

Media Statement



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TO: ALL MEDIA

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RE: The National Prosecuting Authority (AFU) Freezing or Restraint Order of Sibusiso and Shawn Mpisane's Property

BACKGROUND

Pietermaritzburg - In February 2012 the National Prosecuting Authority (AFU) obtained a freezing or restraint order to the value of R70 million in terms of the Prevention of Organised Act (POCA), in respect of the property of Sibusiso and Shawn Mpisane, as well as several of their business entities.

The order was based on the criminal charges of fraud, forgery and uttering that had been brought against the Mpisanes.

Withdrawal of the Criminal Charges

On 15 January 2014 the criminal charges were withdrawn and a decision is still to be made on whether or not the charges will be re-instated.

The Mpisanes then launched an application to rescind the freezing order on the basis of the withdrawal of the charges.

The Restraint or Freezing Order

The continued existence of the NPA (AFU) freezing order is dependent on either a pending prosecution or a clear indication that a prosecution will be instituted.

It is therefore not possible for the NPA to oppose the application to rescind the order effectively, and it has therefore had to decide not to oppose the application.

The Consent Order

The AFU and the Respondents have therefore agreed to the rescission of the restraint order and, therefore, the release of the restrained assets.

The parties have further agreed that the Mpisanes will not dissipate the value of their estate to a value of less than the R70 million that had been restrained. The NPA has sought this undertaking in order to secure and safeguard its interests should the criminal prosecution be reinstated in future.

**Note: The NPA's media statements are available on the website:
www.npa.gov.za**

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