

4/9/2006.

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

Mr Shan Ramburuth and  
The Competition Commission S A.  
Private Bag X 23, Lynnwood Ridge 0040,  
Pretoria.

Registered.

Dear Mr. Ramburuth,

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

1. My letter/fax 4/7/06 and 23/6/06 with my affidavit 27/6/06 refers.
  - 1.1 Your fax 20/7/06 refers, for which I thank you.
2. I am waiting on the **Police** and the National Director of Prosecutions to see the **original documents** that **prove** the **Crime**, including **Fraud** exceeding R100,000-00 in more than one instance known to the Directors of this bank/Public Company. It seems to be well nigh impossible to get these original documents. Can the Competition Commission S A get this bank to release these documents to me please ?
  - 2.1 I do have **documented proof** of the very substantial overcharges of interest both on our home bond a/c of hundreds of thousands of Rands and on current a/c's at 3,5% and 10% over the agreed rate.
  - 2.2 I have **documented proof** from this bank **proving** overcharges of R41,000-00 at an earlier time, when I caught them out the first time (when they over-charged R 171,000-00 and I agreed to accept R 41,000-00 because I was afraid to fight this bank at that time)
3. Enclosed is a copy of my latest Statement to the **Police** dated 4/9/06, together with enclosures.
  - 3.1 Mr Shan Ramburuth will see that I have tried for years, and especially for the past **9 months**, to get the Directors and their **agents** and the following **Interested Parties**:
    - i TW vd Heever, CR Qually, RK Store, D Peacock and the Directors and the Partners of, and, Deloitte Touche Tohmatsu ('**Deloitte**') and D&T trust (Pty) Ltd.
    - ii T Winterboer, C Beggs, JS Fourie, JTC Wilkinson and the Directors and the Partners of, and, **PriceWaterhouseCoppers Inc.**



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- iii R Driman, MJ Hart and the Directors, and the Partners of, and, **Deneys Reitz.**
- iv SD Msomi, JH Dijkman and the Directors and Partners of, and, the **South African Institute of Chartered Accountant.**
- v J O'Connor and the Directors of, and, the **Public Accountants' and Auditors Board/the IRBA.**
- vi Advocate J Marais, SE Nxasana and the Directors of, and, the **Banking Association South Africa.**
- vii Advocates N Melville, JF Myburgh SC and the Directors of, and, the **Ombudsman for Banking Services.**
- viii Advocates A Botha, HS Epstein SC, DI Berger SC, A Bester, CG Lamont SC, JLJC van Vuuren SC, van Eeden, G Wesson, G Clarke and the **Bar Council/Society of Advocates.**
- xix P Waugh and the Directors of, and, **Fedile Trust (Pty) Ltd.**

to assist me to get this problem resolved, **before** again approaching the **Police**. They are all not interested. They all just 'turn their blind eyes' to this problem, - this problem of this **Crime** (including their **over-charging**) at FRL and the **Falsification** of the FRL AGM Minutes 2001, 2002, 2003, 2004, 2005 (and the **Defamatory LIES**). These Directors are actually protected from being exposed by these named **Interested Parties**, unfortunately, hence their inclusion in the Charges to the **Police**.

4. I again for Mr Shan Ramburuth and The Competition Commission S A to help me to expose and to stop these Directors and these **Interested Parties** from continuing with their very **Bad and Illegal Business Practices** (including their **over-charging**) and the terrible wilful, rotten, LIES, about me and about my family and about The Mazlen Trust, and from simply 'turning their blind eyes' to all this **Crime** (including their **over-charging**) when they have a Duty to me and to the State to intervene and to assist me. Thank you.

- 4.1 I ask to meet with Mr Shan Ramburuth of The Competition Commission S A for the reasons already conveyed (their **over-charging**) and now also because of this latest **Police Case**. Thank you.

Your sincerely,

  
M E Harris.

4/9/2006.

Michael Harris.  
83 Perth Road, Westdene, Jhb.  
Box 52240, Saxonwold 2132, Jhb.

The SAPS.  
Sophia town.

by hand.

