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PROCLAMATION

by the

Premier of the North West Province

No. 1, 2008

**COMMISSION OF INQUIRY TO INVESTIGATE THE MANAGEMENT OF
COMMUNITY AFFAIRS, ROYALTIES AND/OR INCOME DERIVED BY THE
GA-RANKOTEA COMMUNITY FROM THE MINING COMPANIES IN THE
AREA AND THE CONSTITUTION GOVERNING THE COMMUNITY**

I, Bomo Edna Edith Molewa in my capacity as Premier of the North West Province and in terms of Section 127 (2) (e) of Act 108 of 1996 (Constitution of the Republic of South Africa) read with Section 1 of Act 18 of 1994 (North West Commissions Act) hereby appoint a commission of inquiry to investigate the management of the affairs of the Ga-Rankotea community.

Since early 2000 there has been discontent amongst the members of the Ga-Rankotea community over the management of community affairs, royalties and/or income derived from mining companies in the area and the constitution governing the community, this has culminated in a number of court cases between the community members and their elected committees.

In view of the fact that these cases have not provided any solutions to the problems in the area, I have decided to appoint a Commission of Inquiry to look into the cause of these problems.

Schedule I hereof contains the structure of the Commission while Schedule II contains the terms of reference for the Commission.

**GIVEN UNDER MY HAND AT MMABATHO, THIS THE 30th DAY OF
SEPTEMBER TWO THOUSAND AND EIGHT (2008).**



Mrs B. E. E. Molewa

Premier; North West Province

30/09/2008

SCHEDULE I

**STRUCTURE OF THE
COMMISSION OF ENQUIRY**

**COMMISSION OF INQUIRY TO INVESTIGATE THE MANAGEMENT OF
COMMUNITY AFFAIRS, ROYALTIES AND/OR INCOME DERIVED BY THE
GA-RANKOTEA COMMUNITY FROM THE MINING COMPANIES IN THE
AREA AND THE CONSTITUTION GOVERNING THE COMMUNITY**

CONDUCTED BY:

JUDGE H. HENDLER
(CHAIRPERSON)

AND

TWO COMMISSIONERS

Mr. P. MASIMONG

PROFESSOR S. SEEPE

ASSISTED BY SECRETARIAT.

Mr. NG MAHLANGU

INTERPRETER

MR T. G. QABA

EVIDENCE TO BE LED BY:

ADVOCATE B. SENNE

SCHEDULE II

**COMMISSION OF INQUIRY TO INVESTIGATE THE MANAGEMENT OF
COMMUNITY AFFAIRS, ROYALTIES AND/OR INCOME DERIVED BY THE
GA-RANKOTEA COMMUNITY FROM THE MINING COMPANIES IN THE
AREA AND THE CONSTITUTION GOVERNING THE COMMUNITY**

1. The Commission of Inquiry (hereinafter referred to as the Commission) shall conduct an investigation under the following terms of references:-

To investigate the management of the royalties and/ or income derived by the community from the mining companies in the area.

To investigate the functionality of the Executive Committee if any and other committees or subcommittees entrusted with the general management of the affairs of the community.

To collect and examine information relating to the administration and management of the financial affairs of the community.

The Commission shall investigate the alleged activities of corruption and maladministration of the funds of the community.

To investigate the cause of continuous battles between all committees that were ever elected or appointed and recommend scenarios we can consider in re-ensuring non-recurrence of such problems.

To make recommendations on any proposed actions and/ or steps to be taken to prevent the mismanagement of the funds of the community including the appropriate financial and management structures that must be put in place for future management of the funds and general administration thereof.

The Commission shall have the power to provide the Premier with interim reports.

The Commission shall be subject to, and be conducted in terms of the North West Commissions Act, 1994 (Act No. 18 of 1994).

The Commission is expected to complete its investigation within a period of two months subject to approval of extension thereto by the Premier.

The Commission shall upon the conclusion of the investigation submit a final report to the Premier.



Mrs. B. E. E. Molewa

Premier of the North West Province

30/09/2008
