



LESOTHO
Government Gazette
EXTRAORDINARY

Vol. 63

Wednesday – 12th September, 2018

No. 65

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Published by the Authority of His Majesty the King
Price: M6.50

LEGAL NOTICE NO. 72 OF 2018

Appointment of a Tribunal in Terms of Section 121(5)(a) and (b) of the Constitution, Notice 2018

I, KING LETSIE III, pursuant to section 121(5)(a) and (b) of the Constitution¹ and acting in accordance with the advice of the Prime Minister appoint the following persons as members of a tribunal -

Hon. Justice Fredric Egonda-Ntende	-	Chairperson;
Hon. Justice S. L. Ramadhani	-	Member; and
Hon. Justice Simbi Mubako	-	Member.

Terms of reference

2. The terms of reference of the tribunal are -
 - (a) to investigate and determine the question of removing the Chief Justice, Lady Justice Nthomeng Majara; and
 - (b) make recommendations to the King as to whether or not Lady Justice Nthomeng Majara ought to be removed from office.

Report of findings

3. The tribunal shall make a written report of its findings and recommendations and shall submit the report to the King within eight weeks from the date of the commencement of the work of the tribunal or on such date as the King may prescribe.

Powers of the tribunal

4. The tribunal has the rights and powers vested in it by section 121(5)(b) of the Constitution and such other powers vested in a commission of inquiry under the Public Inquiry Act, 1994² in particular the powers under sections 16, 17 and 18.

Assistance to the tribunal

5. (1) In exercise of its functions, the tribunal shall be assisted by a pri-

vate legal practitioner instructed or briefed, or a law officer assigned by the Attorney General.

(2) The tribunal may, with the approval of the Minister of Finance, engage the services of experts, persons who have special, technical or other knowledge or any other qualified person to assist in the performance of its functions and discharge of its functions and mandate.

Secretariat

6. The tribunal, in the performance of its functions and mandate shall be assisted by a secretariat consisting of such officers as will be necessary to manage and administer all the affairs of the tribunal, and a secretary, transcriber, messengers, drivers, an interpreter and such other officers as may be determined, from time to time, by the tribunal in consultation with the relevant authorities on the advice of the Minister of Finance.

Proceedings of the tribunal

7. (1) Decisions of the tribunal shall be by the majority.
- (2) The tribunal shall determine its own procedure.

Protection of the tribunal

8. A member of the tribunal shall, in the exercise of his duty, have the same protection and immunity as a judge of the High Court.

Remuneration

9. (1) A member of the tribunal shall be remunerated at a rate to be determined by the Minister of Finance.

(2) The administrative staff of the tribunal shall be remunerated, in relation to the work of the tribunal, at a rate to be determined by the Minister of Finance.

DATED: 12TH SEPTEMBER, 2018

**LETSIE III
KING OF LESOTHO**

NOTE

1. Constitution of Lesotho 1993
 2. Act No. 1 of 1994
-

LEGAL NOTICE NO. 73 OF 2018

**Suspension of the Chief Justice of the High Court
Notice, 2018**

I, KING LETSIE III, pursuant to section 121(7) of the Constitution¹, and acting in accordance with the advice of the Prime Minister, suspend -

LADY JUSTICE NTHOMENG MAJARA

Chief Justice of the High Court from office with effect from 12th September, 2018 and with full benefits attached to the office.

DATED: 12TH SEPTEMBER, 2018

**LETSIE III
KING OF LESOTHO**

NOTE

1. Constitution of Lesotho 1993

LEGAL NOTICE NO. 74 OF 2018

**Acting Appointment to the Office of Chief Justice
Constitution – Section 120(4)**

I, KING LETSIE III, pursuant to section 120(4) of the Constitution¹ of Lesotho and acting in accordance with the advice of the Prime Minister appoint -

JUSTICE 'MASEFORO MAHASE

being the Judge of the High Court, to act in the office of the Chief Justice from the 12th September, 2018 until the finalization of the work of the Tribunal.

DATED: 12TH SEPTEMBER, 2018

**LETSIE III
KING OF LESOTHO**

NOTE

1. Constitution of Lesotho 1993

LEGAL NOTICE NO. 74 OF 2018

**Acting Appointment to the Office of Chief Justice
Constitution – Section 120(4)**

I, KING LETSIE III, pursuant to section 120(4) of the Constitution¹ of Lesotho and acting in accordance with the advice of the Prime Minister appoint -

JUSTICE 'MASEFORO MAHASE

being the Judge of the High Court, to act in the office of the Chief Justice from the 12th September, 2018 until the finalization of the work of the Tribunal.

DATED: 12TH SEPTEMBER, 2018

**LETSIE III
KING OF LESOTHO**

NOTE

1. Constitution of Lesotho 1993