

23/6/2006.

*fax 012 394 4258
19/7 e 7.30pm.*

Michael Harris.
Box 52240 Saxonwald 2132 Jhb.
(011) 482 1056.

Mr Shan Ramburuth and
The Competition Commission.
fax 012 394 3200.

Attn Mr Keith Weeks.

0166 ✓ 28/6 e 10.55 am.

Dear Mr. Ramburuth,

Banking Charges - FirstRand bank Holding Limited/First National bank.

Attached is my affidavit. If you should want more evidence as **proof** of that which I am telling you (that is contained in my attached affidavit) I will be happy to supply it to you.

Good luck with your endeavours. You are dealing with very evil, '**Corrupt**' and '**Conspiring**' forces, in high places, to be sure.

Yours sincerely,


M E Harris.

To the Competition Commission.

Affidavit.

I, the undersigned

Michael Ernest Harris,

do hereby make oath and state as follows :

1. I am an adult male residing at 83 Perth Road, Westdene, Johannesburg.
2. The facts contained herein are within my personal knowledge and to the best of my belief are both true and correct and I swear positively thereto.
3. This affidavit deals with over-charges of interest at First National bank/FirstRand bank Holding Ltd as well as Crime which includes **Fraud** exceeding R100,000-00 in more than one instance, which is known to the Directors of this bank as well as to the Directors of the Public Company that owns this bank, as well as to the Auditors of this bank and to other **agents** of this bank.
 - 3.1 This affidavit also deals with '**Corruption**' and '**Conspiracy**' and **LIES** (told to the Shareholders of a Public Company, the **General Public**, the News Media) by the Chairman of this bank and by **agents** of this bank, including the Auditors and the lawyers of this bank.
4. I read an article in the Sunday Times newspaper about a certain Commission, in which Mr Shan Ramburuth's name was recorded.
 - 4.1 Then I read an article in the Star which mentioned Mr Keith Weeks at fax No. 012 394 3200. That is why I am faxing this affidavit to Mr Shan Ramburuth c/o Mr Keith Weeks.
5. What I *set out* hereunder I can fully back up with written **proof**. This is more so the case and especially if this bank will co-operate with the Competition Commission and agree to supply **original documents** that go to establish the **proof** of what I write.

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6. My own personal experience with this bank and with the **agents** of this bank - the lawyers, Advocates, Auditors, Estate Agents that they use to 'do their dirty work', is that they will 'stop at nothing' to get their way once they have decided to act against a Client.

In their eyes they are above the Law of the Land and can get away with their very **Bad and Illegal Business Practices**. They have in the past. They will continue into the future. That is what they believe. It is my own personal experience with how they behave.

- 6.1 When they are shown to be wrong, they will not stop. They will stop at nothing. They will stoop so low as to carry on as Criminals - with blatant **Theft, Fraud, Misrepresentation of the Truth, Duress** (especially against innocent women), **Threats of physical violence, Defamation, 'Corruption' and 'Conspiracy'**.

- 6.1.1 They threatened me with physical violence. This was done by a Director (PM Goss) and by a lawyer (TW vd Heever) that this bank uses (with their Auditors) to Liquidate and to Sequester Clients. They (this bank's Auditors) get this lawyer to hold the shares of their Liquidation Company in secret. Then the Chairman of their Auditors (who is also a Director of this bank and the Chairman of the Good Governance Committee/King Commission) tells LIES and writes that this "**dummy**" "**front**" lawyer does not hold his shares in secret for these Auditors. This is Mr RK Store Chairman of the Auditors and Director of the bank.

- 6.1.2 Even the Chairman of this bank, Ferreira, says he can not understand Crime which is proved to him. He says he finds "**nothing wrong**". He himself tells LIES to the Shareholders of a Public Company to try in desperation to cover over Crime known to him and known to his full Board of Directors.

- 6.1.2.1 For four years he denied the Truth and continued to tell LIES to his Shareholders, when he knew the Truth. For 4 years he got his **agents** (Auditors and lawyers) to write to me and to threaten me and to deny everything, including to deny the blatant LIES told to the Shareholders.

Handwritten initials/signature

6.1.2.1.1 Now he has agreed to “**EXPUNGE**” some of his **LIES** from the permanent Records of this Public Company and this bank. Praise the **GOOD Lord**.

6.1.3 I also am insisting on him removing all his other **LIES** from the permanent Records of this Public Company and this bank -- including his **LIES** to try in his desperation to cover-over the over-charging of interest as well.

6.1.3.1 He **LIED** to the Shareholders that his bank had not over-charged interest. But an Enquiry which I was able to hold in the presence of an Honourable Magistrate **proved** otherwise. His own lawyer sat in at the Enquiry and he has the Honourable Magistrate’s **Report**. He has the **Record** and the Exhibits that **prove** the over-charging of interest on current bank a/c’s, as well as the over-charging on a bond a/c of hundreds of thousands of Rands.

6.2 Lawyers and Advocates have told **LIES** to Judges and a Magistrate to get their way.

6.2.1 I can supply the detail to **prove** this. Please just ask me.

6.3 This bank even got their **agents** (Auditors and lawyers) to supply a written “**Forensic Report letter 20/11/2001**” and a ‘**Statement 2/12/03**’ full of obvious **LIES** and **TRASH** addressed to the CEO of the bank (PK Harris) who handed them to the Chairman (Ferreira) who read theses **LIES** and **TRASH** into the permanent Records of a Public Company (and this bank) as if it were the Truth, when they all knew it was just a ‘**pack of LIES**’ and just **TRASH**.

