

COPY

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

OFFICE OF THE CHIEF JUSTICE
PRIVATE BAG X9020
2021-02-24
GENERAL OFFICE
WESTERN CAPE HIGH COURT

CASE NO.: 34/2/21

In the matter between:

THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL

Applicant

and

NOEL RAYMOND FROST

Respondent

NOTICE OF MOTION

KINDLY TAKE NOTICE THAT the applicant intends to make an application to the above Honourable Court for an Order that:

1. The name of the respondent be struck off the Rolls of attorneys and conveyancers.
2. The respondent surrenders and delivers to the Registrar of this Honourable Court his certificates of enrolment as an attorney of this Honourable Court.

3. If the respondent fails to comply with the provisions of paragraph 2 above within 1 (one) week from service of this Order, the Sheriff for the District in which such certificate may be, will be empowered and directed to take possession of and deliver the same to the Registrar of this Honourable Court.
4. The respondent is directed to pay the costs of, and incidental to, this application on a scale as between an attorney and client; and
5. The Order be served on the respondent within 14 days or as soon as possible after the granting thereof.
6. The applicant be granted such further and/or alternative relief as to this Honourable Court may deem fit.

TAKE NOTICE FURTHER that the founding affidavit of **JANINE KIM MYBURGH**, annexed hereto will be used in support of the application.

TAKE NOTICE FURTHER that the applicant has appointed the below mentioned offices as the address at which it will accept notice and service of all process in these proceedings.

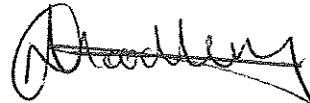
TAKE NOTICE FURTHER that if you intend opposing this application you are required:

- (a) to notify applicant's attorney in writing within 5 days after receipt of this application; and
- (b) within 15 days after you have so given notice of your intention to oppose the application, to file your answering affidavits if any;

and further that you are required to appoint in such notification an address referred to in the High Court Rule 6(5)(b) at which you will accept notice and service of all documents in these proceedings.

DATED AT CAPE TOWN ON THIS 24TH DAY OF FEBRUARY 2021

VON LIERES, COOPER & BARLOW



PER: NEVASHNI MOODLEY

Applicant's Attorneys

6th Floor

71 Loop Street

CAPE TOWN

Tel: 021 422 1870

Email: nevashni@vlcb.co.za

(REF: NM/MAT2584)

TO: THE REGISTRAR
High Court
CAPE TOWN

AND TO: **NOEL RAYMOND FROST**
Office 301, 3rd Floor
Eikestad Mall
43 Andringa Street
STELLENBOSCH

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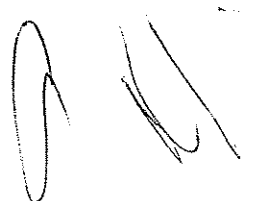
FOUNDING AFFIDAVIT

I, the undersigned,

JANINE KIM MYBURGH,

do hereby make oath and say:

1. I am an adult female attorney and an elected member of The South African Legal Practice Council (the "Legal Practice Council" or "LPC") and have my law offices at 12 2nd Avenue, Boston, Bellville Cape Town.
2. I am duly authorised to depose to this affidavit.



3. Save where otherwise specifically or by implication provided, or where the contents or context otherwise requires, the facts and allegations set out in this affidavit are true and correct and appear from the files and records of the applicant's Western Cape Office, to which I have access and/or over which I exercise control. Whilst I do not have personal knowledge of the facts, Craig Peter Lucas, who is employed by the applicant and serves in its Western Cape Office as the Acting Head of the Disciplinary Department, has personal knowledge of the facts herein set out and shall confirm the veracity thereof by way of a confirmatory affidavit.

THE PARTIES

4. The applicant, The South African Legal Practice Council, is a body corporate with full legal capacity and has jurisdiction over all legal practitioners and candidate legal practitioners in the Republic of South Africa. It was established in terms of section 4, read with section 120, of the Legal Practice Act No. 28 of 2014 ("the LPA") and has its Western Cape Office at 26th & 27th Floors, Foreshore Place, 2 Riebeeck Street, Cape Town.
5. The applicant is the successor in title to the Cape Law Society, that was, at all material times during the events described herein, a juristic person in terms of the provisions of Section 56(a)(i) of the Attorneys Act No.53



of 1979, as amended ("the Attorneys Act"), and which served as the regulatory body for attorneys in the Western Cape.

6. In terms of section 114 of the LPA, every attorney that was admitted by the High Court and was authorised to be enrolled as such in terms of the Attorneys Act prior to 1 November 2018, is regarded as having been admitted to practice in terms of the LPA.
7. In terms of section 5 of the LPA, the applicant is statutorily enjoined to regulate all legal practitioners and candidate legal practitioners and to enhance and maintain the integrity and status of the legal profession.
8. The applicant is empowered in terms of, *inter alia*, section 44 of the LPA to bring these proceedings to strike the respondent's name from the roll of legal practitioners.
9. The respondent, Noel Raymond Frost, is an attorney and conveyancer of this honourable Court and practised under the name and style of *Frost Attorneys* at 9 Carlton Close, Sunnyside, Fish Hoek, Cape Town, Western Cape.
10. The respondent was:
 - 10.1. Admitted as an attorney of the KwaZulu Natal Division of the High Court on 8 March 2002;

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10.2. Enrolled as an attorney of this honourable Court on 27 July 2011;

10.3. Admitted as a conveyancer of this honourable Court on 17 April 2008, and;

10.4. By virtue of the fact that the respondent's business address is within the area of jurisdiction of the Western Cape Provincial Council of the LPC, he falls under the jurisdiction of the said Provincial Council.

PURPOSE OF APPLICATION

11. This is an application for an Order authorising that the respondent's name be struck off the Roll of Legal Practitioners.

GUIDING PRINCIPLES

12. Before I set out the facts that show that the respondent is not a fit and proper person to continue practising as an attorney, I respectfully draw the honourable Court's attention to certain important principles and requirements relating to an attorney, the attorney's profession and the LPC:

12.1. Although this application is instituted after the commencement of the Legal Practice Act, it is submitted that the "fit and proper"

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principle underlying section 22(1)(d) of the Attorneys Act, remains applicable. The section provided as follows:

22. Removal of attorneys from roll.—(1) Any person who has been admitted and enrolled as an attorney may on application by the society concerned be struck off the roll or suspended from practice by the court within the jurisdiction of which he or she practises —

...

(d) if he, in the discretion of the court, is not a fit and proper person to continue to practise as an attorney.

12.2. The objects and competencies of the LPC are set out in some detail in section 5 of the LPA, and are *inter alia*:

12.2.1. to promote and protect the public interest;

12.2.2. to regulate all legal practitioners and all candidate legal practitioners;

12.2.3. to enhance and maintain the integrity and status of the legal profession;

12.2.4. to determine, enhance and maintain appropriate standards of professional practice and ethical conduct of all legal practitioners and all candidate legal practitioners;

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- 12.2.5. to uphold and advance the rule of law, the administration of justice and the Constitution of the Republic.
- 12.3. The LPC, as the statutory regulatory body, is empowered to realise the objects of the LPA and, where necessary, to ensure and enforce compliance with these objects. Needless to say, every practitioner under the auspices of the applicant is expected to fully cooperate with the LPC and comply with the Council's directions. Without the unfaltering co-operation of practitioners and, where required, disciplinary action by the LPC against errant practitioners, it would not be possible to maintain the high norms and standards required of the profession.
- 12.4. An attorney is a member of a learned, respected, and honourable profession and, by entering it, he pledges himself with total and unquestionable integrity to society at large, to the Courts and to the profession. Only the very highest standard of conduct and good faith are consistent with membership of the profession, which can only function effectively if it inspires the unconditional confidence and trust of the public.
- 12.5. The law thus exacts from any attorney *uberrima fides* - the highest possible degree of good faith - in his dealings with his client, which implies that at all times his submissions and representations to his client must be accurate, honest and frank.



- 12.6. In pecuniary matters the attorney must be most punctual and diligent. He must not retain money belonging to his client longer than is absolutely necessary and must account to his client for moneys received by him in a proper and diligent manner.
- 12.7. The integrity of an attorney should, *inter alia*, manifest itself in a situation where he must prefer the interests of his client above his own. It is required of an attorney that he observes scrupulously, and complies with, the provisions of the LPA and the rules.
13. As will become apparent from what follows, the applicant has reason to believe that the respondent has:
- 13.1. misappropriated monies entrusted to him and deposited into his trust banking account;
- 13.2. attempted to defraud members of the public by forging signatures and official SARS documentation, and;
- 13.3. brought the profession into disrepute.

