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LEGAL NOTICE NO. 117 OF 2013

THE PEOPLE TRAFFICKING AND PEOPLE SMUGGLING
(PROHIBITION) ACT, 2009
(Act No. 7 of 2009)

THE APPOINTMENT OF INTER-AGENCY TASK FORCE
FOR THE PREVENTION OF PEOPLE TRAFFICKING
AND PEOPLE SMUGGLING (AMENDMENT) NOTICE, 2013
(Under Section 6)

In the exercise of the powers conferred by Section 6 of the People Trafficking and People Smuggling Act, 2009, the Prime Minister issues the following notice;

Citation and Commencement

1. (1) This notice may be cited as the Appointment of Members of the Inter-Agency Task Force for the Prevention of People Trafficking and People Smuggling Notice, 2013.

(2) This notice shall come into force on the date of publication in the Gazette.

Appointment of members of the Task Force

2. (1) The following persons whose names appear below are appointed as members of the Inter Agency Task Force for the Prevention of People Trafficking and People Smuggling -

- (a) Mr. Esau Sicelo Dlamini - Chairperson;
- (b) Mr. Ndzingeko Dlamini - Representative of the Attorney General;
- (c) Ms Lomvula Hlophe - Representative of the Director of Public Prosecutions;
- (d) Mr. Samkelo Dlamini - Representative of the Principal Secretary for the Ministry of Foreign Affairs and Cooperation;
- (e) Ms. Sibongile Motsa - Representative of the Commissioner of Police;
- (f) Ms. Nok'thula Dlamini - Representative of the Principal Secretary responsible for Social Welfare;

- (g) Mr. Makhosi Simelane - Representative of the Chief Immigration Officer;
- (h) Mr. John Msimango - Representative of Commissioner of Customs;
- (i) Ms. Gcinangaye Tsabedze - Representative of the Principal Secretary in the Ministry responsible for Information;
- (j) Ms. Khabo Dlamini - Representative of Commissioner of Labour;
- (k) Ms. Nonduduzo Zibuko - Representative of Imbali Regiment;
- (l) Reverend Gladys Dlamini - Representative of Faith Based Organisations;
- (m) Ms. Khetsiwe Dlamini - Forum for African Women Educationalist in Swaziland;
- (n) Ms Rachel Odede - United Nations Children Fund;
- (o) Dumisani Mnisi - Save the Children-Swaziland; and
- (p) Ms. Nompumelelo Lukhele - Head of Secretariat for the Prevention of People Trafficking and People Smuggling.

(2) Subject to subsection 3, a member of the Task Force appointed under this section shall hold office for a period not exceeding three years.

Vacation of office

3. A member may vacate office-

- (a) by written resignation to the Prime Minister on notice of one month;
- (b) at the expiration of the normal appointment under section 2;
- (c) on abandonment or missing three consecutive meeting without authority of the Chairman of the Task Force; or
- (d) on the death of that member.

(2) A member of the Task Force may be removed from office by the Prime Minister for inability to exercise the functions of office by reason of infirmity of body or mind or any other cause.

Objectives of the Task Team

4. (1) The objective of the Task Force is to ensure the implementation of the legislation on prevention, suppression and punishment for people trafficking and smuggling.

(2) The Task Force shall, amongst other objectives, develop policies and programmes to-

- (a) prevent and suppress people trafficking and people smuggling and raise public awareness through education;
- (b) assist and protect victims; and
- (c) ensure perpetrators of people trafficking and people smuggling are dealt with in terms of the law.

Functions of the Task Force

5. (1) In meeting the requirements of section 7 of the Act, the Task Force shall-

- (a) formulate and oversee the implementation of a National Strategy and National Action Plan on prevention and suppression of people and people smuggling;
- (b) coordinate the formulation and dissemination of public education campaigns to inform and warn the public on people trafficking smuggling;
- (c) formulate procedures for certifying and assisting victims of people trafficking and people smuggling in Swaziland;
- (d) ensure that law enforcement, immigration and other officers engaged in the identification of possible victims or perpetrators of trafficking receive adequate training-
 - (i) for the protection of victims;
 - (ii) for the conduct of investigations leading, where justified, to effective prosecution of offenders;
 - (iii) for gathering data for the Task Force;
 - (iv) for appropriate referral to the relevant professionals who can determine the needs of victims;
- (e) review the enforcement and effectiveness of the law in dealing with identified cases of people trafficking and people smuggling

- (f) review the compatibility of existing legislation with the provisions of the Act
- (g) collaborate with neighbouring countries and secure bilateral agreements to control people trafficking and people smuggling;
- (h) establish a data base of all statistics and information submitted by Government and non-Government Organisations and secure that it is the central repository of such data;
- (i) monitor immigration and emigrations statistics and patterns for evidence of people trafficking and people smuggling;
- (j) establish a national complaint system for reporting People Trafficking and People Smuggling Crimes;
- (k) make recommendations to the Prime Minister on aspects of prevention and suppression of people trafficking and people smuggling, including international development; and
- (l) perform any other related function that the Prime Minister may direct.

Committees of the Task Force

6. (1) Pursuant to section 10 of the Act, the Task Force may-
- (a) establish committees consisting of members and may invite any person whose presence is deemed by the committee to be necessary or expedient to assist the committee; or
 - (b) consult with or participate in bilateral missions that may lend expertise to the Task Force or with whom Swaziland may intend to discuss mutually beneficial approaches to the issue of people trafficking or people smuggling.

Meetings of the Task Force

7. (1) The Task Force shall meet at least once a month in order to give priority to the key actions that need to be taken on issues of people trafficking and people smuggling.
- (2) Prime Minister may review the operations of the Task Force and adjust the frequency of its meetings in consultation with the Task Force.

Submission of reports

8. The Task Force shall submit reports on a quarterly basis to the Prime Minister.

Remuneration

9. (1) The members of the Task Force shall, except members who represent agencies whose policy does not permit external remuneration, shall be entitled to such allowances and retainer fees as prescribed for a category A group 3 public enterprises.

(2) The members of the Task Force shall, in addition to the remuneration in terms of this section, be entitled to care mileage and subsistence external travel allowances equivalent to employees of the public service of grades E4-E6.

DR. B. SIBUSISO DLAMINI
PRIME MINISTER