagated in their midst. Their naïve faith in “facts” about their fellow villagers would be charming if it didn’t have such harmful results; Riebeeek Kasteelers seem to believe that living in close proximity to someone means you can divine their motives, morally judge them, and then move them out of their own homes.

It strikes us that many of the rumours we’d heard were very similar to those told us by pesticide salesman Eric Venter in a long phone interview we held with him some time ago. Venter acts as an unofficial spokesman for farmer Vlok, and makes a lot of money selling poison in the Valley. Whether he’s a rumour-generator or just a roller in the mill we can’t say, but we’ll be following up on Riebeeek – and its connection to our 2007 scoop on the poisoned pineapples of the Eastern Cape.



Buying or building a home?

INSPECT-A-HOME® will:

- discover hidden defects before you buy
- estimate costs of rectifying defects
- provide an unbiased report, so you can negotiate a better purchase price



Est. 1986
INSPECT-A-HOME®
Don't let your dream home
turn into a nightmare

For peace
of mind, call:
0861 400 400

We have a proven track record of 22 yrs!

**Keep your nose
clean this year!**

Wipe away last year's threats.

The CSR will allow you to breathe with ease
in today's ever-changing business climate.

The CSR is a practical, relevant, research-based
business improvement tool that builds your competitive
strength and maximizes your competitive advantage.

Contact Steve Woods +27 (0) 82 320 2199



Competitive Strength Report



www.competitivestrengthreport.com

noseweek
ADVERTISING
noseads@iafrica.com

FLYING DUTCHMAN
GRAPHIC DESIGNER

LOGO > PRINT > PACKAGING > CORPORATE ID

AND MUCH MORE

> 072 141 8854

> niccij@iafrica.com

Pro Nordic Motors



Johannesburg VOLVO Specialist

“Compare our price and service levels”

90 000km major service from R 4,500

105 000km oil service from R 650

12 Month Guaranteed Volvo Repairs

**46 Turf Club Road
Turffontein**

Tel : 011 434 3914

E-mail : pronordic@iafrica.com



Roodepoort Country Club



Nestling in the tranquil countryside of Ruimsig, west of Johannesburg, lies one of South Africa's most challenging championship golf courses, Roodepoort Country Club. It is well known and recognised that condition-wise the course is consistently among the top 10 in South Africa.

The rolling bent grass greens are spectacular and similar to those that the world's top professionals encounter on the United States Tour. There are 72 bunkers to contend with and seven water hazards offering all handicap golfers a challenge yet the good golf shot will always be rewarded.

Golf House (Professional Shop) Tel: (+27) 11 958-1204 Fax: (+27) 11 958-0402
golfhouse@roodepoortcc.co.za

Besides being one of the finest golf courses in South Africa, Roodepoort Country Club accommodates several multifunctional venues that can host up to 350 guests. Any type of event can be catered for whether you're hosting a corporate dinner, wedding, 21st birthday, high school farewell, product launch, cocktail function or breakfast.

Roodepoort Country Club is ideal for booking your conference, training or brainstorm sessions. Breakaway facilities are available & conference rooms are stocked with all basic audio visual and presentation equipment.

Our colonial veranda is the perfect place to have sundowners before a lovely evening dinner/reception or for some relaxation after a hard days endeavour.

Weddings/Conferences/Functions Tel: (+27) 11 958-1905 Fax: (+27) 11 958-1202
functions@roodepoortcc.co.za

General Enquiries Tel: (+27) 11 958-1905 Fax: (+27) 11 958-1202
rcc@roodepoortcc.co.za www.roodepoortcc.co.za

Roodepoort Country Club, Hole In One Avenue, Ruimsig, Roodepoort, South Africa



Club is open Tues-Sunday & Public Holidays (Excluding Christmas & New Years Day) **N.B. Course is closed on Mondays**

Bosch cleans up with a load of eyewash

IF KITCHEN APPLIANCES could save the world, our troubles would be over. Unfortunately, much as we would all like to believe that we can “do our bit for the planet” while sparing ourselves a tiresome chore, it’s not going to be that easy.

Bosch, makers of automatic dishwashers among other gadgets, is just the latest in a string of advertisers attempting to exploit our growing concern about climate change by making all sorts of environment-friendly claims for the most environment-unfriendly of products.

According to their TV ad currently running in South Africa, “research has proved” that a modern, energy-efficient dishwasher uses less water and electricity than washing by hand.

These claims are based on a 2004 study conducted by Bonn University’s Household and Appliance Technology Institute, which sounds respectable enough. But it was funded by the makers of automatic dishwashers, including, er, Bosch,

The test involved just 113 human subjects, all European volunteers selected for national diversity rather than their familiarity with simple domestic tasks.

They were clearly rubbish at dishwashing.