Dear Sirs/Madams,

Charges of of **Mis-representation of the Truth**, and of **Fraud** and of **Defamation of Character** and of **'Conspiracy'** and of **'Corruption'** and of **'Defeating the Ends of Justice'**/the Directors and the Company Secretaries **First Rand Limited**, their **agents** and other **Interested Parties**.

Enclosed please find my Statement to the SAPS.

I have tried for years, and especially for the past **9 months**, to get the Directors and their **agents** and the following **Interested Parties**:

- i TW vd Heever, CR Qually, RK Store, D Peacock and the Directors and the Partners of, and, Deloitte Touche Tohmatsu (**'Deloitte'**) and D&T trust (Pty) Ltd.
- ii T Winterboer, C Beggs, JS Fourie, JTC Wilkinson and the Directors and the Partners of, and, **PriceWaterhouseCoppers Inc.**
- iii R Driman, MJ Hart and the Directors, and the Partners of, and, **Deneys Reitz.**
- iv SD Msomi, JH Dijkman and the Directors and Partners of, and, the **South African Institute of Chartered Accountant.**
- v J O'Connor and the Directors of, and, the **Public Accountants' and Auditors Board/the IRBA.**
- vi Advocate J Marais, SE Nxasana and the Directors of, and, the **Banking Association South Africa.**
- vii Advocates N Melville, JF Myburgh SC and the Directors of, and, the **Ombudsman for Banking Services.**
- viii Advocates A Botha, HS Epstein SC, DI Berger SC, A Bester, CG Lamont SC, JLJC van Vuuren SC, van Eeden, G Wesson, G Clarke and the **Bar Council/Society of Advocates.**
- xix P Waugh and the Directors of, and, **Fedile Trust (Pty) Ltd.**

to assist me to get this problem resolved, **before** again approaching the **Police**. They are all not interested. They all just 'turn their blind eyes' to this problem, - this problem of this **Crime** at FRL and the **Falsification** of the FRL AGM Minutes 2001, 2002, 2003, 2004, 2005 (and the **Defamatory LIES**). These Directors are actually protected from being exposed by these named **Interested Parties**, unfortunately, hence their inclusion in the Charges to the **Police**.

Your sincerely,  
M E Harris.

## STATEMENT.

I, Michael Ernest Harris, am an adult male residing at 83 Perth Road, Westdene, Jhb.

1. I hereby lay charges of **Mis-representation of the Truth**, and of **Fraud** and of **Defamation of Character** and of **'Conspiracy'** and of **'Corruption'** and of **'Defeating the Ends of Justice'** against the following parties :-

1.1 The directors of **First Rand Limited**, namely :-

GT Ferreira (Chairman), PK Harris (CEO), VW Bartlett, D J A Craig  
LL Dippenaar, DM Falk, PM Goss, NN Gwagwa, , M W King, YI Mahomed,  
G Moloji, AP Nkuna, SE Nxasana, SEN Sebotsa KC Shubane, BJ van der  
Ross, Dr. F van Zyl Slabbert, R A Williams.

1.2 The Company Secretaries Mr BW Uncer and Mr AH Arnott who are legally responsible for the preparation of the Minutes and presentation to the Directors.

1.3 Mrs. PEJ van Rensberg - the Secretary to the Chairman who prepared the Minutes, or if the Minutes were prepared by another, and not by Mrs van Rensberg, then against that other person.

2. I hereby lay further charges of **'Conspiracy'** and of **'Corruption'** and of **'Defeating the Ends of Justice'** against the following **Interested Parties**:

i TW vd Heever, CR Qually, RK Store, D Peacock and the Directors and the Partners of, and, Deloitte Touche Tohmatsu (**'Deloitte'**) and D&T trust (Pty) Ltd.

ii T Winterboer, C Beggs, JS Fourie, JTC Wilkinson and the Directors and the Partners of, and, **PriceWaterhouseCoppers Inc.**

iii R Driman, MJ Hart and the Directors, and the Partners of, and, **Deneys Reitz.**

