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PUBLISHED BY AUTHORITY

LEGAL NOTICE NO. 128 OF 2000

THE COMMISSIONS OF ENQUIRY ACT, 1963
(Act No. 35 of 1963)

**THE COMMISSION OF ENQUIRY INTO THE OPERATIONS OF THE NATIONAL
AGRICULTURAL MARKETING BOARD NOTICE, 2000**

In exercise of the powers conferred by Section 3 of the Commissions of Enquiry Act, 1963 the Minister for Agriculture and Cooperatives issues the following Notice -

Citation and commencement

1. This Notice may be cited as Commission of Enquiry into the Operations of the National Agricultural Marketing Board Notice, 2000 and shall come into force on the 16th October, 2000.

Establishment and composition of commission

2. (1) There is established a Commission to be known as the Commission of Enquiry into the Commission Operational of the National Agricultural Marketing Board (hereafter referred to as the Commission).

(2) The Commission shall consist of the following -

- (a) Mr. Lusekwane Dlamini - Chairperson
- (b) Mr. Mbuso Simelane - Member
- (c) Mr. Thulani Masina - Secretary

(3) The quorum of the Commission shall be two members including the chairperson.

Functions and powers of the commission

3. (1) The Commission shall investigate and enquire into the operations of the National Agricultural Marketing Board. To this end the Commission's activities will be to:

- (a) Review the general administration of the Organisation
- (b) Examine the financial administration and management at NAMBOARD in general. If there is any mismanagement or losses experienced, determine the causes of the above
- (c) Determine whether or not the Consultants engaged in the last three years have benefited the Organisation
- (d) Determine the financial status of Encabeni Fresh Produce Market. If there are any losses experienced, identify the causes.
- (e) Determine the effects of the external travel by top management on the performance of the Organisation, including the financial implications
- (f) Examine the employment contract for top management and determine the extent to which the specified conditions are adhered to

- (g) Examine the general use of the Organisation's resources including human versus the programmed activities and the budget
- (h) Establish whether relations between the Board of NAMBOARD and top management are conducive to the effective operation of the Organisation.
- (i) Determine whether NAMBOARD'S running of an Agency at Encabeni Fresh Produce Market is compatible with the statutory functions of the Organisation. Futhermore investigate the causes which caused the former Agencies to leave the Organisation
- (j) Make specific recommendations on various items indicated above; and
- (k) Present a report on the Commission's findings to the Minister for Agriculture and Cooperatives within two months from the date of its launch.

Conduct of hearings

4. The Commission shall conduct its business in camera. In doing so the Commission will be free to interview anyone it deems fit.

Venue

5. The enquiry shall be held in the Ministry of Agriculture and Cooperatives Headquarters or such other place and at such times as the Chairperson may determine.

Payment of allowances and expenses

6. (1) The Commission shall be remunerated at a scale to be agreed between the Minister and the Members of the commission for each sitting of the Commission and other related expenses:

(2) All such remuneration shall be paid by the National Agricultural Marketing Board.

Submission of report

7. The Commission shall present its final report to the Minister not later than the 20th December, 2000 or on such other later date as the Minister may determine.

R.D.N. FANOURAKIS
Minister for Agriculture and Cooperatives

LEGAL NOTICE NO. 129 OF 2000

THE COMMISSIONS OF ENQUIRY ACT, 1963
(Act No. 35 of 1963)

THE COMMISSION OF ENQUIRY INTO THE OPERATIONS OF THE SWAZILAND
NATIONAL PROVIDENT FUND (SNPF) NOTICE, 2000

In exercise of the powers conferred by Section 3 of the Commissions of Enquiry Act, 1963 I hereby issue the following Notice:

Citation

1. This Notice may be cited as Commission of Enquiry into the operations of the Swaziland National Provident Fund (hereinafter called "the Commission") Notice, 2000.

Establishment and composition of commission

2. (1) There is hereby established a Commission to be known as the Commission of Enquiry into the operations of the Swaziland National Provident Fund.

(2) The Commission shall consist of the following persons -

- (a) Mzwandile Raymond Fakudze - Chairman
- (b) Cleopas Dlamini - Member
- (c) Senator Mkhumbi Dlamini - Member
- (d) Nathaniel Mahluza - Member
- (e) Vincent Mhlanga - Member
- (f) Thabani Mdladla - Secretary

(3) The quorum of the Commission shall be three (3) members including the chairman.

Functions and powers of the commission

3. (1) The Commission enquire into the operations of the Swaziland National Provident Fund with a view to -

- (a) investigating and reporting on the operations of the Provident Fund in order to identify any irregularities in the management of the Fund's investment portfolios and generally the daily operations of the Fund;
- (b) investigating and reporting on the manner in which contributions and benefits of members are administered;
- (c) investigating the performance of the various sections or department of the Fund;
- (d) investigating matters related or incidental to the functions of the Commission.

- (2) In executing its functions, the Commission may:
- (a) seek and obtain any document or information it requires from any employee of the Fund;
 - (b) cause any employee of the Fund or any member of the public with the relevant expertise it considers necessary, to appear before it to give such information or expertise as the Commission may require;
 - (c) obtain outside legal or any other independent professional advice.

Submission of Report

4. After making appropriate findings, the Commission shall submit a report containing appropriate recommendations on any matter which is the subject of the inquiry.

Duration

5. (1) The Commission shall commence its functions on the 16th October, 2000 and shall present its report three months after the commencement date or on such later date as the Minister may, by notice in the Gazette, appoint.

(2) Notwithstanding sub-section (1), the Minister may extend the period within which the Commission is supposed to submit its findings.

Place where Commission shall held enquiry

6. The enquiry shall be held at the Provident Fund's headquarters in Manzini.

Proceedings in camera

7. The proceedings of the Commission shall be held in camera.

Payment of allowances

8. Members of the Commission shall be paid such allowances as are payable to members of statutory boards.

J. P. CARMICHAEL
Minister for Finance

12 October, 2000

