

IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, JOHANNESBURG)

CASE NO.: 2020/33700

In matter between:

FRAZER SOLAR GMBH



Applicant

and

THE KINGDOM OF LESOTHO

Respondent

BEFORE HIS LORDSHIP, THE HONOURABLE MR JUSTICE LAMONT
AT JOHANNESBURG ON 29 APRIL 2021

ORDER

Private Bag X7, Johannesburg 2000

2021-05-03

Having heard Mr Gauntlett SC QC for the Applicant and having read the papers filed of record,

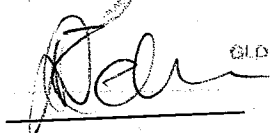
IT IS ORDERED THAT:

1. the following awards granted in favour of the Applicant and against THE KINGDOM OF LESOTHO ("the Respondent") in terms of an arbitral award dated 28 January 2020 (a copy of which is annexed and marked "AA1"), is made an order of this Honourable Court:
 - 1.1 the Respondent is ordered to pay the Applicant liquidated damages in the sum of €50 000 000,00 (fifty million Euros);

- 1.2 the Respondent is ordered to pay pre-award interest thereon in the amount of €754 273,00 (seven hundred and fifty-four thousand two hundred and seventy-three Euros);
- 1.3 the Respondent is ordered to pay post-award interest thereon calculated at the rate of 1.7% *per annum* from the date of the award to date of payment, and payable in Euros;
- 1.4 the Respondent is ordered to pay costs of the arbitration as described in the Applicant's schedule, a copy of which is annexed and marked "AA2"; and
- 1.5 the Respondent is ordered to pay costs and fees of the arbitrator in accordance with the arbitrator's invoice, a copy of which annexed and marked "AA3",
2. the Respondent is directed to pay the costs of this Application and the costs of the Edictal Citation Application (under case number 20/20891).

BY ORDER

2021-05-03



GLD-JHE-015

THE REGISTRAR