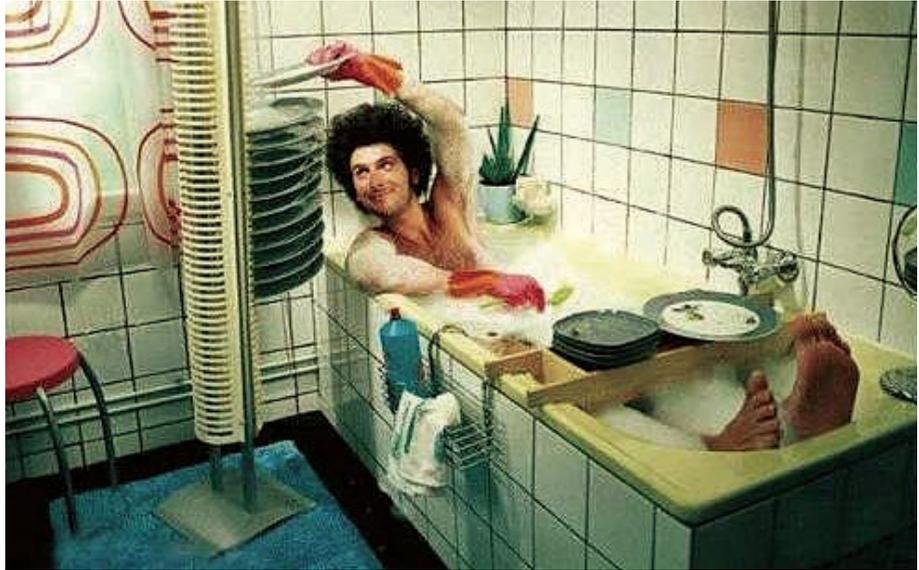
The average amount of water they used to clean 12 dirty place settings plus a couple of pots was 103 litres – enough to fill a bath half way.

While the most frugal washer managed the task in under 20 litres, one subject needed an incredible 447 litres – enough to make two baths overflow.

In spite of all the water they sloshed around, few humans actually managed to clean their dishes properly. Pots were an especial challenge. According to the report, “almost all test persons left large-scale residues on the washed items”. Sies.

These slobs were pitted against the latest and most efficient dishwashing technology ever to grace a white goods showroom.

Not surprisingly, the machine won hands down, using little more than 15 litres to do a much better job.



Manufacturers claim that machine washing the dishes uses less water than doing them by hand

It didn’t take long for Bosch to beam news of its amazing green machine to TV screens around the world.

But not everyone was impressed. Late last year, the UK Advertising Standards Authority ruled that the British version of the ad was “misleading” and instructed Bosch to pull it off the air.

This was after the advertisers had explained that when they said that “handwashing uses up to three times more water”, they meant “handwashing ... under a running tap”. Well, now it all makes sense.

What the advertisers also fail to mention is that you can only achieve maximum efficiency if your dishwasher is fully loaded, if you skip the rinse and drying cycles, and if you run the most economical programme. Which is not so good at dirty pots.

And even then, in spite of the difference in hot water usage, both automatic and manual methods used roughly the same amount of electricity.

It’s also worth pointing out that, while there are a number of eco-friendly products for hand dishwashing on the market, there is no locally available alternative to environment-unfriendly dishwasher detergents.

And of course, to “do your bit for the planet” you have to buy a brand new machine. A machine made out of hydrocarbon-based plastics and metals that have to be mined, transported across the world, processed, fabricated and shipped back in polystyrene packaging, using fossil fuels every step of the way. Your old dishwasher, if you have one, will probably end up on a landfill leaking heavy metals into the groundwater.

Our planet’s ills begin and end with consumption. Everything we buy has a carbon cost. But a scourer and a pair of rubber gloves have a lower cost than the most efficient machine.

As for water consumption, all you need to do to outperform a dishwasher is to remember to turn off the tap. ■



Regina Kessy and Ed Young

THAT BITTEN-DOWN STRETCH of Cape gangland turf called Woodstock is not a place you'd imagine would draw art-loving crowds. Especially not at the bitten-down end of a windy Saturday. But here we are. In droves.

Flowing layers of purple on purple. Silver head wraps. Dreadlocks, beads and braids. Piling into the lift that takes us to the third floor of a landmark building on the Main Road – a big green block that was once the location of Dan Rabie's Fairweather clothing factory, not far from the city centre.

Our destination is the Cape branch of Jozi's Goodman Gallery, that celebrated art haven whose multiracial openings in Hyde Park drew the

security police in the Sixties. Linda Goodman is now Linda Givon. A feisty 70-year-old. Why is this grandmother of three breaking new ground in gangland?

"Why not?" she asks me, curling up the corners of a wavy-lipped mouth that appears to be constantly amused. "I don't intend to retire, and the people have been marginalised too long. There's a debt to pay."

Yes, neighbourhood locals do come into the gallery to check out the Kentridges and Norman Catherines and Willie Besters, she informs me, but whether these are druglords seeking to launder their boodle is not something either she or curator Emma Bedford cares to comment on.

Anyway, says Linda, it seemed logical to come down. So many Cape Town galleries had always sought to share their exhibitions with her in Joburg. And where else but Woodstock could she find a place this size? "My grandfather knew the family. This space is where they wove the fabrics. The beams held the looms.."

Now look who's about to join her in gangland. Michael Stevenson is moving here from Green Point in May. He's no small potatoes either – curator of major corporate collections like Didata's, as well as exhibitor of some seriously subversive and brazenly homoerotic artworks guaranteed to turn Constantia toes up.

