

IN THE HIGH COURT OF SOUTH AFRICA
(ORANGE FREE STATE PROVINCIAL DIVISION)

Review No.: 420/08

In the review between:

THE STATE

and

ROMEO MALOMA

CORAM: EBRAHIM, J *et* VAN DER MERWE, J

JUDGEMENT: EBRAHIM, J

DELIVERED ON: 7 AUGUST 2008

[1] This matter was referred to this court on special review in terms of section 304(4) of the Criminal Procedure Act 51 of 1977.

[2] The presiding officer, an acting magistrate, convicted the accused of the crime of contravening subsection 27(1)(b) of the Copyright Act (No. 98 of 1978) and sentenced the accused to undergo 12 (twelve) months imprisonment or pay a R3 000,00 fine both of which were wholly suspended for three years conditionally. The accused was convicted on the

basis of a written statement handed in on his behalf by his legal representative in terms of subsection 112(2) of Act 51 of 1977.

- [3] In my view the proceedings were conducted in accordance with justice. Accordingly I order that the conviction and sentence be confirmed.

S. EBRAHIM, J

I concur.

C.H.G. VAN DER MERWE, J