

# Seal genitalia open Pandora's box for Henties Bay seal factory ownership



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The ownership of the Henties Bay Seal Products Factory is again being disputed after the company failed in its bid to reclaim 501 boxes of seized seal products

The bid to reclaim the products was dismissed in the Katutura Magistrate's Court recently.

Seal Products is harvesting and processing a seal quota in their Henties Bay and Lüderitz factories.

The controversy began on 10 January when the Namibian Revenue Agency (NAMRA) conducted a coordinated intervention at a warehouse in Sun Industrial Park, Windhoek, shared by Seal Products and Golden Lion Investment CC.

Inspector Felix Ndikoma, a member of the Blue Rhino Task Team, a collaboration with several government agencies combating wildlife crime, confiscated 217.1 kilogrammes of dried seal genitalia from the warehouse.

Seal Products' legal practitioner and director, Hou Xue Cheng, was arrested and charged under the Controlled Wildlife Products and Trade Act but was later released, and the matter was struck from the court roll on 25 April.

Charles Jiang, Seal Products representative, filed an urgent application requesting the return of the seized products, claiming the seizure was unlawful.

“The applicant exports seal products internationally and sells some of the products locally. Some of these seal products were stored in its warehouse situated in Lafrenz, Windhoek, where containers were seized by Inspector Ndikoma without a search warrant or valid court order,” the applicant claims.

However, the respondents, the Inspector General of the Namibian Police, Lieutenant General Joseph Shikongo and Ndikoma, raised several preliminary objections challenging Jiang’s authority to bring the application.

The objections included the lack of a validly signed board resolution authorising Jiang, questions about the ownership of the warehouse where the products were seized, and the absence of a power of attorney for the legal practitioner representing Seal Products.

However, Jiang wanted the court to declare the seizure unlawful and have the products returned to him.

The respondents provided affidavits indicating that Jiang was not an employee or authorised representative of Seal Products.

Gabriel Uahengo, a director and shareholder of Seal Products, also stated that he did not authorise Jiang to file the court application.

Uahengo’s affidavit and company records from the Business and Intellectual Property Authority (BIPA) supported this claim.

Seal Products’ counter-arguments, including affidavits from Cheng claiming majority ownership and managerial authority, failed to convince the court.

The court found no sufficient evidence of a board resolution authorising the application, thereby upholding the respondents’ point on the issue of authority.

Judge Hannelie Prinsloo dismissed Seal Products’ application, citing the lack of proper authorization as dispositive.