Between him and the indefatigably rebellious Linda, can we expect this corner of Woodstock to become a new

Whether these are druglords seeking to launder their boodle is not something either she or curator Emma Bedford cares to discuss

Bites and

enclave of relentless avant-garde culture? A sharp-edged antidote to the sweet green stuff happening a few blocks away at the organic market and the arts, crafts and décor shops in the old red-gabled Pyotts Biscuit Mill?

Yes, if tonight's uncompromising show is anything to go by. Including the maverick collection of mostly artists who've gathered to view it.

It's an art installation focussing on evil. Portraits of murderers and their victims. The hideous likes of Gert van Rooyen and Fred and Rose West, done in ultraviolet-sensitive inks only visible in the dark. A ploy that emphasises the sombre message:



Lebo Tlali and Candice Breitz (picture left); and Storm Janse van Rensburg



Black days for Lake Chrissie



from Total SA arrived at his Steenkoolspruit farm, 5km outside Chrissiesmeer, shortly before Christmas, announcing they had come to prospect. Mentz demanded to see their prospecting licence and sent them packing when they confessed they didn't yet have one.

Then on January 12 Mentz received a phone call from one

Ryan Nel in Middelburg. "He said his company, Anker Coal, has the licence to prospect on my farm and there's nothing I can do to stop them."

Nowhere is sacred. Provincial parks board officials are furious that a coal-mining licence application has been approved within the Songimvelo nature reserve outside Barberton. This despite the fact that Songimvelo is a declared nature reserve on which all mining is prohibited by law.

The Lake District is home to 78 species of water birds, including night herons, crakes, rails and swamp hens. Dry years see flamingos, Cape teal, avocets and migrant waders. Wet years bring Egyptian and spurwing geese, yellow-billed duck, glossy ibis and stilts.

In the centre of this avian paradise lies the hamlet of Chrissiesmeer, on the shores of the largest freshwater pan, Lake Chrissie, 9km long and covering 1043ha. Chrissiesmeer is a tranquil little dorp, that does its best to attract tourists through winter stargazing evenings, field flower days in January and a riotous community frog hunt every November.

Prospecting licence-holders in the Lakes district include Xstrata Coal (BEE partner: mining magnate Patrice Motsepe, head honcho at African Rainbow Minerals), Black Gold Coal, Inyani Colliery, Anker Coal, Tavistock Collieries, Eyesizwe Coal, Rio Tinto Mining and Ermelo Mining.

Professor Terence McCarthy of the School of Geosciences, University of

THE FUTURE OF MPUMALANGA'S spectacular but little-known Lake District is at stake as opencast coal mining threatens to destroy this ancient ecosystem.

The district, which lies north-east of Ermelo nudging the Swaziland border, was once home to San peoples and today remains much as it was in prehistoric times, with its 270 lakes – known as pans – providing a unique background to one of the most ancient land surfaces in southern Africa.

Of the San, only their rock paintings remain, and the wild animals that once roamed the 30 000ha escarpment area have been replaced by sheep and cattle on some 21 farms. But as the Great Black Gold Rush gathers momentum, prospecting licences have been slapped on all but five of these farms, and mining companies with drilling equipment are arriving daily at their gates, demanding entry.

In the wider Mpumalanga province, 2000 coal-prospecting licences have been issued in the latest example of BEE in action. Bolstered by the mining charter and the new Mineral and Petroleum Resources Development Act, Minerals and Energy minister Buyelwa Sonjica is tossing out prospecting and mining licences like confetti – subject to "previously disadvantaged" status.

Farmers complain they are excluded from the laid-down consultation process. Often the first they know is an invasion of their property by a drilling crew, demanding entry to prospect.

Nico Mentz tells how a team

Coal mining in Mpumalanga's Lake District will be catastrophic for a wetland of international importance

the Witwatersrand, paints a vivid picture of what opencast coal mining will do to the Lake District.

“Opencast coal mines in the eastern highveld fill with water in between five and 10 years,” he says. “The water becomes acidic and enriched in sulphates due to oxidation of iron sulphide in the waste rock. Once filled, the polluted water from the void begins to decant and discharges on the surface, causing pollution of surface water resources.

“The accumulation of sulphate salts in the pans will eventually destroy all aquatic life, converting the pans into virtually sterile, toxic pools. Infilling will only defer the generation of acid and will not stop it. In the long term, destruction of the pans will be inevitable if mining takes place.

“The Mpumalanga Lake District is a totally unique region in southern Africa, perhaps even globally. Opencast mining will disrupt the hydrology of the pans and irreversibly pollute the water in them and the nation will have lost one of its true gems. There is an urgent need to ring fence the district, and to exclude all exploration and mining from the area. The Lake District is a unique geomorphic province and biotic habitat and must be conserved for future generations.”

For miners, a prospecting licence is the first step. After prospecting, the mining company decides whether to apply for mining rights – a mining licence. Only one mining licence has so far been granted in the Lake District and farmer Johan Botha is in the middle of an expensive high court battle to keep its holder, Black Gold Coal, off his Lusthof farm.

Black Gold was awarded its mining licence in June 2006. Two months later Botha won a high court order interdicting the company from starting mining, pending a review of the DME’s procedures in granting the licence. The department was ordered to produce all relevant documents.