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- iv SD Msomi, JH Dijkman and the Directors and Partners of, and, the **South African Institute of Chartered Accountant**.
- v J O'Connor and the Directors of, and, the **Public Accountants' and Auditors Board**/the IRBA.
- vi Advocate J Marais, SE Nxasana and the Directors of, and, the **Banking Assoc. SA**.
- vii Advocates N Melville, JF Myburgh SC and the Directors of, and, the **Ombudsman for Banking Services**.
- viii Advocates A Botha, HS Epstein SC, DI Berger SC, A Bester, CG Lamont SC, JLJC van Vuuren SC, van Eeden, G Wesson, G Clarke and the **Bar Council/Soc of Adv.**
- xix P Waugh and the Directors of, and, **Fedile Trust (Pty) Ltd**.

2.1 I am laying these Charges of '**Conspiracy**' and of '**Corruption**' and of '**Defeating the Ends of Justice**' against the **Interested Parties** named in 2 i to 2 xix above for the reason that these named parties are supposed to have a **Duty** to assist me and the **Police**; to 'step forward' and assist us. Instead they are aiding the abetting these **Criminals** to continue with their **Fraud** and other related Crime and also **Defamation** of my Character by simply 'turning their blind eyes' to the Crime. They have therefore made themselves party to the Crime. For this reason I have now included these **Interested Parties** in the Charges *set out* herein.

2.2 I have tried for years, and especially for the past **9 months**, to get the Directors and their **agents** and the following **Interested Parties**:

- i TW vd Heever, CR Qually, RK Store, D Peacock and the Directors and the Partners of, and, Deloitte Touche Tohmatsu ('**Deloitte**') and D&T trust (Pty) Ltd.
- ii T Winterboer, C Beggs, JS Fourie, JTC Wilkinson and the Directors and the Partners

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of, and, **PriceWaterhouseCoppers Inc.**

- iii R Driman, MJ Hart and the Directors, and the Partners of, and, Deneys Reitz.
- iv SD Msomi, JH Dijkman and the Directors and Partners of, and, the **South African Institute of Chartered Accountant.**
- v J O'Connor and the Directors of, and, the **Public Accountants' and Auditors Board/the IRBA.**
- vi Advocate J Marais, SE Nxasana and the Directors of, and, the **Banking Association South Africa.**
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- viii Advocates A Botha, HS Epstein SC, DI Berger SC, A Bester, CG Lamont SC, JLJC van Vuuren SC, van Eeden, G Wesson, G Clarke and the **Bar Council/Society of Advocates.**
- xix P Waugh and the Directors of, and, **Fedile Trust (Pty) Ltd.**

to assist me to get this problem resolved, **before** approaching the **Police**. They are all not interested. They all just 'turn their blind eyes' to this problem, - this problem of this Crime at FRL and the **Falsification** of the FRL AGM Minutes 2001, 2002, 2003, 2004, 2005. These Directors are actually protected from being exposed by these named **Interested Parties**, unfortunately.

- 3. I require the South African Police Services to Investigate the Charges which I have **set out** above, and to criminally prosecute the party/parties who have perpetrated the crimes of **Mis-representation of the Truth**, and of **Fraud** and of **Defamation of Character** and of **'Conspiracy'** and of **'Corruption'** and of **'Defeating the Ends of**

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**Justice**' against me in my person, and against me as a shareholder, and against the general body of Shareholders of the Public Company known as First Rand Limited (FRL) and against the **General Public** at large.

3.1 I am a Shareholder in FRL. I have previously supplied the SAPS with the proof of my shareholding.

4. The above listed Criminal Activity relates to an Annual General Meeting (AGM) of FRL which took place on the 22/11/2005 at Sandton and to the Minutes of that AGM which have been **Falsified** and are full of LIES against me.

4.1 The Minutes do not contain/omit certain information which was discussed at the AGM.

4.1.1 The intentional omission of information that was discussed at the AGM is **Fraud** because information was intentionally left out of the Minutes so as to deceive the Shareholders as well as the **General Public** – because this is a Public Company, and it was at the AGM of this Public Company that the Crime took place.

4.1.1.1 Had the Information been included in the Minutes the share price of the shares of this Public Company would have dropped.

