



# Malema will oppose liquidation

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1 Feb 2013

Former ANC Youth League leader Julius Malema has instructed his attorneys to oppose the application by the South African Revenue Service (SARS) to have his estate sequestrated following his failure to pay a tax debt of R16m.



Nicqui Galaktiou from the Johannesburg law firm Brian Kahn confirmed that she had been instructed to oppose the application. She said they have until the 18 February to enter the notice to oppose and then another three weeks after that to file an answering affidavit.

She confirmed that Malema would not comment at the moment, but will issue a press statement, probably later today.

SARS filed its notice of set down in the North Gauteng High Court asking for Malema's sequestration, saying he was factually insolvent and that it would be to the benefit of his creditors if his estate was sequestrated. Malema tried to reach a compromise with SARS, suggesting that he would borrow R4m for the full and final settlement of his debt. SARS rejected the offer.

He has been under investigation from 2010 after SARS alerted him to the fact that he had not filed income tax returns from 2005 to 2011 despite being a registered taxpayer.

Malema had subsequently submitted tax returns but his woes started when SARS questioned large amounts paid into his bank account and that of the Ratanang Family Trust, as well as the non-disclosure of certain assets associated with the trust.

The court documents referred to discrepancies in his explanations of where large amounts of money came from.

"It is contended that these discrepancies are not conducive to concluding that the respondent (Mr Malema) has indeed made a full and frank disclosure to SARS and support SARS' contention that it would be to the benefit of the respondent's creditors to sequester his estate," SARS said.

SARS has asked the court to set the matter down for 27 February.