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THE COMPLAINTS

The Beck Complaint- misappropriation of trust funds:

14. During 2015 Mr Beck, acting on behalf of Tactile Trading CC ("Tactile"), instructed the respondent to attend to a SARS PAYE issue. The respondent was mandated to enter into a compromise with SARS on Tactile's behalf.
15. At the beginning of May 2018, the respondents opening balance in his trust account was R0.96.
16. On 30 May 2018, the amount of R175 000.00 was transferred by Tactile into the respondent's trust account.
17. The following were the closing balances on the respondent's trust account from May 2018 to November 2018 (being from the date of payment to the date of the Beck complaint in November 2018):

17.1. May 2018	R150 000.96
17.2. June 2018	R50 030.96
17.3. July 2018	R18 030.96
17.4. August 2018	R0.96
17.5. September 2018	R0.96
17.6. October 2018	R0.96
17.7. November 2018	R0.96

18. A copy of the relevant trust bank account statements of the respondent is annexed hereto marked "**LPC1A**".
19. The respondent failed to attend to any work on behalf of Tactile in resolving the issue with SARS. As a result SARS obtained judgement against Tactile and it was eventually required to pay R480 000.00 to SARS.
20. At no stage did Mr Beck and/or Tactile receive a refund from the respondent, nor did the respondent account to Mr Beck in this matter.
21. A copy of the Beck complaint and trust deposit request issued by the respondent is annexed hereto marked "**LPC1**".
22. A confirmatory affidavit deposed to by Mr Beck shall be filed herewith.
23. Despite being notified of this complaint by the applicant on 23 January 2019 and been given an opportunity to respond, the respondent has, to date, failed to respond to the serious allegations contained therein.
24. A copy of the CLS correspondence is annexed hereto marked "**LPC2**".
25. *Prima facie*, it appears that the respondent has misappropriated funds in the amount of R175 000.00 entrusted to him by Tactile for the purposes of resolving its dispute with SARS.

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The Egerton complaint- misappropriation of trust funds:

26. On 23 July 2018 a complaint was received by the applicant from STBB Attorneys, acting on behalf of Ms WJ Egerton.
27. Ms Egerton deposited an amount of R150 000.00 into the respondent's trust account on 2 February 2017. The funds were to be held in trust pending an instruction from Ms Egerton with respect to whom the funds should be transferred. It should be noted that the R150 000.00 only reflected in the respondent's trust account on 14 February 2017.
28. It is worth mentioning that as at 16 February 2017, a mere two days after the funds were reflected in the respondent's trust account, the balance of the respondent's trust account was R1 661.38.
29. A copy of the relevant trust bank account statement of the respondent is annexed hereto marked "LPC2A".
30. In May 2018 Ms Egerton instructed the respondent to pay the funds to a beneficiary, but he failed to do so. Ms Egerton was not provided with a full statement of account in this matter and she was not refunded the funds by the respondent.
31. On 23 November 2017, whilst under the impression that the R150 000.00 was still securely held in the respondent's trust account,



Ms Egerton deposited a further R152 232.69 into the respondent's trust account, at his request, in respect of a tax matter.

32. It later became apparent to Ms Egerton that no monies were paid over to SARS. She was never provided a refund of the R152 232.69 and the respondent has failed to account to her regarding these funds.
33. During May 2018, Ms Egerton terminated the respondent's mandate. On 16 July 2018 her new attorneys of record, STBB, addressed a letter to the respondent in which they confirmed, *inter alia*, that his mandate had been terminated, that Ms Egerton's files were collected from his offices, that it came to their attention that funds were held in the respondent's trust account and that a full statement of account and reconciliation should be provided within five days of receipt of the letter, and that within 10 days of receipt of the letter, the respondent should refund the monies held in trust. The respondent failed to respond to the aforementioned correspondence.
34. The Egerton complaint received by the applicant is annexed hereto marked "**LPC3**".
35. A confirmatory affidavit deposed to Ms Egerton shall be filed herewith.
36. Upon inspection of the respondent's trust bank account statements by the applicant, it discovered that on 24 November 2017 (one day after the deposit of R152 232.69 was made by Ms Egerton) the amount of



R150 000.00 was transferred out of the account with the reference "Maujean". This was not a payment to Ms Egerton and prior to receipt of the R152 232.69 from Ms Egerton, the respondent's balance in his trust account was a mere R1 064.77.

37. A copy of the relevant trust bank account statement is annexed hereto marked "**LPC3A**".
38. Despite being notified of this complaint by the CLS on 25 September 2018 and been given an opportunity to respond, the respondent has, to date, failed to respond to the serious allegations contained therein.
39. A copy of the CLS correspondence is annexed hereto marked "**LPC4**".
40. *Prima facie*, it appears that the respondent has misappropriated funds in the amount of R302 232.69 entrusted to him by Ms Egerton.

The Bromley Complaint- Forgery and attempted fraud:

41. Mr Bromley instructed the respondent to compile and submit a tax return to SARS in which he was required to account for certain capital gains that his wife, Mrs Bromley, made during the relevant tax reporting period.
42. On 26 April 2017, the respondent addressed a letter to the Bromleys advising that:

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- 42.1. SARS had assessed a tax liability of R526 426.35 in respect of the 2016 tax period.
- 42.2. Payment of the funds could be made into the respondent's trust account, whereafter he would action payment to SARS in respect of the relevant tax period.
- 42.3. Once the payment to SARS had been made, the respondent would make application for a Tax Compliance Certificate on behalf of the Bromleys.
- 42.4. It would be advisable that the respondent retain an additional amount of approximately R300 000.00 in the event that SARS issued an additional assessment. I mention in passing that it is curious that the respondent did not provide any reason for his apparent fear that SARS would issue an additional assessment.
43. The respondent attached a copy of an ITA34 form, which showed that an amount of R526 426.35 was due and payable by Mrs Bromley.
44. A copy of the respondent's letter and ITA34 form is annexed hereto marked "**LPC5**" and "**LPC6**" respectively.
45. The Bromleys decided that they would rather make payment of R526 000.00 directly to SARS.

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46. Notwithstanding the Bromleys' repeated requests for the breakdown of the respondent's calculation, the SARS calculation as well as a copy of Mrs Bromley's vouchers and supporting documents, the respondent has, to date, failed to provide them with any of the calculations or documents.
47. In 2018, SARS contacted Mrs Bromley and requested her banking details for purposes of a repayment in the amount of R526 000.00. It appears that the payment made by Mrs Bromley was not allocated by SARS, the reason being that apparently no assessment for 2016 was conducted on Mrs Bromley's income tax account. This aspect is discussed in further detail below.
48. On 17 May 2018, Mr Bromley, acting on behalf of his wife, wrote to the respondent and minuted the discussions of their meeting on the same day. In addition to confirming the various previous requests for documentation and confirming that Mrs Bromley was contacted by SARS in respect of repaying the amount of R526 000.00, Mr Bromley recorded that the respondent undertook to contact a legal adviser at SARS to obtain proof that the ITA34 and assessment documents were genuine, and that the respondent undertook to find the copies of Mrs Bromley's vouchers and the supporting documents that she provided to the respondent.

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49. A copy of Mr Bromley's above-mentioned email to the respondent is annexed hereto and marked a, "LPC7".
50. On 2 July 2018, Mrs Bromley received an email from SARS in which she was informed that according to the SARS records, the 2016 assessment was never processed on her income tax account. Accordingly, the payment made by her reflected as a credit on her account.
51. Pursuant to a reply by Mr Bromley in which he informed the SARS representative, Ms de Jager, what had transpired between Mrs Bromley and the respondent, Ms de Jager investigated the origin of the ITA34 form. On 9 July 2018, Ms de Jager informed Mr Bromley that SARS had not issued Mrs Bromley with an assessment in respect of the 2016 reporting period.
52. A copy of the email correspondence between the Mr Bromley and Ms de Jager is annexed hereto marked "LPC8".
53. Confirmatory affidavits of Mr and Mrs Bromley shall be filed herewith.
54. *Prima facie*, the respondent forged official SARS documentation in an apparent attempt to fleece R526 426.35, and possibly more, out of the Bromleys.

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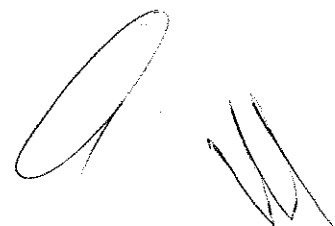
55. The respondent has not provided the applicant or the CLS, with a response to the complaint, notwithstanding several attempts to obtain same. Annexed hereto is correspondence from the CLS addressed to the respondent on 20 August 2018, 28 September 2018 and 3 October 2018 ("LPC9"), which have to date gone unanswered.