It didn’t and on 11 January 2007 Botha won another order, compelling the department to come up with the papers. It didn’t, so last June Botha launched an application in Pretoria high court to have Minerals Minister Sonjica and her deputy-general Jacinto Rocha committed to prison for contempt of court. This application has been held over pending a ruling by the Constitutional Court – in an unrelated case – on whether a minister or state official can be charged with contempt. Section 3 of the State Liability Act of 1957, says they can’t.

*Opencast mining
will disrupt the
hydrology of
the pans and
irreversibly pollute
the water in them*

Johan Botha, who farms Lusthof’s 680 hectares with his son Hannes, has three farms in the area. Botha snr lives on Fairview, “where luckily there is no coal”. His legal battle against the DME and Black Gold Coal, in which he is supported by the Mpumalanga Lake District Protection Group, has cost him more than R300 000 so far, but he is determined to win.

“If they start mining here there’s no ways that the other Lake District farmers are going to stop them,” he says. “I’ve got to win for everyone else.

“There’s no way I’m going to take R2m or R3m from Black Gold to let them do opencast mining here for five years. Once they damage the land it’s gone forever. We use two hectares now for one cow. On land that’s rehabilitated after mining you need at least 16 hectares for one cow. You damage the water table, you can’t plant anything, there’s no sustainability.”

At Chrissiesmeer the local community is on tenterhooks about the imminently-expected issue of the second Lake District mining licence. The Inyani Colliery (thought to be funded by Anglo’s Khula Mining Fund: front man; former Alexkor director Pius Mokgokong;) is confident that it will get the go-ahead any day now to start mining on two neighbouring farms overlooking the western shore of Lake Chrissie.

The neighbours have very different views on the prospect. On Goodehoop farm, WP Fick says he’s satisfied with Inyani’s plans. “It’s a good proposal,” he says from his sandstone mansion, built in 1910. “Everything’s going to be done underground, so very little of the top surface is going to be spoilt.

This concern about mining around the lakes and stuff is total bullshit; the lakes are in no danger at all.”

Fick is the third generation of his family to farm Goodehoop’s 856 hectares (cattle, sheep maize and beans) and he will stay put when mining starts. He says he acquired the mineral rights on his and the neighbouring farm before the new minerals act came into force and will come to a “business arrangement” with Inyani.

“We haven’t spoken about money yet, we start negotiations as soon as they’ve got the mining licence,” he says.

Next door, on Lettieskeus (1642ha), neighbouring farmer Jan Bitterswijk is very much hoping that Inyani won’t get the go-ahead.

“Mr Fick and his uncle want the mine to go on, but I don’t,” he says.

“Inyani made me an offer a long time ago, but there were three things they had to sort out first: a contract with Eskom for the coal, the mining licence and a 100% loan from the Land Bank. So the offer they sent me wasn’t worth the paper it was written on.”

Bitterswijk wants to get away for a new life with his wife and three children in Canada, but he can’t sell Lettieskeus with the mining threat hanging over it.

“We’re between the devil and the deep sea,” he says. “We want to know what’s going on, we want to go on with our lives. But not many people are interested in a farm when the mining story is going on. If the mine made me a good offer I could move, but still they are fucking up the area.”

There’s a slim hope for the Lake District, but it’s a race against time. Anton Lindstrom, a wetland ecologist with Mpumalanga Parks Board, is preparing an application for the region to be proclaimed a Ramsar site, which would see it declared a wetland of international importance – and give the area some protection against mining. This, says Lindstrom, will be the first step towards having the lakes eventually declared a World Heritage Site – which would keep mining at bay forever. But this will take years, and by then the mining companies will have done their worst.

“If opencast mining starts in the Lake District it will be catastrophic,” says Lindstrom. “We’re very concerned.”

Who will win the ongoing Battle of Chrissiesmeer – the farmers or the voracious seekers of black gold? **W**



This strange species

WHEN I FIRST HEARD about the Internet, I sensed it was something big that would change the world. I really did. But the reality left much to be desired – I called it the World Wide Wait.

Then I ditched my old dialup connection and got broadband, and once again I began to imagine the possibilities. I'd been puttering along the information superhighway in a second-hand Ford Cortina.

Now that I'm speeding faster and deeper into cyberspace, I've come to the realization that if the "future" is here, it's called Youtube (www.youtube.com). I can't help but think this is what William Gibson had in mind when he coined the word "cyberspace". In retrospect he was a prophet of sorts – his book *Neuromancer* went a long way in predicting today's interactive cyber-culture.

What gave Gibson the cyberspace idea was an ad he saw while waiting for a bus. It was for the Apple 2c. He remembers thinking "Wow, computers can be small". His other inspiration was seeing the faces of kids at video arcades. "I was always struck by the idea that the kids pushing the buttons wanted more than anything to be on the other side of the screen."

And now, 20-odd years later, we have Youtube, where anyone with a computer, an internet connection and a digital video camera can be on the other side of the screen.

Youtube is an enormous virtual video library from around the world, with around 50 000 new videos being added daily. One can dip into this great lake of information and learn how to pick a lock, do a magic trick, play the spoons... If you like, you can watch snippets of your favourite TV show or hear the latest comedy routine from your least-favourite politician. You can post comments to anyone's video or upload your own video in response.

