HOMELANDS

SWAZILAND - GENERAL

1975

Sep - Nov - Dec
Swazi homeland plans revealed

John Patten,
Political Correspondent
The Minister of Bantu Administration, Mr M C Botha, today sketched the Government's development plans for the Swazi homeland, including the establishment of two key towns.

Addressing the Lowveld Regional Development Association at Barberton, the Minister disclosed that:

1. The Swazi homeland could be divided geographically into two development regions, each with a main town round which development would be stimulated. The towns would be at Vlakvlei and Chakastad.

2. A new regional authority, in addition to the two already existing, would be established soon.

3. Immediately afterwards, a Swazi territorial authority would be set up consisting of members of the three regional authorities as the first step in the direction of a self-governing territory.

4. People in the Piet Retief area of the South-Eastern Transvaal would be allowed to go either to the Swazi homeland or into the kwaZulu homeland, depending on their national ties.

Mr Botha said the homeland was being consolidated round the western border of Swaziland, because South Africa's Swazis had close links with Swaziland.

The entire homeland would consist of a single block of 315,000 ha.

Departmental studies had shown that forestry would give a livelihood to many people in the homeland.

Because of this, it was decided that no existing plantations should be allowed to be lost.

The plantation would be administered and extended on an agency basis in the interim.
First step to Swazi self-rule

BARBERTON. — The Minister of Bantu Administration and Development and Bantu Education, Mr M C Botha, announced here yesterday that regional authority for the Swazi homeland would be established in the near future and immediately thereafter a territorial authority would be established.

Opening the annual congress of the Lowveld Regional Development Association, the Minister said the territorial authority would consist of members of the new regional authority and the two existing Swazi regional authorities, namely Nkomazi regional authority and Legogole-Nkazi regional authority.

"This is the first step in the direction of a self-governing territory," the Minister said. "The existing regional authorities have been demanding progress on the political level, but because of the fact that the most senior Swazi chiefs were still in the White areas, it was thought that it would be advisable that these senior chiefs should be involved in the activities of the territorial authority. It is for this reason that the Swazi national unit lags behind the other national units on the political level."

At present the Swazis occupy mainly two areas, namely, the Nkazi, consisting of 70,000 ha on the western border of the Kruger National Park between the Crocodile and Sabie rivers, and the Nkomazi to the north of Swaziland consisting of 137,000 ha.

Swazi-speaking people also live in the Piet-Relief Bantu area and reserve. No. 16 at Ingwavuma near Makhado/Plat." It was envisaged that the inhabitants of the Piet-Relief area could go to either the Swazi homeland or to KwaZulu, depending on their national ties...

Since the Swazi inhabitants of the Republic had very close ties with Swaziland it was felt that the neighbouring Nkomazi area should be retained and that the Nkazi area should be proclaimed a separate unit away from the rest of the homeland. The Nkazi area was very densely populated and did not have a high development potential. Therefore the area gradually deteriorated as the population increased... Compensating land for the Nkazi area and the Piet-Relief area was therefore being purchased, the Minister said.

The entire homeland for the Swazi nation in the Republic would consist of a single block of 313,000 ha.
Swazis to get a new authority

BARBERTON — A regional authority for the Swazi homeland would be established in the near future and a territorial authority would be established soon after, the Minister of Bantu Administration and Development and Bantu Education, Mr. M. C. Botha, announced here yesterday.

Opening the annual congress of the Lowveld Regional Development Association, the Minister said the territorial authority would consist of members of the new regional authority and the two existing Swazi regional authorities, namely, Nikoma Regional Authority and Lepogote - Nkosi regional authority.

"This is the first step in the direction of a self-governing territory," the Minister said.

"The existing regional authorities have for years been demanding progress on the political level, but because of the fact that the most senior Swazi chiefs were still in the White areas, it was thought that it would be advisable to also these senior chiefs be involved in the activities of the territorial authority. It is for this reason that the Swazi national unit lags behind the other national units on the political level."

According to the 1970 census 96 000 Swazis lived within the boundaries of the Lowveld Development Region.

(Septa.)
The Argus Correspondent
PRETORIA. — The Minister of Bantu Administration, Mr M. C. Botha, has sketched the Government's development plans for the Swazi homeland, including the establishment of two key towns.