The Cronje Complaint- Forgery:

56. Ms Katheryn Francis Cronje ("Cronje") is the founder and manager of the Safe House Trust, a shelter for abused women. Cronje is also on the Board of Trustees.
57. The respondent attended to the registration of the Safe House Trust.
58. On 14 March 2018, the Cronje received an email from a Ms Anne Vermaak ("Vermaak"), the founder of the Ukuphumelela Trust. According to Vermaak, the respondent also attended to the registration of the Ukuphumelela Trust. Vermaak queried, amongst other matters, a *Conduit Agreement* entered into between the Safe House Trust and the Ukuphumelela Trust.
59. Cronje received a copy of the Conduit Agreement, which was signed by Vermaak on behalf of the Ukuphumelela Trust, by the respondent on behalf of Frost Attorneys and purportedly by Cronje on behalf of the Safe House Trust. Cronje denies ever signing the agreement.



60. A copy of the agreement is annexed hereto marked "**LPC10**".
61. On 15 March 2018, Cronje wrote to Vermaak and advised that:
- 61.1. she and the board of trustees of the Safe House Trust did not have any knowledge of the conduit agreement,
- 61.2. the signature on the agreement on behalf of the Safe House was neither hers, nor any off the members of the board of trustees, and;
- 61.3. the initials on page 1 of the agreement were not her initials.
62. Cronje deposed to an affidavit, dated 18 July 2018, in which she set out the events that took place. A copy of this affidavit is annexed hereto marked "**LPC11**".
63. In her affidavit, Cronje stated that:
- "The signature for the Safe House Trust on the second page of the document reads Kathy Cronje however this is not my signature and is not even vaguely similar to my signature. The initial on the first page of the document is also not my initial."*
64. Cronje goes on to say that:

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"As far as I am aware the only person who could have forged my signature on the conduit agreement is Noel [Frost] as no one else apart from Anne [Vermaak] was aware of the agreement."

65. The respondent has similarly failed to reply and/or address this complaint. Annexed hereto is correspondence from the applicant to the respondent dated 17 August 2018 and 3 October 2018 ("LPC12"), which to date has gone unanswered.

The Rooswinkel Complaint- Failure to properly account to client

66. Mr M J Rooswinkel instructed the respondent to prepare a loan agreement between himself and a certain Ms Reynecke ("Reynecke").
67. In terms of the agreement, Reynecke was required to repay the loan of R50 000.00 in instalments of R1 498.54 per month, which were payable into the respondent's trust account as from 25 January 2017.
68. The respondent failed to report and account to Mr Rooswinkel, notwithstanding Mr Rooswinkel's efforts to follow up by telephone, email and by attending at the respondent's office.
69. As a result, Mr Rooswinkel instructed Ms Cathy Conway, an attorney at C&A Friedlander, to recover the monies from the respondent. Ms Conway addressed a letter to the respondent on 16 April 2018 in which she:

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- 69.1. Confirmed the terms of the loan agreement;
- 69.2. Confirmed that to date Ms Reynecke had made ten repayments in terms of the loan agreement which amounts to R15 000.00.
- 69.3. Advised the respondent that Mr Rooswinkel made various attempts to contact the respondent to request that the funds (collected from Reynecke) be paid to him. His attempts were unsuccessful.
- 69.4. Demanded that the respondent pay the R15 000.00 (as mentioned in paragraph 63.2 above) into their trust account by close of business on 20 April 2018, failing which Mr Rooswinkel had instructed them to proceed with the appropriate legal action.
70. A copy of the loan agreement and the letter from Ms Conway dated 16 April 2018 are annexed hereto marked "**LPC13**" and "**LPC14**" respectively.
71. The respondent sent what appears to be a Whatsapp message to Mr Rooswinkel which showed certain bank payments made to Mr Rooswinkel totalling R18 000.00. A copy of the WhatsApp message is annexed hereto marked "**LPC15**".
72. On 14 May 2018, Ms Conway addressed a further email to the respondent ("**LPC16**") requesting a breakdown of all the funds received



by the respondent on behalf of Mr Rooswinkel and proof of payment of all the funds to Mr Rooswinkel.

73. To date, the respondent has not provided Rooswinkel and/or his attorney with a proper accounting of the matter. Accordingly, it is not possible to determine whether the respondent accounted for all funds received by him, or whether some of these funds were in fact misappropriated.
74. Despite attempts by the CLS on 19 September 2018 and 3 October 2018 to obtain the respondents version of events, the respondent has not obliged. Annexed hereto marked "LPC17" is the relevant correspondence.

SUSPENSION FROM PRACTICE

75. In terms of section 84 of the LPA, every attorney who practices or is deemed to practice for his or her own account either alone or in a partnership, or as a director of a practice which is a juristic entity, must be in possession of Fidelity Fund Certificate.
76. The respondent failed to obtain a valid Fidelity Fund Certificate for the year 2019, and as a result thereof the applicant obtained a court order in the above honourable Court on 12 December 2019, *inter alia*, suspending the respondent from practising as an attorney of this



Honourable Court, pending him obtaining valid Fidelity Fund Certificate in terms of section 84 (1) of the LPA.

77. A copy of the court order is annexed hereto marked "**LPC18**".
78. To date, the respondent has failed to obtain a Fidelity Fund Certificate for the years 2019 and 2020 and accordingly his suspension from practice and the provisions of the above-mentioned court order remain effective.
79. The LPC has furthermore not been informed that the respondent no longer intends to practice as an attorney and conveyancer, and as such the respondent also requires a Fidelity Fund Certificate for 2021, which to date, he has failed to apply for.

THE RELIEF SOUGHT

80. The complaints set out above indicate that the respondent has conducted himself in an unprofessional manner, seemingly misappropriating trust funds, attempting to defraud a member of the public, committing forgery of official SARS documents and client signatures, failing to account to clients, and bringing the profession into disrepute.
81. Despite the various complaints against the respondent and despite being provided ample opportunity to respond to those complaints and

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possibly justify his conduct, the respondent has seen it fit to ignore all such requests.

82. The respondent is an officer of the Court whose position requires scrupulous integrity and honour. He is facing serious allegations of fraud, impropriety and misconduct. This notwithstanding, he has, to date, been unable or perhaps unwilling to provide any information.
83. The respondent has brought the profession into disrepute by misappropriating trust funds, forging signatures and official SARS documentation with the aim of defrauding clients, failing to respond timeously and fully to clients, and failing to respond timeously and fully to the applicant.

CONCLUSION

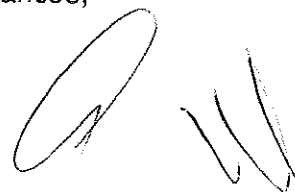
84. As is apparent from the foregoing, the respondent:
- 84.1. has failed to uphold the highest standard of integrity and honesty expected from the profession;
- 84.2. has *prima facie* misappropriated trust funds from various clients;
- 84.3. forged an official SARS document with the intention to misrepresent and defraud a client;
- 84.4. forged a client's signature on an agreement;

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- 84.5. should have reasonably been aware of the illegal nature of his conduct and the consequences thereof. Despite his knowledge and appreciation for his actions, he chose to conduct himself in the manner in which he did;
 - 84.6. has mishandled trust funds;
 - 84.7. has failed to properly and timeously account to clients;
 - 84.8. has disregarded his duties as an officer of the Court, and;
 - 84.9. has brought disgrace to the profession.
85. The respondent has, in the view of the applicant, made himself guilty of unprofessional, dishonourable and/or unworthy conduct and has failed to uphold the highest standard of integrity and honesty required by the profession.
86. The respondent has:
- 86.1. by his aforesaid conduct, undermined and brought the attorneys' profession into disrepute;
 - 86.2. has failed to maintain recognised professional standards, and;
 - 86.3. has undermined the confidence of the public in the attorneys' profession.