But what I find most fascinating is that ordinary cyber-citizens are creating their own reality TV and becoming Youtube stars. Take Zipster08 for instance, a 50-something gay guy who talks about life, the universe and the Dollar Store... with his teeth out. He's gained himself an international following of thousands of viewers, who presumably enjoy his brand of wackiness. I know I do.

South Africa has its own Youtube

Since Hannes Coetzee's video appeared on Youtube, he has been viewed over one and a half million times

stars. We've all heard Bok van Blerk's "De La Rey" song, but have you met R3N-DI3R, a dude from PE who gives mangled history lessons? R3NDI3R would like us to know that van Riebeeck discovered South Africa, and then the British came along 300 years later and "they were so ignorant they thought they discovered it".

His video "South Africa: The racist capital of the world" (www.youtube.com/watch?v=GLVdgA1jJU) has been viewed over 208 000 times and has a 3½ star rating. I'm not sure if that's a testament to the entertainment value of his pearls of wisdom, or if he has a following of loyalists.

One has to remember though, as George Carlin once said: "Think of how stupid the average person is, and realize half of them are stupider than that." One must always bear this in mind when one surfs the net, and Youtube is no exception.

But what I like most about Youtube are the gems to be found. Like Hannes Coetzee (www.youtube.com/watch?v=1xPGqWt3L7A), a 62-year-old from the Karoo who plays slide guitar using a spoon clenched in his teeth, while accompanying himself with standard chords in first position.

Without the visual component, you'd swear this strangely poignant melody was being played by two guitarists. The unique folk music of the Karoo is sadly dying out. But since Hannes Coetzee's video appeared on Youtube, he has been viewed over one and a half million times.

So not only is Youtube our entertainment, our education, a vehicle for letting off steam, for voicing our opinions or showing off our talents, it is preserving the collective memory of our species.

Why that's almost... profound.

Now that the future has arrived, William Gibson, the godfather of cyberspace says: "It is silly to try to imagine futures these days." Technologies are evolving too fast and in unpredictable locations, he suggests.

But who knows – perhaps in a million years from now, some explorer might stumble upon a microchip bearing evidence of the collective memory of our extinct civilization. I would not dare predict what he would think of this strange species looking at him from the other

side of the screen. ■



Illustration: Meg Jorli



Summer temperatures

IT'S RATHER SHAMEFUL to admit smugness as one of summer's many pleasures – even if it does come way down the list of innocent joys, like going barefoot, over-indulging in the succeeding waves of luscious fruit, or marvelling at the vivid colour changes pale foreigners undergo on the beach...

But when reading the advice of well-bundled wine critics in wintry Europe and America about making *glühwein*, or about blood-warming burgundy and port, and remembering how cold and damp it is up there now, I exult (with that edge of smugness and even *schadenfreude*) in the idea and practice of cool wine in the delicious mid-day shade, or the liquid equivalent of the freshness wafted in with the dusk of a hot day's end.

Just how cool, though, should the wine be? An audiophile friend tells me that the easiest and cheapest way to improve a hi-fi system is to get better electric cables joining it all together. It might well be that the cheapest way to improve one's wine drinking is to serve the stuff at a suitable temperature. For most people, judging by what I notice in private houses and (more culpably) in most restaurants, that would involve a simple enough adjustment: serve white wines a little less cold, and – more crucially – red wines a little less warm.

More-or-less cellar temperature for white wines, room temperature for reds, is reasonable advice – and usually Eurocentrically meaningless. Unless, of course, you have a cellar reliably at about 12 degrees Centigrade and a room five or six degrees warmer. Like most people I have neither, so a little adjustment via the fridge is usually required for cooling – warming is scarcely a problem right now.

Reds first. Surely one of the reasons people tend to avoid them on a warm summer's day is that, served at about 25°, they're often just not very nice or refreshing. The more alcoholic ones, especially, are all out of balance, both thin and spiritous, giving a burning sensation as the alcohol volatilises. An hour or so in the fridge – rather less in ice-cold water in an ice-bucket, a much more efficient



If you find yourself on a hot summer's day bereft but for a muscadel or jerepigo, don't despair – pour some over ice-cream

way to cool it rapidly – will bring out any silky suppleness that might be lurking in the bottle. In fact, while it's not a good idea to be dogmatic about these things, red wine should never be served at much more than 18° to show at its best.

That's the ideal for the more serious end: much cooler than that and the mouth-puckering astringency of the tannins will become increasingly apparent. Lighter reds (shading into rosé at the extreme), with little wood influence and not much in the way of tannic structure, are the best candidates for more serious cooling: persuade your friendly waiter Brad or Thandi at the steakhouse to give you an ice-bucket for the Chateau Libertas or Beyerskloof Pinotage, and you'll enjoy it that much more, I promise (even if you get some strange looks), and won't need to shift to beer or white wine to get refreshment.

As for whites, the ones to take care not to over-chill are, again, the more serious examples: good chardonnays, and ambitious oaked chenin blancs and blends (Adoro, Solms-Delta Amalie, Scali, Columella, and the like). Cooler than fine reds, yes – but straight from a long sojourn in the fridge is fine for a lettuce and way too cold for most wine. Simpler, sweeter or more bubbly whites can benefit from more chilling, without having their expensive aromas and flavours thwarted by cold.

