



**IN THE SPECIAL TRIBUNAL ESTABLISHED IN TERMS OF SECTION 2 (1) OF
THE SPECIAL INVESTIGATIONS UNIT AND
SPECIAL TRIBUNALS ACT 74 OF 1996
(REPUBLIC OF SOUTH AFRICA)**

CASE NO: KN02/2023

BEFORE THE HONOURABLE JUDGE MODIBA

DATE: 13 September 2023

In the matter between:

SPECIAL INVESTIGATING UNIT

Applicant

and

SIBONELO VILAKAZI

First Respondent

NOSIPHO ZANELE ZUMA

Second Respondent

05 ZZET ENTERPRISES (PTY) LTD

Third Respondent

FIRSTRAND BANK LIMITED

Fourth Respondent

NATIONAL LOTTERIES COMMISSIO

Fifth Respondent

ORDER

HAVING perused the documents filed of record and having considered the matter, the following order is made:

1. The forms and service and ordinary periods provided for in the Rules for the Conduct of Proceedings in the Special Tribunals are hereby dispensed with and the matter is dealt with as one of urgency in terms of Rule 12.
2. That the Interim Order dated 16 August 2023 and granted by the Tribunal reading:
 - “ 1. The forms and service and ordinary periods provided for in the Rules for the Conduct of Proceedings in the Special Tribunals are hereby dispensed with and the matter is dealt with as one of urgency in terms of Rule 12.
 2. This interim order is granted pending the Applicant’s intervention application, and the subsequent conclusion of the main application, in the matter bearing Case Number D8810/2023 currently before the High Court of South Africa, Kwa-Zulu Natal Local Division, Durban.
 3. The First to Third Respondents, and any other person with the knowledge of this order, are hereby restrained and interdicted from dealing in any manner with the funds in the bank accounts listed in Annexure “A” (attached hereto) pending the Applicant’s intervention application, and the

subsequent conclusion of the main application, in the matter bearing Case Number D8810/2023 currently before the High Court of South Africa, Kwa-Zulu Natal Local Division, Durban.

4. Service is hereby granted as follows:

4.1 the application, founding papers, and the order of the Special Tribunal may be served on the First to Fifth Respondents by email at the listed addresses in Annexure "B".

5. The Fourth Respondent is hereby directed to act in accordance with this order, including that it, *inter alia*, be interdicted and restrained from releasing any mandates for the access, withdrawal, release and payment of funds from the bank accounts of the Second and Third Respondents and to accordingly freeze the bank accounts listed in Annexure "A".

6. The Respondents may apply for the reconsideration of this interim order or any part thereof in terms of Rule 12(9) of the Special Tribunal Rules. In such an event, the parties shall avail themselves to attend a judicial case management meeting as arranged by the Registrar of this Tribunal and/or the Registrar / Clerk of the Presiding Member of this Tribunal, where dates for the filing of further paper and the hearing of the reconsideration application shall be determined in terms of Rule 19 of the Special Tribunal Rules.

7. The costs in respect of the interim relief are reserved for determination at the hearing of the reconsideration application (if any).
8. The Applicant, their legal representatives, their personnel and the personnel of this Tribunal may only disclose the order to the media after it has been served upon the Respondents.
9. The Applicant may approach the Special Tribunal on supplemented papers for a variation or extension of this order.”

IS HEREBY VARIED, within the contemplation of sub-paragraph 9 of the interim order, to read:

1. That The First to Third Respondents, and any other person with the knowledge of this order, be restrained and interdicted from dealing in any manner with the funds in the bank accounts listed in Annexure “A” (attached hereto) pending final determination of the civil proceedings, to be instituted by the Applicant within 60 days of this order.
2. The Fourth Respondent is hereby directed to act in accordance with this order, including that it, *inter alia*, be interdicted and restrained from releasing any mandates for the access, withdrawal, release and payment of funds from the bank accounts of the Second and Third Respondents and to accordingly freeze the bank accounts listed in Annexure “A”.

3. The costs in respect of the interim relief are reserved for determination at the hearing of the main civil proceedings.

A handwritten signature in black ink, appearing to read 'L.T. Modiba'. The signature is written in a cursive style with some overlapping loops and is positioned to the right of a horizontal line.

JUDGE L.T. MODIBA
PRESIDENT OF THE SPECIAL TRIBUNAL

Annexure A

1. The funds and/or property sought to be preserved are as follows:

- 1.1 All funds held in First National Bank account number 62819156044 in the name of Nosipho Zanele Zuma with identity number 900713 0760 081;
- 1.2 First National Bank account number 62914320073 in the name of Nosipho Zanele Zuma with identity number 900713 0760 081;
- 1.3 First National Bank account number 62819146590 in the name of 05 ZZET Enterprise (Pty) Ltd with registration number 2016/096862/07;
- 1.4 First National Bank account number 62819146582 in the name of 05 ZZET Enterprise (Pty) Ltd with registration number 2016/096862/07;
- 1.5 RMB Bank account numbers 74899410118 in the name of 05 ZZET Enterprise (Pty) Ltd with registration number 2016/096862/07;
- 1.6 RMB Bank account numbers 74914595126 in the name of 05 ZZET Enterprise (Pty) Ltd with registration number 2016/096862/07; and
- 1.7 First National Bank account number 74520975613 in the name of Nosipho Zanele Zuma with identity number 900713 0760 081.