87. The respondent's conduct is unprofessional, dishonourable and reprehensible.
88. In the opinion of the applicant, the respondent is guilty of unprofessional conduct that is unworthy and unbefitting an attorney.
89. The respondent's disregard for the law, the very domain within which he practices and within which he is supposed to act with the utmost ethical standards and integrity, has been clearly established.
90. By virtue of the foregoing it is submitted that the respondent:
- 90.1. is not worthy to remain in the ranks of an honourable profession;
- 90.2. is accordingly not a fit and proper person to continue to practise as an attorney of this honourable Court, and;
- 90.3. should be struck off the roll of attorneys of this honourable Court.
91. Lastly, the applicant submits that the respondent be ordered to pay the costs of this application on a scale as between attorney and client.
92. The applicant has brought this application to protect the standing of the profession and interests of the public. It does not seek any advantage for itself in bringing this application. It submits to the Court facts, which it contends constitutes unprofessional conduct and leaves the Court to determine how it will deal with the respondent. In these circumstances,

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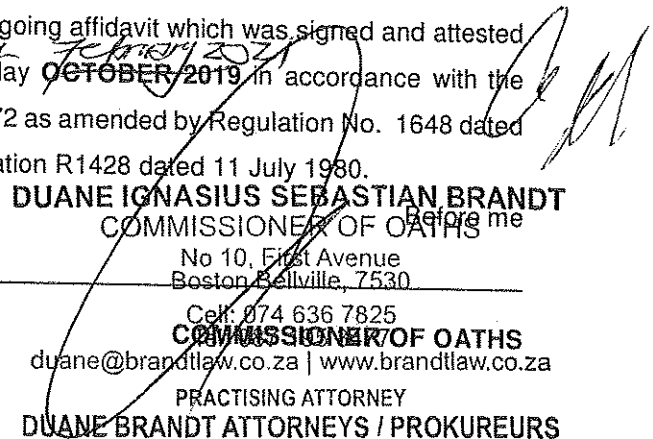
it would be unjust if the applicant and its members are expected to pay a portion of the legal costs that have been occasioned by this application.

93. The applicant accordingly submits that a proper case has been made out for the relief sought in the notice of motion and prays for an order in accordance therewith.



JANINE KIM MYBURGH

I certify that the abovementioned appeared before me and acknowledged to me that she knows and understands the contents of the foregoing affidavit which was signed and attested to at the undermentioned address on this ^{18th February 2021} day ~~OCTOBER 2019~~ in accordance with the provisions of Regulation R1258 date 21 July 1972 as amended by Regulation No. 1648 dated 19 August 1977 and further amended by Regulation R1428 dated 11 July 1980.



DUANE IGNASIUS SEBASTIAN BRANDT
COMMISSIONER OF OATHS

No 10, First Avenue
Boston Bellville, 7530

Cell: 074 636 7825

COMMISSIONER OF OATHS

duane@brandtlaw.co.za | www.brandtlaw.co.za

PRACTISING ATTORNEY

DUANE BRANDT ATTORNEYS / PROKUREURS



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First National Bank

how can we help you?

Long Beach
P O Box 1834
Sun Valley 7975
Branch Code 260300

"LPCIA"

Customer VAT Registration Number : Not Provided
Bank VAT Registration Number : 4210102051

Copy Tax Invoice/Statement Number : 84

BBST84 184191
FROST ATTORNEYS TRUST ACC
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37 THE GLEN
FISH HOEK
7975
NOEL@FROSTATTORNEYS.CO.ZA

Statement Period : 30 April 2018 to 31 May 2018
Statement Date : 31 May 2018

Commercial Attorneys Trust 62311455134

Summary in Rand

ZAR

Opening Balance		0.96 Cr
Funds Received (Credits)	1	175,000.00 Cr
Cash Deposits	0	0.00
Other Deposits	0	0.00
Inter-Account Transfers In	0	0.00
Electronic Payments Received	1	175,000.00 Cr
Funds Used (Debits)	2	25,000.00 Dr
Cash Withdrawals (Branch)	0	0.00
Cash Withdrawals (Other)	0	0.00
Cheques Processed (Non Cash)	0	0.00
Debit Orders/Scheduled Payments	0	0.00
Account Payments	0	0.00
Inter-Account Transfers Out	2	25,000.00 Dr
Card Purchases (Swipes)	0	0.00
Fuel Purchases	0	0.00
Bank Charges	2	60.08 Dr
Service Fees	2	60.08 Dr
Cash Deposit Fees	0	0.00
Cash Handling Fees	0	0.00
Other Fees	0	0.00
Other Entries		
Interest on Credit Balance	1	18.70 Cr
Interest on Debit Balance	0	0.00
Inward Unpaid Items	0	0.00
Unpaid Cheques and Debits	0	0.00
Refunds/Adjustments	2	41.38 Cr
Closing Balance		150,000.96 Cr
Overdraft Limit		0.00

Contact us

- e-Mail: info@fnb.co.za
- Web: fnb.co.za
- Lost Cards: 087-575-9406
- Account Enquiries: 087-575-9479
- Fraud: 087-311-8607

Updated Terms and Conditions: Your transactional account terms and conditions have been updated. You can access the updated terms and conditions on our website.

Interest on Credit Balance

1 - 999	0.85%
1,000 - 9,999	0.95%
10,000 - 49,999	1.05%
50,000 - 99,999	1.10%
100,000 - 249,999	2.10%
250,000 - 499,999	2.20%
500,000 - 999,999	2.30%
1,000,000 - 2,499,999	3.15%
2,500,000 - 4,999,999	3.25%
5,000,000 - 9,999,999	3.70%
10,000,000 - 29,999,999	3.75%
30,000,000 +	3.85%

Pricing Option: Your account is currently on the Pay-As-You-Use pricing option. For more information, please Contact Us or visit our website.

Branch Number	Account Number	Date	DDA MT/BV/N/G/I/G/BD/8MM/2/LEY	FNBUS
2234	62311455134	18/05/18	Commercial Attorneys Trust	

CPZFRN0-62311455134

Date	Description	Amount	Balance	Accrued Bank Charges
Opening Balance				0.96 Cr
30 May	Magtape Credit	Tacile	175,000.00 Cr	175,000.96 Cr
30 May	Cr.Int Rate	2,100.00	0.00	175,000.96 Cr
31 May	FNB App Transfer To	Fee Tct1	15,000.00	160,000.96 Cr
31 May	FNB App Transfer To	Fee Tct1	10,000.00	150,000.96 Cr
31 May	Int On Credit Balance		18.70 Cr	150,019.66 Cr
31 May	#Monthly Account Fee		52.00	149,967.66 Cr
31 May	#Service Fees		8.08	149,959.58 Cr
31 May	Re-directed VAT Charge To	62311022264	7.03 Cr	149,967.41 Cr
31 May	Re-directed Fees To	62311022264	33.55 Cr	150,000.96 Cr
Closing Balance				150,000.96 Cr

Pay as You use Pricing Option (Refer to Business Pricing Guide on fnb.co.za for more)

Monthly Account Fee	R52.00	Cheque Service Fee	R65.07
Cheque Deposit Fee	R32.08 + R4.54 per Cheque (Max R100.88)	Inward Unpaid Fee	R121.05
Cash Swap Fee	R10.00 per R1000.00 or part thereof		
Cash Deposits (Fees are quoted per R100 or part thereof)			
FNB ATM Advance:	R3.98 + R0.55 per R100 or part thereof	<R5000	<R10000
Cash Withdrawals (Fees are quoted per R100 or part thereof)			
Branch:	Cheque Service Fee (min R40.00) plus	<R15000	<R50000
Bulk:	Cheque Service Fee (min R40.00) plus	<R100000	>=R150000
FNB ATM:	R3.95 + R1.45 per R100 or part thereof	R2.520	R1.780
		R1.730	R1.580
		R1.430	R1.260
		R1.080	R0.930

Please contact us within 30 days from your statement date, should you wish to query an entry on this statement (incl. card transactions done during this statement period, but not yet reflecting). Should we not hear from you, we will assume that you have received the statement and that it is correct.

The VAT rate has increased from 14% to 15% from 1 April 2018.

Inclusive of VAT @ 15.00% = R 7.83 Dr
 Total VAT Charged : R 7.83 Dr

First National Bank - a division of FirstRand Bank Limited. Registration Number 1929/001225/06.
 An Authorised Financial Services and Credit Provider (NCRCP20).

On 29 March 2018, the Prime Lending Rate changed to 10.00%. This may impact the rate on any of your credit facilities.

