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PROCLAMATION*by the**President of the Republic of South Africa***No. 4, 2013****AMENDMENTS TO THE TERMS OF REFERENCE OF THE COMMISSION OF
INQUIRY INTO THE TRAGIC INCIDENTS AT OR NEAR THE AREA
COMMONLY KNOWN AS THE MARIKANA MINE IN RUSTENBURG, NORTH
WEST PROVINCE, SOUTH AFRICA**

Under the powers vested in me by section 1 of the Commissions Act, 1947 (Act No. 8 of 1947), I hereby amend, with effect from 11 January 2013, the Terms of Reference of the Commission of Inquiry into the tragic incidents at or near the area commonly known as the Marikana Mine, in Rustenburg, in the North West Province, South Africa, on or about Saturday 11 August to Thursday 16 August, 2012, as published under Proclamation No. 50 in *Government Gazette* No. 35680 of 12 September 2012 as indicated in the Schedule hereto.

This Proclamation shall be deemed to have come into operation on 11 January 2013.

Given under my Hand and the Seal of the Republic of South Africa at ..Pretoria...
on this30th..... day ofJanuary.....Two thousand and thirteen.

**PRESIDENT**

By Order of the President-in-Cabinet:

**MINISTER OF THE CABINET**

SCHEDULE

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing terms of reference.

 Words underlined with a solid line indicate insertions in existing terms of reference.

Definition

1. In this Proclamation "the Terms of Reference" means the terms of reference published under Proclamation No. 50 in the Government Notice No. 35680 of 12 September 2012.

Amendment of the Terms of Reference

2. The contents of the Terms of Reference is hereby amended -----

(a) by the substitution of paragraph four (4) of the following paragraph:

"4. The Commission shall **[submit interim reports and recommendations to the President each month prior to the final report being presented to the President. The Commission shall complete its work within a period of four (4) months from the date hereof]** complete its investigation, including the gathering of evidence and the conducting of hearings, by no later than 31 May 2013 and [must] submit its final report to the President within a period of **[one (1) month]** six (6) weeks after the date on which the Commission **[completes its work]** has completed its investigation." ; and

- (b) by the insertion after paragraph 4 of the following paragraph:

“4A. The seat of the Commission shall be the Civic Centre in Rustenburg but the Chairperson of the Commission may, with the concurrence of the Minister of Justice and Constitutional Development and on reasonable grounds shown, determine any other place as the seat of the Commission.”.

3. The amendments to the Terms of Reference published under this Proclamation shall be deemed to have come into operation on 11 January 2013.

PROCLAMATION*by the**President of the Republic of South Africa***No. 4, 2013****UTSHINTSHO KWIMIGQALISELO YEKOMISHONI YOPHANDO NGEZIGANEKO
EZIMANYUMNYEZI KUMMANDLA OWAZIWA NGOKUBA NGUMGODI
WASEMARIKANA, ERUSTENBURG, KWIPHONDO LASEMNTLA-NTSHONA**

Ngokwamagunya endiwanikwa sisiqendu 1 se *Commissions Act* 8 ka-1947, ngokwenjenje ndenza utshintsho, ukususela kumhla we-11 kuJanuwari 2013, kwiMigqaliselo YeKomishoni Yophando ngeziganeko ezimanyumnyezi kummandla owaziwa ngokuba nguMgodi waseMarikana, eRustenburg, kwiphondo laseMntla-Ntshona, malunga nomhla we-11 ukuya kowe-16 kuAgasti, 2012, eyayipapashwe phantsi kweSihlokomiso esinguNombolo 50 ku *Shicilelo-Mithetho* olunguNombolo 35680 lomhla we-12 kuSeptemba 2012, njengoko kuboniswe kwiSihlomelo esikwalapho.

Kugunyazwe siSandla sam naliTywina leRiphabliki yoMzantsi-Afrika e.....
ngalo mhla kwinyanga ka.....kuNyaka
Wamawaka Amabini Aneshumi Elinesithathu.

UMONGAMELI

NgoMyalelo kaMongameli-kwiKhabhinethi:

UMPHATHISWA WEKHABHINETHI

ISIHLOMELO**UTSHINTSHO KWIMIGQALISELO YEKOMISHONI YOPHANDO NGEZIGANEKO
EZIMANYUMNYEZI KUMMANDLA OWAZIWA NGOKUBA NGUMGODI
WASEMARIKANA, ERUSTENBURG, KWIPHONDO LASEMNTLA-NTSHONA**

INKCAZELO NGOKUBANZI:

[] Amagama abhalwe ngqindilili akwiibrakethi ezisisikweri abonisa okushiyeiweyo kwimigqaliselo ekhoyo.

_____ Amagama akrwelwe umgca ngaphantsi abonisa okufakelweyo kwimigqaliselo ekhoyo.

Ukuchazwa kwamagama

1. Kwesi Sihlokomiso “iMigqaliselo” yimigqaliselo epapashwe phantsi kweSihlokomiso esinguNombolo 50 ku*Shicilelo-Mithetho* olunguNombolo 35680 lomhla we-12 kuSeptemba 2012.