4.2 The Minutes do not accurately *set out* other information which was discussed at the AGM.

4.3 The Minutes contain LIES which the above named parties (point 1) knowingly and wilfully and with Criminal Intent used to pass on, and to convey, wrong and un-True information to the Shareholders of FRL (of which I too am a Shareholder) so as to influence the Shareholders and the **General Public** to believe that the LIES were in fact the Truth.

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4.3.1 This is **Fraud** and this is **Defamation** - to deceive the Shareholders of a Public Company and the **General Public**.

4.3.2 Had the Information been included the share price of the shares of this Public Company would have dropped.

4.3.3 All of the above named parties (point 1 and 2) are party to the above named Criminal Activity.

They all condone the intentional omissions and the LIES -- all of them.

They are happy with the intentional omissions and the LIES - all of them.

Yet they know the Truth. They knew the Truth when the Directors of FRL all accepted the Minutes all of them knowing the Minutes had been **Falsified**.

4.4 I have notified the above named parties that I regard the intentional omissions and the LIES as being very serious because these LIES and these intentional omissions **Mis-represent the Truth** to the Shareholders of this Public Company, of which I myself am a Shareholder, and these LIES and intentional omissions were presented to the general body of Shareholders with Criminal Intent to **Fraudulently deceive** them, and the **General Public** at large, and to stop the share price of this Public Company from dropping, and also to **Defame** me.

4.4.1 These LIES have still not been withdrawn from the Record of this Public Company and replaced with the Truth by the above named Directors of FRL. They and the named **Interested Parties** simply do not care.

4.4.2 The intentional omissions have been brought to the notice of the above named parties by me. They have repeatedly been requested to

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rectify the Minutes to make them fully Truthful, to stop deceiving the Shareholders of this Public Company, and the **General Public**, with LIES and **Mis-represent the Truth** and **Fraud** which is all **Defamatory** to me.

4.4.3 The Minutes of the AGM 22/11/2005 have been approved by Mr. G T Ferreira (Chairman). The Company Secretary Arnott has written and informed me that the Minutes were approved by the Board of Directors of FRL on the 24/5/2006, with these intentional omissions and these LIES and these **Falsifications** and **Defamation** still contained in the Minutes.

4.4.4 I have extensive correspondence to the above named parties (point 1 and 2) which deals at length with these intentional omissions and with these LIES and which sets out the Truth and the **Fraud** and the **Defamation**.

4.4.4.1 Before the Directors approved the Minutes of the AGM 22/11/2005, and before the Chairman signed the Minutes of this AGM, all the Directors had in their possession the Truth and the **Fraud** clearly defined by me in detailed correspondence, in which I set out the omissions, the **Fraud**, the LIES and the **Defamation**.

4.4.4.2 I will supply all or any of this correspondence on request.

4.4.5 The full board of Directors of FRL have also approved, adopted and ratified the Minutes of the previous AGM's 26/11/01, 2002, 2/12/03 and 22/11/04 which Minutes also were **Falsified**, contained LIES and omitted facts and details that were discussed at the AGM 22/11/05 and contained **Fraud** and **Defamation**.

4.4.5.1 The Directors and the other named parties knew that Cases of **Mis-representation of the Truth**, and of **Fraud** as well

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as of **Defamation of Character** had been laid with the SAPS based on the Minutes of the AGM's 26/11/01 and 2/12/2003 and 22/11/04, yet knowing this, on the 22/11/2005 they nevertheless approved, adopted and ratified the Minutes of the previous AGM (22/11/04) without removing and rectifying the Crime/the LIES and **Defamation**.

They are all guilty of **Fraud**. In their eyes they are simply above the Law of the Land.

They are the Directors and the **agents** and the employees of First National bank, and of FirstRand bank Holding Limited, and of **FirstRand Limited** – therefore they are above the Law of the Land, in their own eyes.

5. I request the SAPS to obtain a copy of the Minutes of the AGM 22/11/2005 which contains the said LIES and which will show up the intentional omissions which I believe were presented to the Shareholders so as to Fraudulently deceive the Shareholders, of which I am one of the Shareholders, and with the intention to deceive the **General Public** at large and to intentionally **Defame** me.