Branch Number	Account Number	Date	DDA MT/BN/NG/GVBD/8M/MZLE/Y	FNBUS
2234	62311455134	18/05/31	Commercial Attorneys Trust	



Long Beach
 P O Box 1834
 Sun Valley 7975
 Branch Code 280300

Customer VAT Registration Number : Not Provided
 Bank VAT Registration Number : 4210102051

Copy Tax Invoice/Statement Number : 85

BBSTB5 200071
 FROST ATTORNEYS TRUST ACC
 SEC78(I)
 37 THE GLEN
 FISH HOEK
 7975
 NOEL@FROSTATTORNEYS.CO.ZA

Statement Period : 31 May 2018 to 30 June 2018
 Statement Date : 30 June 2018

Commercial Attorneys Trust 62311455134

Summary in Rand		ZAR
Opening Balance		150,000.96 Cr
Funds Received (Credits)	0	0.00
Cash Deposits	0	0.00
Other Deposits	0	0.00
Inter-Account Transfers In	0	0.00
Electronic Payments Received	0	0.00
Funds Used (Debits)	9	99,970.00 Dr
Cash Withdrawals (Branch)	0	0.00
Cash Withdrawals (Other)	0	0.00
Cheques Processed (Non Cash)	0	0.00
Debit Orders/Scheduled Payments	0	0.00
Account Payments	0	0.00
Inter-Account Transfers Out	9	99,970.00 Dr
Card Purchases (Swipes)	0	0.00
Fuel Purchases	0	0.00
Bank Charges	8	116.20 Dr
Service Fees	2	88.36 Dr
Cash Deposit Fees	0	0.00
Cash Handling Fees	0	0.00
Other Fees	6	27.84 Dr
Other Entries		
Interest on Credit Balance	1	177.48 Cr
Interest on Debit Balance	0	0.00
Inward Unpaid Items	0	0.00
Unpaid Cheques and Debits	0	0.00
Refunds/Adjustments	2	61.28 Dr
Closing Balance		50,030.96 Cr
Overdraft Limit		0.00

Contact us	
e-Mail	info@fnb.co.za
Web	fnb.co.za
Lost Cards	087-575-9406
Account Enquiries	087-575-9479
Fraud	087-311-8607

Updated Terms and Conditions: Your transactional account terms and conditions have been updated. You can access the updated terms and conditions on our website.

Interest on Credit Balance	
1 - 999	0.85%
1,000 - 9,999	0.95%
10,000 - 49,999	1.05%
50,000 - 99,999	1.10%
100,000 - 249,999	2.10%
250,000 - 499,999	2.20%
500,000 - 999,999	2.30%
1,000,000 - 2,499,999	3.15%
2,500,000 - 4,999,999	3.25%
5,000,000 - 9,999,999	3.70%
10,000,000 - 29,999,999	3.75%
30,000,000 +	3.85%

Pricing Option: Your account is currently on the Pay-As-You-Use pricing option. For more information, please Contact Us or visit our website.

Branch Number	Account Number	Date	DDA MT/BV/IN/CG/GI/BD/BMM/M2/LE/Y	FNBUS
2234	62311455134	18/06/30	Commercial Attorneys Trust	

Date	Description	Amount	Balance	Accrued Bank Charges
Opening Balance			150,000.96 Cr	
04 Jun	FNB App Transfer To Tactile Fee	10,000.00	140,000.96 Cr	4.04
08 Jun	#Online Payment History	4.64	139,996.32 Cr	
08 Jun	#Online Payment History	4.64	139,991.68 Cr	
08 Jun	#Online Payment History	4.64	139,987.04 Cr	
08 Jun	#Online Payment History	4.64	139,982.40 Cr	
08 Jun	#Online Payment History	4.64	139,977.76 Cr	
08 Jun	#Online Payment History	4.64	139,973.12 Cr	
14 Jun	FNB App Transfer To Tactile	6,000.00	133,973.12 Cr	4.04
15 Jun	FNB App Transfer To Tactile	2,000.00	131,973.12 Cr	4.04
15 Jun	FNB App Transfer To Tactile	30,000.00	101,973.12 Cr	4.04
21 Jun	FNB App Transfer To Tactile Fee	1,000.00	100,973.12 Cr	4.04
22 Jun	FNB App Transfer To Fee	970.00	100,003.12 Cr	4.04
23 Jun	FNB App Transfer To Fee	10,000.00	90,003.12 Cr	4.04
23 Jun	Cr Int Rate (1,100.00)	0.00	90,003.12 Cr	
26 Jun	FNB App Transfer To Tactile	30,000.00	60,003.12 Cr	4.04
29 Jun	FNB App Transfer To Fee	10,000.00	50,003.12 Cr	4.04
30 Jun	Int On Credit Balance	177.48 Cr	50,180.60 Cr	
30 Jun	#Monthly Account Fee	52.00	50,128.60 Cr	
30 Jun	#Service Fees	36.36	50,092.24 Cr	
30 Jun	Redirect Of VAT Charge To 62311022264	15.18 Cr	50,107.42 Cr	
30 Jun	Credit Int Paid To 60261128828	76.46	50,030.96 Cr	

Closing Balance

50,030.96 Cr

Pay as You use Pricing Option (Refer to Business Pricing Guide on fnb.co.za for more)

Monthly Account Fee	R52.00	Cheque Service Fee	R85.07
Cheque Deposit Fee	R32.00 + R4.54 per Cheque (Max R100.88)	Inward Unpaid Fee	R121.05
Cash Swap Fee	R10.00 per R1000.00 or part thereof		
Cash Deposits (Fees are quoted per R100 or part thereof)		<R5000	<R10000
FNB ATM Advance:	R3.98 + R0.55 per R100 or part thereof	<R15000	<R50000
Cash Withdrawals (Fees are quoted per R100 or part thereof)		<R150000	>=R150000
Branch:	Cheque Service Fee (min R40.00) plus	R3.250	R2.210
Bulk:	Cheque Service Fee (min R40.00) plus	R2.520	R1.780
FNB ATM:	R3.95 + R1.45 per R100 or part thereof	R1.430	R1.260

Please contact us within 30 days from your statement date, should you wish to query an entry on this statement (incl. card transactions done during this statement period, but not yet reflecting). Should we not hear from you, we will assume that you have received the statement and that it is correct.

The VAT rate has increased from 14% to 15% from 1 April 2018.

Inclusive of VAT @ 15.00% = R 15.18 Dr
 Total VAT Charged : R 15.18 Dr

First National Bank - a division of FirstRand Bank Limited. Registration Number 1929/001225/06.
 An Authorised Financial Services and Credit Provider (NCRCP20).

On 29 March 2018, the Prime Lending Rate changed to 10.00%. This may impact the rate on any of your credit facilities.

Branch Number	Account Number	Date	DDA MT/BV/INGI/GI/BD/SM/M2/LE/Y	FNBUS
2234	62311455134	18/06/30	Commercial Attorneys Trust	



Long Beach
 P O Box 1834
 Sun Valley 7975
 Branch Code 260300

Customer VAT Registration Number : Not Provided
 Bank VAT Registration Number : 4210102051

Copy Tax Invoice/Statement Number : 86

Statement Period : 30 June 2018 to 31 July 2018
 Statement Date : 31 July 2018

how can we help you?

BBST66 186824
 FROST ATTORNEYS TRUST ACC
 SEC78(I)
 37 THE GLEN
 FISH HOEK
 7975
 NOEL@FROSTATTORNEYS.CO.ZA

Commercial Attorneys Trust 62311455134

Summary in Rand		ZAR
Opening Balance		50,030.96 Cr
Funds Received (Credits)		348,000.00 Cr
Cash Deposits	0	0.00
Other Deposits	0	0.00
Inter-Account Transfers In	0	0.00
Electronic Payments Received	1	348,000.00 Cr
Funds Used (Debits)		380,000.00 Dr
Cash Withdrawals (Branch)	0	0.00
Cash Withdrawals (Other)	0	0.00
Cheques Processed (Non Cash)	0	0.00
Debit Orders/Scheduled Payments	0	0.00
Account Payments	1	345,000.00 Dr
Inter-Account Transfers Out	4	35,000.00 Dr
Card Purchases (Swipes)	0	0.00
Fuel Purchases	0	0.00
Bank Charges		80.98 Dr
Service Fees	2	80.98 Dr
Cash Deposit Fees	0	0.00
Cash Handling Fees	0	0.00
Other Fees	0	0.00
Other Entries		
Interest on Credit Balance	1	17.09 Cr
Interest on Debit Balance	0	0.00
Inward Unpaid Items	0	0.00
Unpaid Cheques and Debits	0	0.00
Refunds/Adjustments	2	63.89 Cr
Closing Balance		18,030.96 Cr
Overdraft Limit		0.00

Contact us	
e-Mail	info@fnb.co.za
Web	fnb.co.za
Lost Cards	087-575-9406
Account Enquiries	087-575-9479
Fraud	087-311-8607

Updated Terms and Conditions: Your transactional account terms and conditions have been updated. You can access the updated terms and conditions on our website.

