

Musician Arthur Mafokate loses court battle

The Pretoria High Court has dismissed an application by legendary musician Arthur Mafokate to have his property released from a preservation order.



Image source: belchonock – [123RF.com](https://www.123RF.com)

Mafokate's luxury Midrand property – a guest house – was preserved following allegations that he was involved in a National Lotteries Commission (NLC) fraud and corruption scandal.

According to National Prosecuting Authority Gauteng regional spokesperson, Lumka Mahanjana, investigations revealed that the South African Arts and Development Organisation (Saada) – of which Mafokate was a director – received R9.3m to “assist unemployed youth in the poor and rural areas of the country, to impart skills in music, business video, film production dance and overall business of radio.”

Allegedly, only R1.8m was directed towards the project with the remaining funds used to buy the property.

“In court, Mafokate argued that he was entitled to the R7.5m as his businesses delivered the services as required by the

NLC and that he had committed no offences. However, the NPA argued that although some kind of services were rendered, it was at most R1.8m.

“The remainder of the funds was used to purchase the guest house, which was not the purpose of the grant allocation. The funds used to purchase the guest house was thus stolen from the NLC as it was not used for the allocated project,” Mahanjana said.

She added that in dismissing Mafokate’s application, the court agreed with the NPA’s argument that “it was against the terms and conditions of the grant for Saada to carry over its obligations to any other organisation and that Saada should have also returned any unused funds to the NLC”.

“The court also found that Arthur Mafokate could give no reasonable explanation on how he could afford to purchase the guest house if it was not for NLC funds, particularly as his business accounts contained negligible balances when the grant was received from the NLC.

“Therefore, the court dismissed, with costs, the application of Arthur Mafokate to have the guest house released from the preservation order,” she said.

It is expected that the NPA’s Asset Forfeiture Unit will enrol the matter for final forfeiture and if that is successful, the property will be sold at auction with proceeds returning to the NLC.

Last year the Special Investigating Unit (SIU), together with the Asset Forfeiture Unit (AFU), obtained an order to freeze at least five properties, including a luxury Midrand home linked to the musician.

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