Serve a wine too warm and you're stuck with it, so erring on the cold side is preferable, as the wine will warm once poured (cupping the bowl of the glass in your hand will speed it along). This, incidentally, is another reason not to fill your glass too full: not only will the aromas escape too easily, but constantly replenishing a smaller serving will help keep things cool.

And if you find yourself on a hot summer's day bereft but for a muscadel or jerepigo, don't despair – chill the nonsense out of it and sip happily; or pour some over ice-cream. Memorably, last summer I did the latter trick with KWV's 1953 Jerepigo, surely the Cape's most gloriously decadent sweet fortified wine ever; it took the ice-cream in its graceful stride, the flavours and richness scarcely diminished. The current Rietvallei or Monis Muscadel are not quite the same, but more than good enough for haunting echoes of lush pleasure. **W**

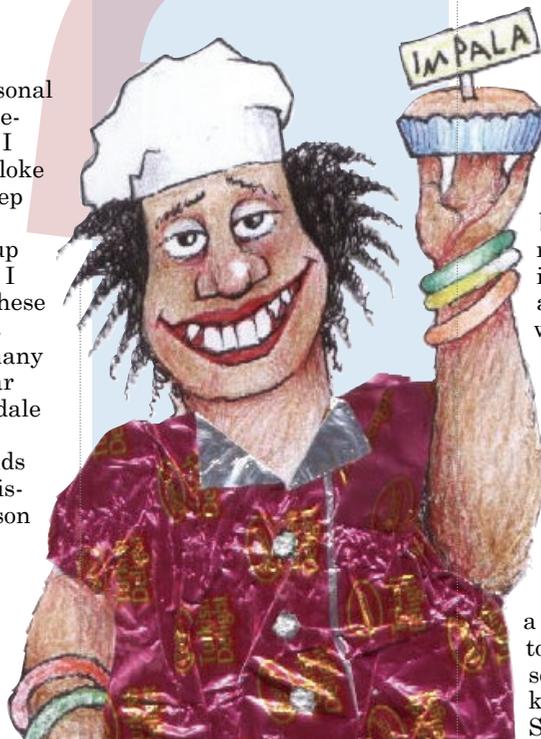


Tree speech

WELL I DON'T GIVE much of a personal damn about the whole name-change *lawaaai*, except that I personally want to be the bloke with a bag of nails and a step ladder who pulls down the Bartle and Frere Road signs in Durbs and sticks up the Cetshwayo Road ones instead. But I understand small rural communities these days, like the Iphayi clan, who feel left out in the matter of new names. Not many people in their area know who Hammar was, few indeed know what Hammarsdale means. A certain mid-aged mamma explains all this to me. The name sounds Swedish, says she, but that's it; only historians have any idea of what this person did. I listen sympathetically.

Not that we want the place to be named after our family, this mamma modestly explains, just having a nice Zulu feature-name would be enough. As the people of Umkhomazi have the cow whale for an emblem, say, so we would like to have a beast or tree or flower from our area. All this I understand and appreciate, say I, and it's a pity they didn't in the beginning name Pietermaritzburg Elephant Place as its crest suggests: Umgungundlovu. Or that they don't name it so now, says she. True, true, say I, my father came from Scotland, you know, where indeed the family pressure was so great for so long that my four-greats grandfather got his village just north of Dundee named after him, Strachan, but my old man always maintained it was an ugly guttural sort of sound and the place should have been called Spirtle, a porridge spoon, because of its shape in the little valley.

Mamma nods. Even there as here! she exclaims, and another sad thing is that people no longer name their newborn after some natural event at the moment of birth, as was the old custom. Aha! I exclaim. As Hippy Children of Nature in the 70s called their babes Zephyr or Moonglow or Autumn, so I have a neighbour called Rain, which is jolly nice, I think, and the First Nation people of North America called their kids Quiet Owl and Leaping Moose and things... but she interrupts; Yes, that's what I mean, says she, that's how we used to name our kids, but they're all called Wiseman and Psychology now, and that sort of rubbish, and I even know a Xhosa boy called Hitler. He was going to grow up big and strong and powerful but he ended up as care-provider



But she was well-built and handy with a hockey stick and perhaps most importantly she had a fine sense of humour

and bus-stop escort at an infants' school in KZN and he'd have been better named Sunshine, you never met a more tender person.

But we never made that mistake, says she. Our lastborn came at a time when around Hammarsdale here there was some crisis because the authorities had declared the black wattle a noxious weed and rooted them all out, and the dongas immediately started eroding again and those too poor for paraffin had no wood for fuel any more. So we revolted and defiantly planted wattles all over, and you wouldn't believe it, after only two years or so we came out one lovely cool drizzly morning and there they were, young saplings bursting out in blossom everywhere and gently waving in the breeze and we called our new baby Trees. Imithi. How jolly nice!