Addressing the Lowveld Regional Development Association in Barberton the Minister disclosed:

- The Swazi homeland could be divided geographically into two development regions, each with a main town round which development would be stimulated. The towns would be at Vlakhuil and Chakastad.

- A new regional authority, in addition to the two already existing, would be established in the near future.

- Immediately afterwards, a Swazi territorial authority would be set up consisting of members of the three regional authorities. This would be the first step in the direction of a self-governing territory, and

- People in the Piet Retief area of the south-Eastern Transvaal would be allowed to go either to the Swazi homeland or into the KwaZulu homeland, depending on their national ties.

Mr Botha said the Swazi homeland was being consolidated round the western border of Swaziland, because South Africa's Swazis had close ties with Swaziland.

The entire homeland would consist of a single block of 315,000 ha. Departmental studies in the field of agriculture had shown that forestry would give a livelihood to a great number of people in the homeland.

Because of this, it was decided that no existing plantations should be allowed to be lost in the newly-acquired area for the homeland. The plantation would be administered and extended on an agency basis until the future Swazi homeland Government could manage the forestry on its own.

In addition to the main towns, other towns would be built to cater for various needs.

One of the two main towns was expected to become the capital, which presupposed some industries establishing there. The homeland would be administered from there and a parliamentary complex would be built there.
Another Doornkop exodus under way

By PATRICK LAURENCE and STEVE KGAME

ABOUT 1500 African families in the Transvaal are being moved from their homes under the Government's separate development policy.

Taking the average number per family at seven—the figure quoted by a Bantu Administration Department spokesman—this means about 10,500 people are involved, or more than the 1,400 families moved last year.

The Africans are nearly all Ndebeles. They are being removed further east from two centres, Doornkop near Middelburg, and Kronkran. The families are being resettled on the trust farm of Valschfontein, near Grabiersdal.

Doornkop is a 'Black spot.' Bapedi landowners were forcibly moved from it last year in the first phase of the operation. The present removal of Ndebele squatters is the second phase.

Kronkran has been tentatively earmarked as a Swazi area. Removal of Ndebeles from there could be a sign that plans for a separate Swazi homeland are being speeded up.

Last week the Minister of Bantu Administration, Mr M. C. Botha, announced the formation of a Swazi regional authority as a first step towards a self-governing territory.

Mr Jan Mahlangu . . . he has nine children to house, and has been supplied with one tin hut.

The resettled Ndebeles are given iron huts and tents as temporary shelter. Building materials—sheets of iron, window frames and so on—are transported for them from their previous homes. They are given emergency rations of soup, milk and mealie meal on arrival.

Valschfontein is already the home of an existing community. It has two primary schools, a clinic and tap water.

A common complaint among the settlers is that the men had to remain behind to keep their jobs. Another complaint is that no provision was made for cooking.

Mr. Jan Mahlangu, who has been housed in a hut with his wife and nine children, said: "We live in huts fear we will suffocate if we make a fire inside. Those in the tents fear they might catch fire."

The Ndebeles at Valschfontein will strengthen the hand of Chief David Mapesh, a semi-independent chief who has long championed the creation of an independent Ndebele homeland.
Swazis to get SA homeland

The Government is to establish a territorial authority for the 400,000 Swazis within the country on December 1.

Swazi chiefs, headmen and other leaders from both tribal and urban areas will converge at Nkomazi in the Eastern Transvaal, for the ceremony.

A territorial authority for the Swazis means the tiny homeland is moving nearer to self-rule and may soon have a Legislative Assembly.

The Government now seems determined to launch the Swazis on the road to self-determination as quickly as possible.

Only last month, the third and last of the regional authorities — the Mlondezi regional authority — was formed.

Two other, the Nkomazi and Nplkazi, regional authorities, have been in existence since 1973.

Chief Solomon Wezuma.

Nhlapo, chairman of the Mlondezi regional authority, said yesterday that the chairman of the territorial authority would be elected soon. Once elected, he is likely to become first chief minister for the homeland.

Alive to the political implications involved, Swazis in and outside the homeland are organising themselves to fight for the homeland leadership.

Already, two parties — the Mplekazi Swazi Council and the Swazi National Council, both of them led by people from the Reef — have emerged.

The Mplekazi Swazi Council, led by Mr R E Nhlapo from Soweto, has thrown its weight behind Chief Nhlapo, head of the Mlondezi regional authority, and wants him to become third chief minister.