Interest on Credit Balance	
1 - 999	0.85%
1,000 - 9,999	0.95%
10,000 - 49,999	1.05%
50,000 - 99,999	1.10%
100,000 - 249,999	2.10%
250,000 - 499,999	2.20%
500,000 - 999,999	2.30%
1,000,000 - 2,499,999	3.15%
2,500,000 - 4,999,999	3.25%
5,000,000 - 9,999,999	3.70%
10,000,000 - 29,999,999	3.75%
30,000,000 +	3.85%

Pricing Option: Your account is currently on the Pay-As-You-Use pricing option. For more information, please Contact Us or visit our website.

Branch Number	Account Number	Date	DDA MT/BV/IN/GU/BD/BMM/2LE/Y	FNBUS
2234	62311455134	18/07/18	Commercial Attorneys Trust	

Date	Description	Amount	Balance	Accrued Bank Charges
Opening Balance			50,030.96 Cr	
02 Jul	FNB App Transfer To Fee	10,000.00	40,030.96 Cr	4.20
02 Jul	Cr Int Rate 1.05000	0.00	40,030.96 Cr	
04 Jul	FNB App Transfer To Fee	20,000.00	20,030.96 Cr	4.20
11 Jul	FNB App Transfer To Tackle Fee	2,000.00	18,030.96 Cr	4.20
12 Jul	FNB App Transfer To Fee	3,000.00	15,030.96 Cr	4.20
31 Jul	Rtc Credit Firm 0677307021	348,000.00 Cr	363,030.96 Cr	
31 Jul	FNB App Payment To Mdr SARS	345,000.00	18,030.96 Cr	
31 Jul	Int On Credit Balance	17.09 Cr	18,048.05 Cr	
31 Jul	Electronic Payments Bis/Int 1 On True Tiering = 9.18	0.00	18,048.05 Cr	9.18
31 Jul	#Monthly Account Fee	55.00	17,993.05 Cr	
31 Jul	#Service Fees	25.98	17,967.07 Cr	
31 Jul	Redirect Of VAT Charge To 62311022264	10.60 Cr	17,977.67 Cr	
31 Jul	Re-directed Fees To (Rec) 62311022264	53.33 Cr	18,030.96 Cr	
Closing Balance			18,030.96 Cr	

Please contact us within 30 days from your statement date, should you wish to query an entry on this statement (incl. card transactions done during this statement period, but not yet reflecting). Should we not hear from you, we will assume that you have received the statement and that it is correct.

Inclusive of VAT @ 15.00% = R 10.56 Dr
 Total VAT Charged: R 10.56 Dr

First National Bank - a division of FirstRand Bank Limited. Registration Number 1929/001225/06.
 An Authorised Financial Services and Credit Provider (NCRCP20).

On 29 March 2018, the Prime Lending Rate changed to 10.00%. This may impact the rate on any of your credit facilities.

Branch Number	Account Number	Date	DDA MT/BV/N/C/G/VBD/BM/M2/LE/Y	FNBUS
2234	62311455134	18/07/31	Commercial Attorneys Trust	



how can we help you?

Long Beach
P O Box 1834
Sun Valley 7975
Branch Code 260300

Customer VAT Registration Number : Not Provided
Bank VAT Registration Number : 4210102051

Copy Tax Invoice/Statement Number : 87

Statement Period : 31 July 2018 to 31 August 2018
Statement Date : 31 August 2018

888187 188727
FROST ATTORNEYS TRUST ACC
SEC78(I)
37 THE GLEN
FISH HOEK
7975
NOEL@FROSTATTORNEYS.CO.ZA

Commercial Attorneys Trust 62311455134

Summary in Rand		ZAR
Opening Balance		18,030.96 Cr
Funds Received (Credits)	0	0.00
Cash Deposits	0	0.00
Other Deposits	0	0.00
Inter-Account Transfers In	0	0.00
Electronic Payments Received	0	0.00
Funds Used (Debits)	8	18,030.00 Dr
Cash Withdrawals (Branch)	0	0.00
Cash Withdrawals (Other)	0	0.00
Cheques Processed (Non Cash)	0	0.00
Debit Orders/Scheduled Payments	0	0.00
Account Payments	0	0.00
Inter-Account Transfers Out	8	18,030.00 Dr
Card Purchases (Swipes)	0	0.00
Fuel Purchases	0	0.00
Bank Charges	3	89.95 Dr
Service Fees	2	88.60 Dr
Cash Deposit Fees	0	0.00
Cash Handling Fees	0	0.00
Other Fees	1	1.35 Dr
Other Entries		
Interest on Credit Balance	1	3.53 Cr
Interest on Debit Balance	0	0.00
Inward Unpaid Items	0	0.00
Unpaid Cheques and Debits	0	0.00
Refunds/Adjustments	2	86.42 Cr
Closing Balance		0.96 Cr
Overdraft Limit		0.00

Contact us	
e-Mail	info@fnb.co.za
Web	fnb.co.za
Lost Cards	087-575-9406
Account Enquiries	087-575-9479
Fraud	087-311-8607

Updated Terms and Conditions: Your transactional account terms and conditions have been updated. You can access the updated terms and conditions on our website.

Interest on Credit Balance	
1 - 999	0.85%
1,000 - 9,999	0.95%
10,000 - 49,999	1.05%
50,000 - 99,999	1.10%
100,000 - 249,999	2.10%
250,000 - 499,999	2.20%
500,000 - 999,999	2.30%
1,000,000 - 2,499,999	3.15%
2,500,000 - 4,999,999	3.25%
5,000,000 - 9,999,999	3.70%
10,000,000 - 29,999,999	3.75%
30,000,000 +	3.85%

Pricing Option: Your account is currently on the Pay-As-You-Use pricing option. For more information, please Contact Us or visit our website.

Branch Number	Account Number	Date	DDA MT/BWIN/GI/BD/8M/M2/LEN	FNBUS
2234	62311455134	18/08/31	Commercial Attorneys Trust	

COMMERCIAL ATTORNEYS TRUST: 62311455134

Tax Invoice/Statement Number : 87

Date	Description	Amount	Balance	Accrued Bank Charges
Opening Balance			18,030.96 Cr	
01 Aug	FNB App Transfer To Richards	5,000.00	13,030.96 Cr	4.20
01 Aug	Notification - Sms	0.00	13,030.96 Cr	1.35
02 Aug	FNB App Transfer To M De Rooy	0.00	13,030.96 Cr	
02 Aug	Cr.Int.Rate	5,000.00	8,030.96 Cr	4.20
04 Aug	FNB App Transfer To	0.00	8,030.96 Cr	
06 Aug	FNB App Transfer To	1,000.00	7,030.96 Cr	4.20
11 Aug	FNB App Transfer To	1,000.00	6,030.96 Cr	4.20
13 Aug	FNB App Transfer To Fee	1,000.00	5,030.96 Cr	4.20
18 Aug	FNB App Transfer To	500.00	4,530.96 Cr	4.20
25 Aug	FNB App Transfer To Fee	500.00	4,030.96 Cr	4.20
25 Aug	Cr.Int.Rate	4,000.00	0.96 Cr	4.20
31 Aug	Int On Credit Balance	0.00	0.96 Cr	
31 Aug	#Monthly Account Fee	3.53 Cr	4.49 Cr	
31 Aug	#Value Added Serv Fees	55.00	50.51	
31 Aug	#Service Fees	1.35	51.86	
31 Aug	Redirect Of VAT Charge To	33.60	85.46	
31 Aug	Re-directed Fees To (Rec)	11.73 Cr	73.73	
Closing Balance			0.96 Cr	

Please contact us within 30 days from your statement date, should you wish to query an entry on this statement (incl. card transactions done during this statement period, but not yet reflecting). Should we not hear from you, we will assume that you have received the statement and that it is correct.

Inclusive of VAT @ 15.00% = R 11.73 Dr
 Total VAT Charged : R 11.73 Dr

First National Bank - a division of FirstRand Bank Limited. Registration Number 1929/001225/06.
 An Authorised Financial Services and Credit Provider (NCRCP20).

On 29 March 2018, the Prime Lending Rate changed to 10.00%. This may impact the rate on any of your credit facilities.

