

**SOUTH AFRICAN RESERVE BANK****NOTICE 1060 OF 2015****NOTICE BY THE REGISTRAR OF BANKS IN TERMS OF SECTION 69(7) OF  
THE BANKS ACT, 1990 (Act No. 94 of 1990 – the “Banks Act”)**

Notice is hereby given under section 69(7) of the Banks Act that:

WHEREAS AFRICAN BANK LIMITED (“AFRICAN BANK”), a Bank registered as such in terms of the Banks Act, 1990 (Act No 94 of 1990 – “the Banks Act”) was placed under curatorship on 10 August 2014;

AND WHEREAS the Minister of Finance, Mr Nhlanhla Musa Nene, deemed it desirable and in the public interest to appoint a curator to African Bank;

AND WHEREAS Mr Tom Winterboer, being a chartered accountant attached to the firm PricewaterhouseCoopers, was appointed by the Minister of Finance as curator to AFRICAN BANK by issuing a letter of appointment (“Letter of Appointment”) dated 10 August 2014 containing, amongst others, the duties and powers of the curator to AFRICAN BANK;

AND WHEREAS the Banks Act has subsequently been amended with effect from 29 June 2015 by the Banks Amendment Act, 2015 (Act No. 3 of 2015 – “the Banks Amendment Act”);

NOW THEREFORE the Minister of Finance has, in terms of the provisions of section 69(4) of the Banks Act amended the powers granted to the curator in the Letter of Appointment, as set out hereunder, with effect from 19 September 2015:

**Duties and powers of the Curator:**

Save as is otherwise provided below, in addition to the duties imposed upon and the powers granted to the curator in terms of the Letter of Appointment, the curator shall have such powers and duties as provided by the Banks Act and the Banks Amendment Act.

In terms of, and subject to, the provisions of section 69(3) of the Banks Act, as amended by the Banks Amendment Act:

- (a) The power granted to the curator in paragraph 6 of the Letter of Appointment is hereby substituted in its entirety with the following power:

The curator is empowered to make and carry out any decision in respect of AFRICAN BANK which in terms of the provisions of the Banks Act, the Companies Act, 2008 (Act No. 71 of 2008 – “the Companies Act”), the memorandum of incorporation of AFRICAN BANK or the rules of any securities exchange, on which exchange any securities of AFRICAN BANK or its controlling company are listed, would have required an ordinary resolution or a special resolution of shareholders of AFRICAN BANK or its controlling company.

- (b) The curator is additionally empowered to:

- (i) raise funding from the South African Reserve Bank, or an entity controlled by the South African Reserve Bank, on behalf of AFRICAN BANK and, notwithstanding any contractual obligations of AFRICAN BANK, but without prejudice to real security rights, to provide security over the assets of AFRICAN BANK in respect of such funding: Provided that, notwithstanding the provisions of section 69(6) of the Banks Act, any claim for damages caused to any person as a result of such security, may be instituted against the AFRICAN BANK after the expiry of a period of one year as from date of such provision of security; and

- (ii) without limiting any other power granted to the curator in terms of section 69 of the Banks Act, the curator is empowered to propose and enter into an arrangement or compromise between AFRICAN BANK and all its creditors, or all the members of any class of creditors, in terms of section 155 of the Companies Act.

René van Wyk

Registrar of Banks

#### DEPARTMENT OF TRANSPORT

##### NOTICE 1061 OF 2015

#### **AIR SERVICE LICENSING ACT, 1990 (ACT NO.115 OF 1990) APPLICATION FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR SERVICE LICENCE**

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and Regulation 8 of the Domestic Air Regulations, 1991, it is hereby notified for general information that the application detail of which appear in the appendix, will be considered by the Air Service Licensing Council. Representation in accordance with section 15 (3) of the Act No. 115 of 1990 in support of, or in position, an application, should reach the Air Service Licensing Council. Private Box X 193, Pretoria, 0001, within 21 days of date of the publication thereof.

#### **APPENDIX I**

(A) Full name and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of air service to which application applies. (E) Category of aircraft to which application applies.

**(A) Jason Paul Barker; Drone Aerial Solutions (Pty) Ltd.** (B) 117 Leven Hall Road, Glemore, Durban, 4001. (C) Class III. (D) Type G4 and G16 (Remotely Piloted Aircraft System Operations). (E) Category A4.

#### **APPENDIX II**

(A) Full Name and trade name of the applicant. (B) Full business or residential address the applicant. (C) The Class and number of license in respect of which the amendment is sought (D) Type of air service and the amendment thereto which is being applied for (E) Category of aircraft and the amendment thereto which is being applied for. (F) Amendment referred to in section 14(2) (b) to I

**(A) Transnet (SOC) Ltd; Transnet National Park Authority.** (B) 30 Wellington Road, Parktown, Johannesburg, 2193. (C) Class II and III. (D) Type N1, N2, G3, G15 and G16 (Ship to Shore, Powerline Inspection and Pipeline Inspection. (E) Category H1. **Changes to the Management Plan:** Mr R. Vallihu replaces Mr T. Morwe as the Chief Executive Officer.