5.1 I request the SAPS to get copies of the so-called 3 "**Forensic Reports**" done by PWCInc. I believe these will **prove** the knowledge of the **Fraud** by the Directors of FRL and will therefore confirm the accuracy of the Charges contained herein, and more especially the intentional Defamation of my Character by the CEO PK Harris and the Chairman Ferreira, and then subsequently by the other FRL Directors.

6. I have in the past seen the necessity to lay other Criminal Charges against the Directors and against the **agents** and against the employees such as the managers, the Company Secretary, the lawyers, the Advocates, the Auditors, and the estate agents, of this Public Company FRL. I request the SAPS to also look at, and to seriously consider, these previous Criminal Charges together with this Statement/these Charges.

- 6.1 It is my belief, based on my personal experience, that this particular Public Company, First Rand Limited, it's Directors, it's employees, it's agents (lawyers, Advocates, Liquidators, estate agents) all believe that they can act with Criminal Intent and be involved in Criminal Activity - things like **Theft, Fraud, Mis-representation of the Truth, Duress, "undue influence", LIES, Defamation, Corruption** and even **Conspiracy to commit Fraud** and to **Defaet the Ends of Justice** simply because they are all above the Law of this Land, - in their own eyes.
- 6.1.1 They believe that the Law can not prosecute them because they have got away with this sort of **Bad Behaviour** and **Bad and Illegal Business Practice** for so long in the past.
- 6.1.2 They are 'too clever' for the SAPS to prosecute them, along with their **agents**, and working under the 'protection' of their **agents** - their lawyers, Advocates, Liquidators and estate agents - in their own eyes.
- 6.1.3 Now the latest is that they, this Public Company and it's Directors use their **False** Minutes of the AGM's 26/11/01, 2002, 2/12/03, 22/11/04 and 22/11/05 to Fraudulently deceive the Shareholders of this Public Company as well as the **General Public** to cover-up the Truth which they are trying desperately to prevent the Shareholders and the **General Public** from knowing about i. e. all the Crime (which is well known to the Directors and the **agents** of these Directors) as well as a Magistrate's **Report** to the Master of the High Court, and even the Master of the High Court referring this Criminal Activity to the Public Prosecutor. In the process they intentionally have **Defamed** me again and again. They do it wilfully and with *malice*.
- 6.1.3.1 And they all have nothing to fear - the SAPS can do nothing - they are all too 'powerful' and all 'too clever' - using

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their **agents** to do their dirty work and to then also use these same **agents** to protect them from prosecution by the SAPS - in their own eyes.

7. To me this Public Company, these Directors and **agents** are not above the Law of the Land.

7.1 Not one of them is above the Law.

8. The Prisons of South Africa are full and over-flowing with Criminals. I know because I have worked for four years as a spiritual worker in the Prisons.

8.1 It is Right to Prosecute Criminals and to place them in Prison.

8.2 Yet how come these Criminals - these Directors, employees and their prized **agents** (Auditors, lawyers, Advocates, Liquidators and estate agents) people who break the Law, people who '**do Crime**', are not Prosecuted ?

8.2.1 Is it only because they are so 'clever' ?

8.2.2 Or is it because this bank has such a lot of money to 'splash around' - e. g. to pay R 1 million Rand to a man with no banking experience who just happened to be the Minister of Transport when this bank, this Public Company, was awarded R billions of Rands worth of 'contracts' by the State ? i. e. "**The FirstRand Limited/Marahaj Scandal**".

8.2.3 Is it because this Public Company can pay R 60 million to the Irish Government that the Directors have assured me, as a shareholder in this Public Company, is not due and owing, but was paid because of all the time and expense it would have incurred defending what the Directors say is the Truth ? - i. e. "**The Ansbacher Scandal**".

9. On the 23/2/05 I met with the Chairman, Mr GT Ferreira, of FirstRand Limited (FRL) the

Public Company that owns this bank where all this Crime occurred – FNb.