Branch Number	Account Number	Date	DDA MT/BV/IN/AG/GI/BE/BN/M2/LE/Y	FNBUS
2234	62311455134	18/08/31	Commercial Attorneys Trust	



Long Beach
P O Box 1834
Sun Valley 7975
Branch Code 260300

Customer VAT Registration Number : Not Provided
Bank VAT Registration Number : 4210102051

Copy Tax Invoice/Statement Number : 88

Statement Period : 31 August 2018 to 30 September 2018
Statement Date : 30 September 2018

BBST88 219437
FROST ATTORNEYS TRUST ACC
SEC78(I)
37 THE GLEN
FISH HOEK
7975
NOEL@FROSTATTORNEYS.CO.ZA

Commercial Attorneys Trust 62311455134

Summary in Rand		ZAR
Opening Balance		0.96 Cr
Funds Received (Credits)	0	0.00
Cash Deposits	0	0.00
Other Deposits	0	0.00
Inter-Account Transfers In	0	0.00
Electronic Payments Received	0	0.00
Funds Used (Debits)	0	0.00
Cash Withdrawals (Branch)	0	0.00
Cash Withdrawals (Other)	0	0.00
Cheques Processed (Non Cash)	0	0.00
Debit Orders/Scheduled Payments	0	0.00
Account Payments	0	0.00
Inter-Account Transfers Out	0	0.00
Card Purchases (Swipes)	0	0.00
Fuel Purchases	0	0.00
Bank Charges	1	55.00 Dr
Service Fees	1	55.00 Dr
Cash Deposit Fees	0	0.00
Cash Handling Fees	0	0.00
Other Fees	0	0.00
Other Entries		
Interest on Credit Balance	0	0.00
Interest on Debit Balance	0	0.00
Inward Unpaid Items	0	0.00
Unpaid Cheques and Debits	0	0.00
Refunds/Adjustments	2	55.00 Cr
Closing Balance		0.96 Cr
Overdraft Limit		0.00

Contact us	
e-Mail	info@fnb.co.za
Web	fnb.co.za
Lost Cards	087-575-9406
Account Enquiries	087-575-9479
Fraud	087-311-8607

Updated Terms and Conditions: Your transactional account terms and conditions have been updated. You can access the updated terms and conditions on our website.

Interest on Credit Balance	
1 - 999	0.85%
1,000 - 9,999	0.95%
10,000 - 49,999	1.05%
50,000 - 99,999	1.10%
100,000 - 249,999	2.10%
250,000 - 499,999	2.20%
500,000 - 999,999	2.30%
1,000,000 - 2,499,999	3.15%
2,500,000 - 4,999,999	3.25%
5,000,000 - 9,999,999	3.70%
10,000,000 - 29,999,999	3.75%
30,000,000 +	3.85%

Pricing Option: Your account is currently on the Pay-As-You-Use pricing option. For more information, please Contact Us or visit our website.

Branch Number	Account Number	Date	DDA MT/BV/IN/G/VGBD/SMM/2/LE/Y	FIBUS
2234	62311455134	18/09/29	Commercial Attorneys Trust	

Date	Description	Amount	Balance	Accrued Bank Charges
Opening Balance				0.96 Cr
29 Sep	Redirect Of VAT Charge To	62311022264	7.17 Cr	8.13 Cr
29 Sep	Re-directed Fees To (Rec)	62311022264	47.83 Cr	55.96 Cr
30 Sep	#Monthly Account Fee		55.00	0.96 Cr
Closing Balance				0.96 Cr

Please contact us within 30 days from your statement date, should you wish to query an entry on this statement (incl. card transactions done during this statement period, but not yet reflecting). Should we not hear from you, we will assume that you have received the statement and that it is correct.

Inclusive of VAT @ 15.00% = R 7.17 Dr
 Total VAT Charged : R 7.17 Dr

First National Bank - a division of FirstRand Bank Limited. Registration Number 1929/001225/06.
 An Authorised Financial Services and Credit Provider (NCRCP20).

On 29 March 2018, the Prime Lending Rate changed to 10.00%. This may impact the rate on any of your credit facilities.

Branch Number	Account Number	Date	DDA MT/BV/ING/GVBD/BM/M2/E/Y	FNBUS
2234	62311455134	18/09/29	Commercial Attorneys Trust	



how can we help you?

Long Beach
P O Box 1834
Sun Valley 7975
Branch Code 260300

Customer VAT Registration Number : Not Provided
Bank VAT Registration Number : 4210102051

Copy Tax Invoice/Statement Number : 89

Statement Period : 30 September 2018 to 31 October 2018
Statement Date : 31 October 2018

BBST89 191451
FROST ATTORNEYS TRUST ACC
SEC78(I)
37 THE GLEN
FISH HOEK
7975
NOEL@FROSTATTORNEYS.CO.ZA

Commercial Attorneys Trust 62311455134

Summary in Rand

		ZAR
Opening Balance		0.96 Cr
Funds Received (Credits)		1,500.00 Cr
Cash Deposits	0	0.00
Other Deposits	0	0.00
Inter-Account Transfers In	0	0.00
Electronic Payments Received	2	1,500.00 Cr
Funds Used (Debits)		1,500.00 Dr
Cash Withdrawals (Branch)	0	0.00
Cash Withdrawals (Other)	0	0.00
Cheques Processed (Non Cash)	0	0.00
Debit Orders/Scheduled Payments	0	0.00
Account Payments	0	0.00
Inter-Account Transfers Out	1	1,500.00 Dr
Card Purchases (Swipes)	0	0.00
Fuel Purchases	0	0.00
Bank Charges		59.20 Dr
Service Fees	2	59.20 Dr
Cash Deposit Fees	0	0.00
Cash Handling Fees	0	0.00
Other Fees	0	0.00
Other Entries		
Interest on Credit Balance	1	0.03 Cr
Interest on Debit Balance	0	0.00
Inward Unpaid Items	0	0.00
Unpaid Cheques and Debits	0	0.00
Refunds/Adjustments	2	59.17 Cr
Closing Balance		-0.96 Cr
Overdraft Limit		0.00

Contact us

e-Mail	info@fnb.co.za
Web	fnb.co.za
Lost Cards	087-575-9406
Account Enquiries	087-575-9479
Fraud	087-311-8607

Updated Terms and Conditions: Your transactional account terms and conditions have been updated. You can access the updated terms and conditions on our website.

Interest on Credit Balance

1 - 999	0.85%
1,000 - 9,999	0.95%
10,000 - 49,999	1.05%
50,000 - 99,999	1.10%
100,000 - 249,999	2.10%
250,000 - 499,999	2.20%
500,000 - 999,999	2.30%
1,000,000 - 2,499,999	3.15%
2,500,000 - 4,999,999	3.25%
5,000,000 - 9,999,999	3.70%
10,000,000 - 29,999,999	3.75%
30,000,000 +	3.85%

Pricing Option: Your account is currently on the Pay-As-You-Use pricing option. For more information, please Contact Us or visit our website.

Branch Number	Account Number	Date	DDA MT/BV/IN/GI/GV/BD/BMM2/LENY	FNBUS
2234	62311455134	18/10/31	Commercial Attorneys Trust	

Date	Description	Amount	Balance	Accrued Bank Charges
Opening Balance			0.96 Cr	
01 Oct	Int-banking Pmt Frm Rufaiya Ramduth	1,000.00 Cr	1,000.96 Cr	
01 Oct	Cr. Int. Rate 95000	0.00	1,000.96 Cr	
02 Oct	Int-banking Pmt Frm Rufaiya Ramduth	500.00 Cr	1,500.96 Cr	
02 Oct	FNB App. Transfer To Fee	1,500.00	0.96 Cr	4.20
02 Oct	Cr. Int. Rate .00000	0.00	0.96 Cr	
31 Oct	Int. On Credit Balance	0.03 Cr	0.99 Cr	
31 Oct	#Monthly Account Fee	55.00	54.01	
31 Oct	#Service Fees	4.20	58.21	
31 Oct	Redirect Of VAT Charge To 62311022264	7.72 Cr	50.49	
31 Oct	Re-directed Fees To (Ret) 62311022264	51.45 Cr	0.96 Cr	
Closing Balance			0.96 Cr	

Please contact us within 30 days from your statement date, should you wish to query an entry on this statement (Incl. card transactions done during this statement period, but not yet reflecting). Should we not hear from you, we will assume that you have received the statement and that it is correct.

Inclusive of VAT @ 15.00% = R 7.72 Dr
 Total VAT Charged : R 7.72 Dr

First National Bank - a division of FirstRand Bank Limited. Registration Number 1929/001225/06.
 An Authorised Financial Services and Credit Provider (NCRCP20).

On 29 March 2018, the Prime Lending Rate changed to 10.00%. This may impact the rate on any of your credit facilities.