6.3.1 They did it to try in their desperation to cover-over the Crime, including **Theft** and **Fraud** exceeding R100,000-00, known to the Directors of this bank/Public Company.

6.3.2 The **fact** that they all knew it was not the Truth, and that it **Defamed** me and my family and The Mazlen Trust and it was **so very wrong** and that it belittled me and was against my dignity - it meant nothing to them all.

6.3.3 The **fact** is that many of these Directors are Accountants. All of the Partners in the "**firms**" of Auditors which this bank 'uses' are Accountants (CA's)

6.3.3.1 The Honourable State President has been quoted as asking the CA's of South Africa to assist us all to 'stamp out the "**Corruption**"' which prevails in South Africa.

6.3.3.1.1 Yet I can show the Competition Commission **Fraud** and "**Corruption**" by these very CA's - relating to knowledge of over-charging of interest and other related **Crime**, at this bank, and at these "**firms**" of CA's.

7. The bank over-charged interest by 3,5 % and 10 % above the agreed rate on current a/c's.

7.1 The bank even Liquidated the company I had run for 27 years and then went on to Sequestrate me, after I had banked with Barclays for 42 years, based on this over-charging of interest. (This was when Rand Bank appeared on the scene)

7.1.1 The limit/agreed facility had not been reached (because the a/c's included the over-charging) when the bank proceeded to Liquidate the Company and to Sequestrate me.

7.2 At an Enquiry which I was able to hold, in the presence of a Magistrate, Praise the **GOOD** Lord, I was able to establish these over-charges, 'in black and white', and without a shadow of a doubt i. e. 3,5% and 10% over the agreed rate. I have it on oath and in writing even from a lawyer and Advocate who worked for the bank.

7.2.1 The Honourable Magistrate even sent her **Report** to the Master of the High

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Court in which she called for a **Police** Investigation with a view to Criminal Prosecutions. The Honourable Magistrate also referred to **Police Cases** which I had by then already opened against the Directors of this bank.

7.2.2 I am willing to supply the **proof** of that which I write (based on the evidence given under oath at the Enquiry, and the Exhibits) to the Competition Commission. It is evidence given under oath even by employees of this bank.

7.2.2.1 I am willing to supply the **Report** from the Honourable Magistrate calling for the **Police** to investigate with a view to Criminal Prosecutions.

7.3 I have attended AGM's of FirstRand Limited and raised these over-charges of interest and other **Fraud**. The Chairman of FRL, Ferreira, and even the whole Board of Directors, say they find "**nothing wrong**". They say they want more **detail**.

7.3.1 I have met with Ferreira and with the Company Secretary, Amott. They find "**nothing wrong**" with all the over-charging and all the **Fraud**, and even the **Theft** - is what they have told me. Yet I have explained it in **detail** to them.

7.4 I have opened **Police Cases** based on this over-charging of interest and other **Fraud** - even against the Directors of this bank.

7.4.1 The **Fraud** exceeds R100,000-00 in more than one instance, which is fully known to the Directors of this bank.

7.4.2 Before the Liquidation of the company and the Sequestration of my Estate I laid out the full **detail** of the **Fraud** to the Managing Director (V Bartlett) of this bank and to the Chairman. They just ignored my Complaint.

7.4.2.1 Rather than stop the **Fraud** and help me sort out the problem, these Directors chose to '**turn their blind eyes**' to the **Fraud**.

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7.4.2.2 They went further - they and their Auditors committed further **Fraud** against me and against my family and against The **Mazlen Trust**, and against my Estate and the Estate of Mazlen.

7.5 I have approached the Ombudsman for banking Services, Mr Neville Melville. He has just told me that I am right to go to the **Police**, but he has refused to help me.

7.5.1 I have appealed to the OBS (even begged) for the OBS or the BASA to at the very least get the **documents** from this bank that **prove the Fraud** - in terms of the 'Code of banking Practise'. They (the OBS and the BASA) refuse. On the Board of Directors of the OBS sat this same V Bartlett, when I complained to the OBS.

7.5.1.1 It was to V Bartlett (as the MD of this bank) that I addressed **all the Crime** including **Fraud** of more than R100,000-00 before the Liquidation of the Company and long before this bank Sequestered me. He refused to meet with me. He rather chose to '**turn their blind eyes**' to the **Fraud**.

7.6 I have approached the Banking Association of South Africa. They have refused to help me. Their Chairman, V Bartlett, was at the same time the **CEO** of this bank. The next CEO of this bank later also became a Director of the BASA, PK Harris.

7.6.1 PK Harris is a direct party to the **LIES** told to the Shareholders of this bank/Public Company. It is from PK Harris that the Chairman got the **LIES** and the **TASH** that he then told his Shareholders as if it was the Truth.

I can supply **proof** to the Competition Commission that his agent (Auditor T Winterboer) and his CEO (PK Harris) and he himself (Chairman of this bank, Ferreira) knew it was just **LIES** and **TRASH** when he (Ferreira) read it out to the Shareholders, telling them and the News Media and the **Generla Public** (it was at a Public Company Meeting) that it was the Truth.