9.1 Also in attendance with the Chairman at the meeting was the Company Secretary, Mr. AH Arnott.

9.2 The purpose of the meeting with the Chairman and with the Company Secretary of FRL, according to the Agenda, was for me to explain the Crime to the Chairman.

9.3 At this meeting, and as the meeting progressed, the Company Secretary took a special interest in the **Theft**.

9.3.1 Mr Arnott wanted details of the **Theft**, in particular, although he also did refer to the **Fraud** and to the other Crime as well.

9.3.2 At the meeting, and also after the meeting, and in writing, I was able to refer Mr Arnott to the relevant **Police Cases** and to the Statements in these **Police Cases** where the detail of the **Theft**, and also the **Fraud** and the other Crime is *set out* in detail.

9.3.3 Copies of all the written Statements which I have supplied to the **Police** have all been :

9.3.3.1 Supplied to the Directors of FRL.

9.3.3.2 Tabled into the permanent Records/Minutes of the AGM of FRL on the 22/10/2004.

9.4 This special interest which the Chairman and the Company Secretary have at last shown in particular in the **Theft** (but also in the **Fraud** and the other Crime) was heartening for me to see.

9.4.1 Because of this special interest shown by the Company Secretary and by the Chairman of FRL, especially in the **Theft**, I wrote and I suggested that the Directors of FRL should now assist the **Police** and supply to the **Police** the original documents that go to **prove** the Crime.

These are the documents that Magistrate Mrs H Raath wrote about in her **Report** to the Master, that she was not able to force the bank's Directors to produce at the Enquiry into my Estate that I was able to hold. Praise the GOOD Lord.

9.4.1.1 I even suggested that the Directors of FRL should help me and the **Police** to sort of 're-do/re-draft' the original Statements made to the **Police**, where necessary, and to attach the necessary original documents to **prove** the Crime so as to assist the **Police**.


9.5 Perhaps it is because of this new Law whereby Directors face a Prison Sentence of up to 10 years if they fail to report and assist the **Police** when they know of **Fraud** that exceeds R100,000-00. Perhaps this is the reason why, in particular the Company Secretary Mr Arnott, wanted all the full details of the **Theft** (but he also referred to the **Fraud** and to the other Crime as well)

9.5.1 There are at least two separate matters where the **Fraud** exceeded R100,000-00 in our **Police Cases**, known to the Directors of FRL.

9.6 The Company Secretary of FRL, Mr AH Arnott, can be contacted at tel 011 282 1808 and fax 282 8088.

9.6.1 Perhaps if the SAPS makes contact with this gentleman he is now in a position to assist the **Police** with the **Investigations** because at the meeting the Chairman of FRL said the bank has never even heard from the **Police** !

12.

10. Enclosed please find copies of the following letters which I believe will assist the SAPS to Investigate - 20/6/06, 29/5/06, 20/4/06, 12/8/4/06, 13/4/06, 11/1/06, 3/1/06. *6/3/06, 13/1/06* 

10.1 If the SAPS wants any further information please notify me. I did already supply the SAPS with a copy of the Minutes of the meeting 23/2/05 where the **Theft** was discussed in detail with the Chairman of FRL, Ferreira, and with the Company Secretary, Arnott, and the subsequent letters where I again *set out*, and I high-lighted, the **Theft** – to the Directors of FRL.

10.1.1 I was requested to supply Dect. Insp. Nkosi from the Bramley Police Station with further details. This I did in a comprehensive letter dated 29/8/2005, copy attached. Case OB 1355/2005 – 450/05/2005.

10.1.1.1 This Statement to the Police (4/9/2006) should be read in conjunction with SAPS Case No 450/05/2005 and the other about 14 **Police Cases** opened against these CROOKS.

11. The bank involved – **First National bank**, has recently been advised to re-pay over R154 million to bond-holders who were also CHEATED. I hear that Bond-holders want to be refunded **R 1 billion** by **First National bank** (not just R 154 million)

11.1 Why I raise this is because it is the time that the People stand up to this bank and stop the greed and the Crime at this bank. We need the **Police** to help us to do it.

Signed at Johannesburg on this 4<sup>th</sup> day of September 2006.

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M E Harris.