Branch Number	Account Number	Date	DDA MT/BV/IN/CI/GI/BO/IMM2/LE/Y	FNBUS
2234	62311455134	18/10/31	Commercial Attorneys Trust	



how can we help you?

Long Beach
P O Box 1834
Sun Valley 7975
Branch Code 260300

Customer VAT Registration Number : Not Provided
Bank VAT Registration Number : 4210102051

Copy Tax Invoice/Statement Number : 90

Statement Period : 31 October 2018 to 30 November 2018
Statement Date : 30 November 2018

BBST90 207802
FROST ATTORNEYS
TRUST ACCT ITO S88(2) OF ACT 28 OF 2014
37 THE GLEN
FISH HOEK
7975
NOEL@FROSTATTORNEYS.CO.ZA

Legal Practitioner Trust Account 62311455134

Summary in Rand		ZAR
Opening Balance		0.96 Cr
Funds Received (Credits)	0	0.00
Cash Deposits	0	0.00
Other Deposits	0	0.00
Inter-Account Transfers In	0	0.00
Electronic Payments Received	0	0.00
Funds Used (Debits)	0	0.00
Cash Withdrawals (Branch)	0	0.00
Cash Withdrawals (Other)	0	0.00
Cheques Processed (Non Cash)	0	0.00
Debit Orders/Scheduled Payments	0	0.00
Account Payments	0	0.00
Inter-Account Transfers Out	0	0.00
Card Purchases (Swipes)	0	0.00
Fuel Purchases	0	0.00
Bank Charges	1	55.00 Dr
Service Fees	1	55.00 Dr
Cash Deposit Fees	0	0.00
Cash Handling Fees	0	0.00
Other Fees	0	0.00
Other Entries		
Interest on Credit Balance	0	0.00
Interest on Debit Balance	0	0.00
Inward Unpaid Items	0	0.00
Unpaid Cheques and Debits	0	0.00
Refunds/Adjustments	2	55.00 Cr
Closing Balance		0.96 Cr
Overdraft Limit		0.00

Contact us	
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Web	fnb.co.za
Lost Cards	087-575-9406
Account Enquiries	087-575-9479
Fraud	087-311-8607

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Interest on Credit Balance	
1 - 999	1.10%
1,000 - 9,999	1.20%
10,000 - 49,999	1.30%
50,000 - 99,999	1.35%
100,000 - 249,999	2.35%
250,000 - 499,999	2.45%
500,000 - 999,999	2.55%
1,000,000 - 2,499,999	3.40%
2,500,000 - 4,999,999	3.50%
5,000,000 - 9,999,999	3.95%
10,000,000 - 29,999,999	4.00%
30,000,000 +	4.10%

Pricing Option: Your account is currently on the Pay-As-You-Use pricing option. For more information, please Contact Us or visit our website.

Branch Number	Account Number	Date	DDA MT/BV/N/G/G/B/D/B/M/N/D/LEY	FNBUS
2234	62311455134	18/11/30	Legal Practitioner Trust Account	

LEGAL PRACTITIONER TRUST ACCOUNT: 62311455134

Tax Invoice/Statement Number : 90

Date	Description	Amount	Balance	Accrued Bank Charges
Opening Balance			0.96 Cr	
30 Nov	Monthly Account Fee	55.00	54.04	
30 Nov	Redirect Of VAT Charge To 62311022264	7.17 Cr	46.87	
30 Nov	Re-directed Fees To (Rec) 62311022264	47.83 Cr	0.96 Cr	
Closing Balance			0.96 Cr	

Please contact us within 30 days from your statement date, should you wish to query an entry on this statement (incl. card transactions done during this statement period, but not yet reflecting). Should we not hear from you, we will assume that you have received the statement and that it is correct.

Inclusive of VAT @ 15.00% = R 7.17 Dr
 Total VAT Charged : R 7.17 Dr

First National Bank - a division of FirstRand Bank Limited. Registration Number 1929/001225/06.
 An Authorised Financial Services and Credit Provider (NCRCP20).

On 23 November 2016, the Prime Lending Rate changed to 10.25%. This may impact the rate on any of your credit facilities.

Branch Number	Account Number	Date	DDA MT/BV/N/CU/G/VB/D/8/M/M21E/Y	FNBUS
2234	62311455134	18/11/20	Legal Practitioner Trust Account	

"LPCI"

Gail Bramwell

From: CLS
Sent: 09 November 2018 02:29 PM
To: Gail Bramwell
Subject: FW: Noel Frost Trust Deposit
Attachments: Trust Deposit.pdf

From: Rod [<mailto:rod@tactiletrading.co.za>]
Sent: 09 November 2018 02:11 PM
To: 'cls@capelawsoc.law.za'
Subject: FW: Noel Frost Trust Deposit

TO WHOM IT MAY CONCERN - CAPE LAW SOCIETY

Tactile trading appointed MR Noel Frost to attend to a SARS PAYE issue in 2015 .
He was mandated to be seek a compromise for TACTILE since 2015 .?

Mr.FROST totally neglected the mandate and the handing our affairs with SARS, which has resulted in a SARS judgement over TACTILE .

Due to his poor handling of our affairs – we have had significant reputational damage, credit rating damage & financial damage.

Not only were our affairs totally mishandled - Mr Frost has stolen R175000.00 ,which he requested we pay in to his trust account to settle wltH SARS .

He has now left us high and dry with our SARS affairs and huge costs associated, as we had to urgently settle in full with SARS -- R480 000.00 - plus the money stolen .

This could put us under !!!

We are looking to the LAW SOCIETY to recover these funds assist with the SARS issue and have NOEL FROST arrested .

Many thanks

Rod Beck

Email: rod@tactiletrading.co.za

Website: <http://www.tilesbytactile.co.za>

Office: + 27 21 461 4944 | Fax : +27 21 461 9440 | Best Fax: 086 260 3857 | 078 642 1427

Physical Address: The District | Shop 5 Ground Floor | 41 Sir Lowry Road | Woodstock

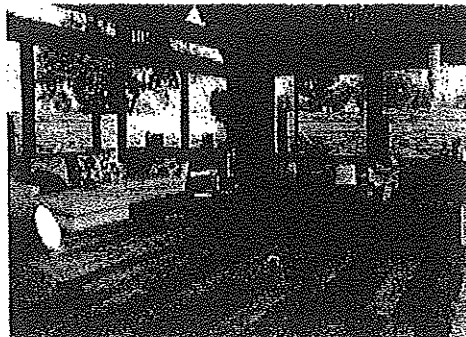


The District, Shop 5 Ground Floor, 41 Sir Lowry Road, Woodstock

tilesbytactile.co.za

+27 21 461 4944

@tilesbytactile





**FROST
& ASSOCIATES**

ATTORNEYS • CIVILIAN SERVICES • TAX PRACTITIONERS

9 Carlton Close
Sunnydale
Cape Town

Tel 021 785 2129
Fax 021 782 7315
Email: noel@frostfm.co.za

TACTILE TRADING CC
PER EMAIL

TRUST DEPOSIT REQUEST

Your ref : SARS

Our Ref : NRF/Tactile01

14-May-18

<p>SARS / TAX COMPROMISE TACTILE TRADING CC</p> <p>COMPROMISE AMOUNT</p>	<p>R 175 000,00</p>	
<p>AMOUNT TO BE HELD IN TRUST / BOND OF SECURITY Compromise Amount Tendered</p>	<p>R 175 000,00</p> <hr/> <p>R 175 000,00</p>	

Bank Details
Account: Frost Attorneys Trust Account
Bank: First National Bank
Account Number: 62311455134
Branch: Fish Hoek
Reference: Tactile01

"LPC2"

Yolanda Dodgen

From: Asia Alexander
Sent: 23 January 2019 04:22 PM
To: noel@frostfm.co.za
Subject: FW: Complaint (ref: 8472018/Frost/AA/ycl)
Attachments: 8472018 Frost 170119.pdf; beck.pdf

Dear Mr Frost

Herewith attached, please find our letter dated 17 January 2019.

Thank you

Yolanda Dodgen
Secretary to:
Asia Alexander
Professional Assistant
Disciplinary Department

WESTERN CAPE OFFICE

29th & 30th Floors | ABSA Centre | 2 Riebeeck Street | Cape Town | 8001
P O Box 4528 | Cape Town | 8000
Tel: +27 (0) 21 443 6700 | Fax: +27(0) 21 443 6751/2
Docex 124 | Cape Town

NATIONAL OFFICE

Temporary Address: ProtForum Building | 123 Paul Kruger Street | PRETORIA
Tel: +27 (0)12 338 5800