This emerged from a meeting held at Ermelo Township yesterday. The other group is said to be led by Mr Lukhele of Pretoria.
STATEMENT BY THE HONOURABLE M.C. BOTHA, M.P., MINISTER OF BANTU ADMINISTRATION AND DEVELOPMENT AND OF BANTU EDUCATION

The establishment of a Territorial Authority for the Swazi in the Republic is to be made known by Government Notice in the Gazette of 28 November 1975. Regulations governing the composition and administration of the Territorial Authority will also appear in the same Gazette.

The establishment of the Territorial Authority which was at the request of the three Swazi Regional Authorities represents the first major step in the constitutional development of the Swazi National Unit in the Republic.

This step has only now become possible in that, in terms of the 1973 consolidation decisions of Parliament, land has now become available in the districts of Barberton, Carolina and Ermelo for the settlement of a number of Senior Swazi Chiefs and their followers who were still resident in the White areas and could consequently not participate in a Swazi Territorial Authority.

Provision is made in the Gazette for the Swazi Territorial Authority to comprise of 21 persons appointed by the Regional Authorities concerned. At least nine members will be Chiefs. Provision is also made for an Executive Committee of four members headed by a Chief Executive Officers.

It is envisaged that the first meeting of the Territorial Authority at which the Chief Executive Officer, Members of the Executive Committee and the Chairman and Deputy Chairman will be elected, will be held early in 1976.

ISSUED BY THE DEPARTMENT OF INFORMATION
AT THE REQUEST OF
THE MINISTRY OF BANTU ADMINISTRATION AND DEVELOPMENT AND OF BANTU EDUCATION

PRETORIA
25 NOVEMBER 1975
Four to head Swazi body

John Patten, Political Correspondent

The Minister of Banfu Administration, Mr. M C. Botha, has announced that the Swazi Territorial Authority is to have 21 members, nine of whom will be chiefs.

The establishment of the authority, he said, would be announced on Friday in the Government Gazette, together with regulations concerning the composition and administration of the authority.

In his announcement today, Mr. Botha said the territorial authority would be headed for a four-member executive committee, one of whom would be the chief executive officer.

FIRST MEETING

The first meeting of the authority, at which the chief executive officer, executive members, and the chairman and deputy chairman of the authority would be elected, would be held early next year.

Mr. Botha said the territorial authority was being established at the request of the three Swazi regional authorities. This was the first major step in the constitutional development of the Swazi national unit in South Africa.

The step had become possible at this stage only because land had become available in the Barberton, Carolina, and Mzimba districts for the settlement of a number of senior Swazi chiefs and their followers. While living in White areas they could not participate in the territorial authority.
Pretoria achieves Swazi 'miracle'

With the establishment today of a territorial authority for South Africa's almost half-million Swazis, Pretoria has achieved what might seem to be a miracle. Swazi chiefs, without whom establishment of the homeland in terms of the separate development policy would have been impossible, were scattered and living outside the territory in various areas in the Transvaal.

But the Government has succeeded in tracing and bringing them back "home," making the concept of a Bantustan for the Swazis a reality.

However, the Swazi homeland still appears, even at a glance, a Bantustan with a difference. It lacks the characteristic, well-established villages and chiefs' kraals of the existing homelands. Most inhabitants live in small squatter-type settlements consisting of tiny mud huts and tin shacks—just like those of the people on the vast White farms bordering the territory.

The mud huts and tin shacks are scattered, either in small clusters or singly near timber plantations or farms; alongside roads and in rugged, open valleys.

TOWNSHIP

Kromdraai, in the Steynsdorp area, south of Barberton, appears to be a large village from a distance but turns out to be a new township of makeshift single-tin shacks.

Kromdraai was recently established by the Government for Swazis removed from Doornkop in Middelburg, Transvaal. About 3,000 people are living there.

The entire Swazi homeland, with a population of 450,000 and three regional authorities, consists of 315,000 ha. It has a potential for forestry, crops, cattle and sheep farming. Coal mining is also a possibility.
HOMELAND FOR SWAZIS

The Argus Johannesburg Correspondent

WITH the establishment this week of a territorial authority for South Africa's almost half-million Swazis, Pretoria achieved what for years might have seemed a miracle.