I exclaim. Yes, she says, and thinks a bit. Yes, it wasn't until we sent her to a Durban school with good English so she could get on in the world, you know, and the kids started calling her Sausage Roll or Kate-and-Sydney, that we realised what Imithi Iphayi actually sounds like. But she was well-built and handy with a hockey stick and perhaps most importantly she has a fine sense of humour, and quite early on she'd made enough fortune to buy out a scruffy spaza shop back home here, quite near the freeway where the taxi trade is good, and build it up to a rustic restaurant of some character. You'll see it on your way home.

Which we do. Only about two kays from the N3. The car-park is bounded with wattle trees, the air is heavy with the perfume of their blossoming, the restaurant is low-walled, wattle-lath and mud-and-cowdung, whitewashed, deep-thatched. No Coca Cola sign, no bullshit. No signwriter, but the calligraphy is good; it says:

IMITHI IPHAYI'S MEAT PIES
BEEF PORK MUTTON GOAT CHICKEN

Hullo, say I to Imithi, I'd like a couple of beef pies, please. How many? she inquires. Two, say I, as in a marriage couple. But what about the bridesmaids? says she. What would you suggest then? say I. Six, says she, buy five you get one free. Never, say I, we are only two, we can't eat six, give us beef, pork, mutton and goat. Deal, says she; this week we have impala special from culling in the Mkhuzi wildlife reserve; you can have three plus one impala instead of goat, see that as a discount. Make that impala instead of mutton, say I. Done! says Imithi. ■

PAYMENT & TERMS FOR SMALLS

Deadline for smalls is the 1st of the month prior to publication.

Smalls ads are prepaid at R120 for up to 15 words, thereafter R10 per word.

Boxed ads are R200 per column cm (min 3cm in depth).

Payment by cheque should be made to Chaucer Publications, PO Box 44538, Claremont 7735.

Payment by direct transfer should be made to Chaucer Publications; Account 591 7001 7966; First National Bank; Vineyard Branch; Branch code 204 209.

Payment online at noseweek.co.za or email noseads@iafrica.com

PERSONAL

Congratulations Hope, for being our new head girl, and I love you very much. Love Dad.

Congratulations!! www.stickmencreative.co.za. Going stronger for the second year!

Staalsag maatjie We will be OK. I love you. No, it's you – love you more. AKA Dennis the Menace.

To my pal David Levene So pleased you have beaten Staph Auris. Joe, Cape Town.

When short-term insurers treat claims fairly, their tarnished image may well be repaired.

Class of 1960 Hill High School. Reunion suggested. Contact Etienne at huggette@mweb.co.za

Kakistocracy: "The government of a state by its most unprincipled citizens." – JR Lowell, 1876.

HOLIDAY ACCOMMODATION

Arniston Stunning seafront home perched on clifftop overlooking beach. Breathtaking position and panoramic sea views. 5 bedrooms, 3 en-suite, serviced. 082 706 5902.

Clarens Near Golden Gate in the beautiful Eastern Free State: Rosewood Corner B&B offers all you want for a break from it all. 058 256-1252.

Marina da Gama, Cape Town Self-catering apartment on water's edge. www.cootslanding.co.za

Very private game lodge Exclusive use ten persons. 160 km from JHB airport. See www.zebrascrossing.com.

Leisure Bay, KwaZulu-Natal. Three bedroom cottage for hire. Super sea views. 011 787 8904.

Marina Da Gama, Cape Town Bed & Breakfast, luxury en suite at Admiralty B&B: 021 788 1028.

Lamberts Bay Hotel (West Coast). 3-star accommodation. reslb@kingsley.co.za or see www.lambertsbayhotel.co.za. Call 021 432 1126.

PROPERTY TO BUY, SELL OR RENT

KZN For stunning properties in Upper Highway. Contact Delaine Cools on 083 949 2837 or 031 765 3833.

Swellendam New house for sale in Rotary Park Retirement Village. 2 Bedrooms, 2 Bathrooms, Study/TV room, Open Plan Lounge, Diningroom and Kitchen, Double Garage, Large Stoep partly under cover. Stunning Mountain views. Complex offers Frail Care and Catered Meals if you wish. Contact Elmarie 082 9697680.

Pretoria East Upmarket house in secure built-up estate 3 bed, 3 bath etc R 2.7 m. Nice view, gym and free Internet. Contact Pieter 082 8071462. pbrink@nia.gov.za.

Knysna Sparrebosch Golf Estate: luxury 3 bed, 3 bath house, inc Golf Share, POA, Phone 083 741 5051

Knysna Sparrebosch Golf Estate. Large stand, views of sea, secure access POA. Phone 083 741 5051.

Umzumbe KZN. Luxury leisure home, near beach, for sale. R2 million furnished or share option. Call Grant 082 826 2371.

Windhoek For sale, house in security complex. Contact Gretha on 00264 1298 1 3763.

Kenton-On-Sea Land for sale. 1 ha river frontage. Secure estate. R19 000 000. Call Mark 083 779 1113.

Centurion For highly recommended accommodation see www.soniascoscottage.co.za. Call 082 568 5811.

Kuilsrivier Eden Park Retirement Village specialises in LifeRight Units and Frail Care Facilities. Call 021 906 1829 or 082 783 7761.

Grahamstown residential/investment property agents. Independent property consultants. Call 046 622 5546 or e-mail m.gaybba@imgagnet.co.za.

