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**VAN SUIDWES-AFRIKA**  
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**Goewermentskennisgewing**

**Government Notice**

Kantoor van die

Office of the

ADMINISTRATEUR-GENERAAL VIR DIE  
GEBIED SUIDWES-AFRIKA

ADMINISTRATOR-GENERAL FOR THE  
TERRITORY OF SOUTH WEST AFRICA

DEPARTEMENT VAN JUSTISIE

DEPARTMENT OF JUSTICE

No. AG. 163 1982

No. AG. 163 1982

AANSTELLING VAN KOMMISSIE VAN ONDERSOEK NA BEWEERDE ONREËLMATICGHEDE EN WANAANWENDING VAN EIENDOM BY VERTEENWOORDIGENDE OWERHEDE IN, EN DIE SENTRALE OWERHEID VAN, SUIDWES-AFRIKA

APPOINTMENT OF COMMISSION OF INQUIRY INTO ALLEGED IRREGULARITIES AND MISAPPLICATION OF PROPERTY IN REPRESENTATIVE AUTHORITIES IN, AND THE CENTRAL AUTHORITY OF, SOUTH WEST AFRICA

Hierby word vir algemene inligting bekend gemaak dat Sy Eksellensie, die Administrateur-generaal 'n Kommissie van Onderzoek na Beweerde Onreëlmaticghede en Wanaanwending

It is hereby notified for general information that His Excellency, the Administrator-General has appointed a Commission of Inquiry into Alleged Irregularities and Misapplication of Property in

van Eiendom by Verteenwoordigende Owerhede in, en die Sentrale Owerheid van, Suidwes-Afrika aangestel het met die volgende opdrag:

1. Om ondersoek in te stel na —
    - (a) beweerde en vermeende onreëlmatighede en magsoorskrydings waaraan funksionaris van Verteenwoordigende Owerhede in Suidwes-Afrika, en die Sentrale Owerheid van Suidwes-Afrika en die Departemente daarvan, hulle sou skuldig gemaak het of waarby sodanige funksionaris betrokke sou gewees het, met inbegrip van enige onbehoorlike bevoordeling van enige persoon deur enige sodanige funksionaris;
    - (b) die wanbesteding en wanaanwending van staats- en openbare geld en owerheidseiendom deur enige in subparagraaf (a) bedoelde funksionaris, met inbegrip van enige onregmatige of nie behoorlik gemagtigde toeëiening van enige sodanige geld of eiendom deur enige persoon;
    - (c) bestaande metodes, instellings en maatreëls ter beheer oor die besteding van staats- en openbare geld en die aanwending van owerheidseiendom in Suidwes-Afrika en die toereikendheid daarvan om behoorlike en doeltreffende beheer oor die besteding van sodanige geld en die aanwending van sodanige eiendom te verseker;
    - (d) enige ander aangeleentheid wat na die mening van die Kommissie verband hou met of betrekking het op enige aangeleentheid in subparagraaf (a), (b) of (c) vermeld.
  2. Om aan die Administrateur-generaal verslag te doen van sy bevindings.
  3. Om aan die Administrateur-generaal aanbevelings te doen oor —
    - (a) enige stappe wat na aanleiding van of voortspruitend uit die Kommissie se bevindings teen enige persoon of liggaam gedoen behoort te word;
    - (b) die stappe wat na die mening van die Kommissie gedoen behoort te word om enige onreëlmatigheid, magsoorskryding, wanbesteding of wanaanwending deur hom bevind, of die gevolge daarvan, te herstel en die herhaling daarvan te voorkom;
- Representative Authorities in, and the Central Authority of, South West Africa with the following terms of reference:
1. To inquire into —
    - (a) alleged and supposed irregularities and overstepping of powers of which functionaries of Representative Authorities in South West Africa, and the Central Authority of South West Africa and the departments thereof, are reputed to be guilty or with which such functionaries are reputed to be involved, including any improper favouritism in respect of any person by any such functionary;
    - (b) the misappropriation and misapplication of state and public moneys and government property by any functionary referred to in subparagraph (a), including any appropriation by any person of any such moneys or property which is unlawful or not properly authorised;
    - (c) existing methods, institutions and measures for control over the spending of state and public moneys and the application of government property in South West Africa and the adequacy thereof to ensure proper and efficient control over the spending of such moneys and the application of such property;
    - (d) any other matter which in the opinion of the Commission may be connected with or may have a bearing on any matter mentioned in subparagraph (a), (b) or (c).
  2. To report to the Administrator-General on its findings.
  3. To make recommendations to the Administrator-General regarding —
    - (a) any steps which ought to be taken against any person or body as a result of or arising from the findings of the Commission;
    - (b) the steps which in the opinion of the Commission ought to be taken to rectify any irregularity, overstepping of powers, misappropriation or misapplication found by it, or the consequences thereof, and to prevent the repetition thereof;

- (c) die stappe wat na die mening van die Kommissie gedoen behoort te word om enige tekortkominge in en betreffende die in paragraaf 1(c) bedoelde metodes, instellings en maatreëls uit te skakel of dit te verbeter;
- (d) enige ander aangeleentheid rakende sy opdrag wat die Kommissie nodig of dienstig ag.

Die Kommissie bestaan uit Sy Edele, Regter P.W. Thirion, wat ook die Voorsitter is, en mnr. D.H. Macleod.

Belanghebbende persone en instansies wat skriftelike vertoë aan die Kommissie wil voorlê of getuienis voor die Kommissie wil aflê, word versoek om so spoedig moontlik, maar nie later nie as 31 Desember 1982, memoranda (in drievoud) waarin daardie vertoë of 'n samevatting van daardie getuienis uiteengesit word, te stuur aan of in te dien by die Kommissie van Ondersoek na Beweerde Onreëlmatighede en Wanaanwending van Eiendom by Verteenwoordigende Owerhede in, en die Sentrale Owerheid van, Suidwes-Afrika, Privaatsak 13302, Windhoek, 9000, of Kamer 4, Landdroeskantoor, Lüderitzstraat, Windhoek.

- (c) the steps which in the opinion of the Commission ought to be taken to eliminate any shortcomings in and concerning the methods, institutions and measures referred to in paragraph 1(c) or to improve them;
- (d) any other matter concerning its terms of reference which the Commission may deem necessary or expedient.

The Commission shall consist of the Honourable, Mr. Justice P.W. Thirion, who shall also be the Chairman, and Mr. D.H. Macleod.

Interested persons and bodies wishing to submit written representations to or give evidence before the Commission are requested to send or submit memoranda (in triplicate) in which those representations or a summary of that evidence is set out, to the Commission of Inquiry into Alleged Irregularities and Misapplication of Property in Representative Authorities in, and the Central Authority of, South West Africa, Private Bag 13302, Windhoek, 9000, or Room 4, Magistrate's Office, Lüderitz Street, Windhoek, as soon as possible, but not later than 31 December 1982.