Swazi chiefs, without whom establishment of the homeland in terms of the separate development policy would have been impossible, were scattered and living in various areas in the Transvaal outside the territory.

But the Government has succeeded in tracing and bringing them back 'home,' making the concept of a Bantustan for the Swazis a reality.

However, the Swazi homeland still appears, even at a glance, a Bantustan with a difference. It lacks the characteristic, well-established villages and chiefs' kraals as in existing homelands.

Most inhabitants live in small squatter-type settlements consisting of tiny mud huts and tin shacks - just like those of the people on the vast White farmlands bordering the territory.

The mud huts and tin shacks are scattered either in small clusters or singly near timber plantations, on farms, alongside roads and within rugged open valleys.

Kromdraai in the Steynsdrorp area south of Barberton, appears more of a sizeable village at a distance but turns out to be a new township comprising makeshift single tin shacks.

Even the chief, Solomon Wessman Ndana, chairman of the Monondo Regional Authority, is housed in a cluster of rusted tin shacks.

His royal kraal, he said, was temporary and would be removed to Amsterdam, leaving behind those living at the new township.

Kromdraai was recently established by the Government for Swazis removed from Doornkop in Middelburg, Transvaal. About 3,000 people are living there.

The entire Swazi homeland, with a population of 60,000 and three regional authorities, consists of 315,000 ha. It has a potential for forestry, crop, cattle and sheep farming. Coal mining is a possibility, too.
Homelands

Swaziland - General

1976

May
2. PLANNING THE PRESENTATION.

2.1 Constructing your plan:

Two methods for planning

VERTICAL PLAN

2.1.1 The Vertical Plan

1) Take a sheet of paper. Jot down 20 to 30 words you think are the most important.

2) Working on a 5 minute topic. What do these words say to you? What specifically do you want your audience to think and do at the end of your talk? Now, write the aim of your talk in one short sentence.

3) Write your aim at the top of a clean sheet of paper.

The Body

5) Leave about six lines for the introduction. Write your three main points down leaving a few lines in between each.

6) Go through your list of ideas again. Underline those points that support your three main points.

7) Write two sub points under each main point.

8) At this stage you should refer to books, interview specialists, check figures and statistics, find quotations, apt examples or demonstrations. Your talk should be an expression of your own ideas on the subject, backed by outside opinion.

Value of crop/pastoral/industrial production in homelands.

LO3

[179] Mrs. H. SUZMAN asked the Minister of Bantu Administration and Development:

What was the total value of (a) crop, (b) pastoral and (c) industrial production in each of the homelands in 1973-74 and 1974-75, respectively.

The MINISTER OF BANTU ADMINISTRATION AND DEVELOPMENT:

Agriculture is a function that has been transferred to all the Homelands except in respect of the Swazi and the Ndebele. Particulars in respect of these two Homelands are furnished hereunder. Certain Homelands do not wish to furnish the required particulars and it is not deemed appropriate to disclose the Homelands' domestic affairs against their will in the Parliament of the Republic of South Africa.
Homeland

Swaziland - General

1977

March - April - July - Sep - Oct - Nov
Swazis protest at settlement plan

Staff Reporter

ABOUT 70 000 Swazi families, scattered over the Eastern Transvaal are to be resettled inside the newly established Swazi homeland, near Ladipplaas.

This was revealed yesterday by Mr. David Lukhele who said most of the people to be resettled come from Kronkraans, Driefontein, Amersfoort and Ladipplaas. Some are 160 km away in Nelspruit and Lydenburg.

Mr. Lukhele said a special session of the Swazi Territorial Authority had been called. A document prepared by BAD was given to members and was rejected.

The document said there were 62 Trust farms which would be attached to the Swazi homeland but would remain the property of the Bantu Trust.

He added: "We are against the removal of our people from the land they have occupied for generations. We have made it quite clear to Pretoria that we want to administer land belonging to us."
Swazi homeland refuses to sign land deal

BARTBERTON. — The Swazi Territorial Authority has reached deadlock with the South African Government over land and has decided to reject self-government indefinitely.

The Swazi Chief Executive, Councillor, Chief J. M. Dlamini, announced this yesterday in Barberton.

He was interviewed at the Bantu Affairs Commissioner's office where he and his councillors were making a request to meet the Minister of Bantu Administration and Development, Mr. M. C. Botha.