Oasis Luxury Retirement Resort, Century City. Magnificent club. Apartments and modern care centre. Call 021 528 7310

TRAVEL & LEISURE

Guided casual walking in beautiful South West France. Be our house guests enjoying excellent cuisine. www.frenchcooks.com. +44 20 8776 2045.

Catamaran Sailing Cruises from the V&A Waterfront, Cape Town. Daily Schedules or Private Charters on the new "iQ" catamaran. Tel: 021 421 5565; email: fun@cruiseiq.co.za; www.cruiseiq.co.za

Grand Cafe Robertson for yummy breakfasts, lovely lunches, tasty teas. Call Rodney 023 626 5783.

LEGAL, INSURANCE & FINANCIAL

Muhlberg Attorneys, intellectual property law specialists. 011 465 5600 or 083 947 0903. mail@muhlberg.co.za.

Adrian Gary Skuy Attorneys Johannesburg. Specialising in litigation, commercial, labour, tax, matrimonial. 011 646 4367 or 0824515779. taxlaw@telkomsa.net

Convert term debtors into cash with 80% advance upfront on a non-disclosed confidential basis. Call Dale @ Alcrest Outsourcing (Pty) Ltd on 011 467 0285 or 083 458 0805.

Invest in new issue shares and earn a passive income. Visit www.shares4all.co.za. JSE listed company. Terence Tobin 083 3379576 terence@shares4all.co.za.

Professional assistance on Discovery health plans. Authorised Financial Services Provider (#3526). Claims to authorisations and advice. Contact Simeon 021 556 9666 leestoch@global.co.za.

Life and Retirement Consultants Problems? Need insurance? We can help. All life insurance companies. Call Hennie Senekal on 082 453 9032.

FOR SALE

Tinus and Gabriel de Jongh paintings bought, sold and valued. Art prints sold. Gallery open by appointment. dejongh@yebo.co.za or call Tinus de Jongh 021 686 4141.

Secondhand plastic pallets bought and sold www.premierpallets.co.za or 083 756 6897. See www.samiltrucks.co.za

Microlight Rans 5-12 two-seater. Rotax 912. All options fitted. No accidents. R170 000. Call 083 450 2781.

Water colours Wildlife, marine and Cape scenic art, and classic mounted salmon flies for sale. E-mail flymcginty@mweb.co.za.

Shell collection for sale. Approx 2000 items, especially cowries. Call 021 794 3646. Mornings only.

MISCELLANEOUS SERVICES

Pet pawtraits Have your best friend preserved for posterity in watercolour by fine artist Meg Jordi. www.megjordi.com 021 788 5974 or 082 926 7666.

Silver Spoon Function Hire Hiring of cutlery, crockery, linen, glasses, marquees, heaters etc. For all your hiring requirements. 011 262 2227 or 011 706 7884.

Biological treatment for Septic Tanks, Grease Traps, Drain Odour, Oil Stains. Bio-Systems SA 021 786 2972.

Site manager, Cape Town Residential renovation and refurbishment. Save money and time! Call 076 160 8670.

Hillson Drilling Exploration drilling experts. Coal, manganese, uranium and others. Contact Dave Hill 082 7711 653 or email d.hill@vodamail.co.za.

4 Bits: For event branding, brand management and co-ordination services – nationwide. Contact Travis 083 777 1335. www.4bits.co.za.

Bubbles Laundry Ritz Plaza, Sea Point. For convenient laundry supply, drop and collect. 021 439 7419

Dr Brake Specialist Workshop. 95 Pine Street Durban. Less 20 percent for *noseweek* subscribers only. Call Wally 031 337 5577.

PostNet Sandton City We go the extra mile. Extended shopping hours. Printing, copies, courier, business services. Call 011 783 6810.

Office stationery supplies Superb service at competitive prices. Free deliveries. Johannesburg. Call Rob 011 789 1496.

HEALTH, BEAUTY & FITNESS

Avoid back pain and retain flexibility in classes based on Pilates exercises and the revolutionary Feldenkrais Method. Wynberg, Cape Town. Barbara McCrea, 083 745 7086 or 021 788 9626.

Chiropractor Dr David Dyson (USA) Treatment of neuro-muscular-skeletal disorders. NEED A BED? Visit www.chirobed.co.za or call 031 469 4192.

Homeopath Dr Richard Steele. Gentle Health. North Beach Medical Centre, Durban. I also do housecalls. 031 332 6060 or 082 928 6208.

Fight the flab Reduce stress with your own personal fitness training programme, one-to-one with Master personal trainer. Lose weight, correct body alignment and posture, at Sandton's newest gym. Free assessment. Pilates, sports training and rehabilitation, comprehensive stretching. Stressed out overweight execs a speciality! 082 373 2409.

Body stress release unlocks tension and restores self healing. See bodystressrelease.com. Melody Mitchell 083 544 1992. (Hout Bay).

PUBLICATIONS

Research and writing for your publication, then trust MANE Consultants cc to provide it. For all your publications' requirements visit www.maneconsul.com.

Triple distilled.
Twice as smooth.



Not for sale to persons under 18.



JAMESON
IRISH WHISKEY