



**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA

NATIONAL COUNCIL OF PROVINCES  
THE CHAIRPERSON

PO Box 15 Cape Town 8000 Republic of South Africa  
Tel: 27 (21) 403 2321/3126 Fax: 27 (21) 461 9460  
www.parliament.gov.za

## MEMORANDUM

To : Acting Chairperson of the National Council of Provinces  
From : Procedural Services Office / Clerk of Papers  
Date : 27 October 2010  
Re : Paper for referral and tabling

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A petition has been received from Ms Khumalo. In her petition to the Chairperson of the NCOP, Ms Khumalo requests that her complaint against "the conduct of Magistrate Wolmarans of the Johannesburg Magistrate's Court" be investigated by the NCOP.

Section 69(d) of the Constitution of the Republic of South Africa, 1996 provides that the National Council of Provinces or any of its committees may receive petitions, representations or submissions from any interested persons or institutions.

NCOP Rule 5(1) (b) provides that members of the public may participate in the proceedings of the NCOP by submitting petitions to the NCOP on any matter within the NCOP's competence. (own emphasis)

Further, NCOP Rule 234 provides that if the petition has been approved by the Chairperson, it must be referred to the Select Committee on Petitions and Members' Legislative Proposals.

We advise that the petition be tabled and referred to the Select Committee on Members' Legislative Proposals for consideration and report. (*The full content of the petition would be tabled*).

APPROVED

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Hon. R J Tau, MP  
Acting Chairperson: National Council of Provinces

Mrs LCEG Khumalo

22 September 2009

Mr MJ Mahlangu, MP  
Chairperson  
National Council of Provinces

Dear Mr Mahlangu

**Re: Petition: Mrs LCEG Khumalo: Complaint against Magistrate Wolmarans and Court Officials**

I would like to lodge a complaint for the following reasons and would appreciate intervention by Parliament.

A sum of money of R46 828,00 was deposited at the Johannesburg Magistrate's Court by my lawyer without my consent. I requested that the money be paid to me.

I objected to a remand on the matter to an alternative date, and requested that the monies be paid over to me, and was given a cheque for the amount of R36 828,00 on 23 May 1995. This was R10 000 less than what was due to me. Please refer to the attached documents.

I was handed a receipt for R10 000 but did not know why this happened as I did not owe any creditor.

I therefore kindly request that the matter be dealt with by the Select Committee on Petitions so that I can get clarity on why this had been done and also get the money (with interest) back that is still owed to me.

All in all the matter was investigated by an advocate of the public protector.

Her findings are conclusive.

Your kind co-operation in the matter is appreciated.

Yours truly

*Elsie Elg Khumalo*

Mrs LCEG Khumalo

