

PLAYBOOK

Asset Tracing & Recovery Playbook

Locating and Recovering Misappropriated Assets in South Africa

When money or assets are misappropriated, the priority is speed and discipline: find where value went, preserve it before it moves again, and recover it through the right legal channel. This playbook outlines the process and the South African tools available.

When asset tracing applies

Fraud, theft, bribery, procurement kickbacks, and the dissipation of assets ahead of a dispute or insolvency. The longer value is left to move, the harder and more costly recovery becomes.

The process

- 1 Identify.** Establish what was taken, how, and by whom, from records, transactions and relationships.
- 2 Trace.** Follow the value through accounts, entities and third parties, including attempts to layer or conceal it.
- 3 Preserve.** Move quickly to secure assets before they are dissipated.
- 4 Recover.** Pursue return through the appropriate civil, criminal or insolvency route.

South African legal tools

- **Anton Piller order.** A court order to preserve evidence at risk of destruction.
- **Preservation and attachment.** Orders to freeze or attach assets pending the outcome of a matter.
- **Companies Act and insolvency.** Remedies against directors and mechanisms to reverse dispositions and recover value.
- **Prevention of Organised Crime Act (POCA).** Preservation and forfeiture where the proceeds of crime are involved.

Cross-border. Where value has moved offshore, recovery depends on cooperation between jurisdictions and moves fastest when the tracing work is documented to a standard foreign courts and banks will accept.

Working with the right team

Effective recovery pairs forensic investigators, who trace and document, with attorneys, who obtain and enforce the orders. Evidence gathered lawfully and recorded with a clear chain of custody is what makes the difference between a claim you can prove and one that stalls.

Talk to Trio Data

Trio Data Special Services provides corporate intelligence, undercover audits, and forensic and fraud investigations across South Africa. For a confidential, no-obligation discussion, contact +27 21 949 4440 or office@triodatacape.co.za.

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