

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. 3878

15 September 2023

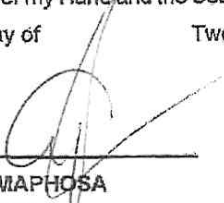
DETERMINATION OF POWERS, DUTIES AND FUNCTIONS OF A SPECIAL
DIRECTOR OF PUBLIC PROSECUTIONS

Under section 13(1)(c) of the National Prosecuting Authority Act, 1998 (Act 32 of 1998), I, hereby confer, impose and assign the following powers, duties and functions on or to ADV MTHUNZI C MhAGA, a Special Director of Public Prosecutions in the Legal Affairs Division of the National Prosecuting Authority, appointed in terms of the said provisions, to-


- (a) provide legal advice to the National Director regarding legal and administrative issues concerning matters falling within the purview of the Legal Affairs Division;
- (b) govern and manage the Legal Affairs Division;
- (c) manage, direct, co-ordinate and supervise civil matters and civil litigation involving the National Prosecuting Authority that falls within the purview of the Legal Affairs Division;
- (d) manage, direct, co-ordinate and supervise malicious prosecution matters;
- (e) manage, direct, co-ordinate and supervise other delictual claims against the National Prosecuting Authority and incidental matters that fall outside the criminal prosecution domain and are civil in nature and that fall within the purview of the Legal Affairs Division;
- (f) manage, direct, co-ordinate and supervise contingent liabilities that fall within the purview of the Legal Affairs Division;
- (g) manage the interface between the National Prosecuting Authority, internal business units, the State Attorney, other relevant stakeholders and the courts on matters that fall outside the criminal prosecution domain and are civil in nature;
- (h) provide strategic support in the Legal Affairs Division;

- (j) provide legal advisory and other legal support services including the obtaining of legal advice and legal opinions on matters concerning the National Prosecuting Authority;
- (j) provide consultative and operational assistance on matters concerning the National Prosecuting Authority that fall within the purview of the Legal Affairs Division;
- (k) manage the institutional framework and structure of the Legal Affairs Division; and
- (l) give such advice or render such assistance to the National Director as may be required to exercise the powers, carry out the duties and perform the functions which are conferred or imposed on or assigned to the National Director by the Constitution or any other law in respect of civil litigation involving the National Prosecuting Authority.

Given under my Hand and the Seal of the Republic of South Africa at _____ on
this day of _____ Two Thousand and Twenty-Three.



M. C. RAMAPHOSA
PRESIDENT



R. G. LAMOLA
MINISTER OF THE CABINET