

# Media Statement



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**TO: ALL MEDIA**

**DATE: 11 DECEMBER 2017**

**RE: CAPE TOWN BUSINESSMAN SENTENCED TO DIRECT IMPRISONMENT FOR DEFRAUDING SARS**

The Wynberg Regional Court has sentenced Johannes Tobias Wessels (49) this morning to twelve years direct imprisonment after convicting him on more than 400 counts of fraud. Wessels defrauded the South African Revenue Services (SARS) of R14 979 992 through vat returns that contained false information, filing false tax invoices, failing to submit income tax returns and failing to keep proper books.

As evidence mounted against the bogus businessman, he opted to enter into a plea and sentencing agreement. The court convicted him on 88 counts of fraud against SARS premised on VAT 201 returns containing false information. 315 Counts of fraud against SARS premised on false tax invoices to substantiate false VAT refunds claimed. Six counts of c/s 75(1) (a) of the Income Tax Act for failing to submit income tax returns. Five counts of c/s 58(f) for failing to keep proper books of account.

For the first 88 counts of fraud for submitting false VAT returns, he was sentenced to 15 years imprisonment of which 3 years are suspended. On the 315 counts of fraud for falsifying tax invoices, he was sentenced to 12 years imprisonment. He received 24 months imprisonment for the 5 counts of failing to keep proper records. He was further sentenced to 18 months for the 6 counts of failing to submit income tax returns. The court ordered that the sentences run concurrently.

The accused was convicted and sentenced in February 2016 for similar offences but that conviction was subsequent to the commission of the current offences.

Advocate Bronwen Hendry-Sidaki who successfully prosecuted the fraud case says the accused was director and representative vendor of three companies and in effective control of two closed corporations of which his wife was the member and representative

vendor. The entities all claimed VAT refunds over a protracted period of time and in total R14 979 992 was paid out to them by the SARS.

The accused spent a significant portion of the ill-gotten refunds at casinos and led a lifestyle that was well beyond his means.

The NPA welcomes the sentence.

Kind Regards,

**Eric Ntabazalila**  
**Regional Communications Manager**  
**Western Cape**