Kwenziwa utshintsho kwiMigqaliselo

2. Kwenziwa utshintsho kwiMigqaliselo ngokuthi—

(a) endaweni yesiqendu (4) kufakelwe isiqendu esilandelayo:

4. IKomishoni iza [kuman’ ukungenisa iingxelo zexeshana nezindululo kuMongameli nyanga nganye ngaphambi kokuba ingenise ingxelo yokugqibela kuMongameli. IKomishoni iza kuwugqiba umsebenzi wayo zingaphelanga iinyanga ezi-4 ukususela kulo mhla] kuwugqiba uphando lwayo, kuquka nokuqokelelwa kobungqina nokuphulaphulwa kobungqina ungekabethi umhla wama-31 kuMeyi 2013, kwaye mayingenise ingxelo yayo yokugqibela kuMongameli [ingaphelanga inyanga] zingaphelanga iiveki ezintandathu ukususela kumhla elugqibe ngawo uphando.” ; nangokuthi

(b) kufakelwe isiqendu esilandelayo emva kwesiqendu 4:

“ 4A. IKomishoni iza kuhlala eCivic Centre, eRustenburg, kodwa ke uSihlalo weKomishoni unokuthi, ngokuvumelana noMphathiswa Wobulungisa Nophuhliso

LoMgaqo-Siseko, nangezizathu ezivakalayo, agqibe kwelokuba ihlale kwindawo eyenye iKomishoni."

Ukuqalisa kwayo

3. Utshintsho olwenziwe kwiMigqaliselo epapashwe phantsi kwesi Sihlokomiso luza kuthathwa njengoluqale ukusebenza ngomhla we-11 kuJanuwari 2013.

PROCLAMATION*by the**President of the Republic of South Africa***No. 4, 2013**

**TOKISO YA MOKGWA WA TSHEBETSO YA KHOMISHENE YA DIPATLISISO
KODUWENG E E TSAHETSENG SEBAKENG KAPA HAOFI LE SEBAKA SE
TSEBAHALANG E LE MORAFO WA MARIKANA O RUSTENBURG,
PROVENSING YA LEBOYA BOPHIRIMA, AFRIKA BORWA**

Ka matla a ke a nehetsweng ke karolo 1 ya Commissions Act, 1947 (Act No. 8 of 1947), Ke lokisa Mokgwa wa Tshebetso ya Khomishene ya Dipatlisiso, ho tloha ka 11 Pherekong 2013, koduweng e etsahetseng sebakeng kapa haofi le sebaka se tsebahalang e le Morafo wa Marikana o Rustenburg, Provengeng ya Leboya Bophirima, Afrika Borwa, kabo Moqebelo 11 Phato ho ya ho Labone 16 Phato 2012, jwalo ka ha ho phatlaladitswe Kgweletsong ya 50 ka hara *Government Gazette* ya 35680 ya la 12 Lwetse 2012, jwalo ka ha ho hlahisitswe shejulung.

Kgweletso ena e tla nkuwa e kene tshebetsong ka la 11 Pherekong 2013.

Ka tumello ya ka le letshwao la Rephaboliki ya Afrika Borwa, sebakaletsatsi.....kgwedi.....Dikete tse pedi le leshome le metso e meraro.

MOPRESIDENTE

Ka taelo ya Mopresidente Kabineteng:

LETONA LA KABINETE**SHEJULU****TLHALOSO KA KAKARETSO:**

[] Mantswe a ka hara masakana a hatiselleditsweng a bontsha ho sa kenngwe mokgweng wa tshebetso.

_____ Mantswe a sehetsweng mola a bontsha ho kenngwa mokgweng wa tshebetso.

Tlhaloso

1. Kgweletsong ena "Mokgwa wa Tshebetso" e bolela mokgwa wa tshebetso o phatlaladitsweng phatlalatsong 50 ya *Government Gazette* ya 35680 ya 12 Lwetse 2012.

Tokiso ya Mokgwa wa Tshebetso

2. Mokgwa wa Tshebetso o lokisitswe ka mokgwa o latelang-

(a) ka ho fetolwa ha serapa sa bone (4)

4. Khomishene e tla **[nehela Mopresidente ditlaleho le dikgothaletso tsa sethato kgwedi e nngwe le e nngwe pele tlaleho ya ho qetela e nehelwa Mopresidente. Khomishene e tla phethela mosebetsi wa yona nakong ya dikgwedi tse nne (4) ho tloha nakong e behetsweng mona]** le ho phethela dipatlisiso ho kenyeleditse ho mamelwa le ho kgobokanya bopaki pele ho 31 Motsheanong 2013 mme e **[tshwanetse]** ho nehelana ka tlaleho ya ho qetela ho Mopresidente nakong ya **[kgwedi e le nngwe (1)]** dibeke tse tshelela ka mora nako eo Khomishene e **[phethelang mosebetsi wa yona]** phethetseng dipatlisiso tsa yona." le

(b) ho ke nngwa ha serapa se latelang ka mora serapa 4:

“ 4A. Khomishene e tla kopanela Civic Centre e Rustenburg empa Modulasetulo wa Khomishene a ka dumellana le Letona la Toka le Ntshetsopele ya Molaotheo ka mabaka a utlwahalang, ho ka hlwaya sebaka se seng seo Khomishene e ka kopanelang ho sona.”.

Qaleho

3. Ditokiso tsa Mokgwa wa Tshebetso tse phatlaladitsweng ka tlasa kgweletso ena ditla nkuwa dikene tshebetsong ka la 11 Pherekong 2013.
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