Chief Dlamini said a meeting with SA Government officials which was to have been held yesterday had been cancelled and authorisation of self-government for the homeland had been suspended indefinitely. A similar meeting in March also ended inconclusively.

POWERS

The reason for the breakdown of both meetings was the council's refusal to sign documents transferring land to the homeland, because, he said, the land would have remained the property of the South African Bantu Trust.

No other homeland had been asked to sign such documents.

"We have no legal rights to sign agreements because we are functioning under delegated powers by the central government. We can only sign agreements when we are a sovereign body," he said.

The Chief Bantu Affairs Commissioner for the Northern Areas, Mr. J. S. J. Pieterse, said the central government had decided for the second time to suspend self-government for the homeland because the council had not been cooperative.

Swazi, situated on Swaziland's northern border and bounded by Mozambique in the east, was inaugurated as a territorial authority last April. — Sapa.
Swazis to get self-government

PRETORIA — The Swazi Territorial Authority will move into the first stage of self-government with the establishment of a legislative assembly, probably in October this year, following discussions here yesterday between the Minister of Bantu Administration, Mr. M. C. Botha, and members of the authority's executive committee. — SAPA.
Swazi homeland to get assembly

Political Staff

THE Government intends establishing a legislative assembly for the Swazi homeland on October 1, it was announced yesterday.

The announcement came after talks this week between the Minister of Bantu Administration and Development, Mr M C Botha, and a member of the Swazi territorial executive, Mr E D Mabusa.

It is also proposed to consolidate the homeland at present in two parts into a single black area on the Swaziland border.

The plan involves a mass removal of Swazis from the Nsikazi area near Nelspruit.

It was this removal that recently led to the fall from office to the former territorial executive chairman, Chief D Dlamini.

According to the 1970 census, 75% of South Africa's Swazis live in white areas. Eighty-two thousand live in the Swazi homeland while there are another 30,000 South African Swazis in other homelands.
STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

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Vol. 147]
PRETORIA, 16 SEPTEMBER 1977

PROKLAMASIES
van die Staatspresident van die Republiek van
Suid-Afrika

No. R. 213, 1977
STREEKSOWERHEDE IN DIE GEBIED VAN DIE
SWAZI - GEBIEDSOWERHEID. — TOEWYSING
VAN HUL BEVOEGDEHEDE, WERKSAAHDE
EN PLIGTE AAN, EN DIE OORGAAN VAN HUL
BATES, LASTE, REGTE EN VERPLIGTINGS OP
DIE SWAZI-GBEDSOWERHEID

Kragtens die bevoegde my verleen hy—

(i) artikel 7 (1) (g) van die Wet op Bantoe-owerhede,
1951 (Wet 68 van 1951), wys ek hierby aan die Swazi-
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regularies, toeplaslike wetgewing en die opdragte van
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die bevoegdehe, werksaamhede en pligte verleen
aan streeksowerhede in die gebied van genoemde Swazi-
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genomme Wet op Bantoe-owerhede, 1951, en in die
Blyse hiervan uiteengesit:

(2) artikel 25 van die Bantoe-administrasie Wet,
1927 (Wet 38 van 1927), verklaar ek hierby dat—

(a) oondskeerlik bepalings en enige ander
wet vervat, al die bates, laste, regte en verpligtings
van streeksowerhede in die gebied van die Swazi-gebieds-
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(b) enig terwyl en onroerende eiendom van voor-
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van die Wet van die Republiek
van Suid-Afrika, en van die Wet wat die Vrye Suid-Afrikaanse
sowie die Suid-Afrikaanse Wetgewing betref.

S.A. Staatspresident

PROKLAMASIES
van die Staatspresident van die Republiek van
Suid-Afrika

No. R. 213, 1977
STREEKSOWERHEDE IN DIE GEBIED VAN DIE
SWAZI - GEBIEDSOWERHEID. — TOEWYSING
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voorbehoudens enig opsigte van sodanige eiendom
derlvarederigting waartoe roek

van die Wet van die Republiek
van Suid-Afrika, en van die Wet wat die Vrye Suid-Afrikaanse
sowie die Suid-Afrikaanse Wetgewing betref.

S.A. Staatspresident

N. DIEDERUNGS, Staatspresident.

By Order of the State President-in-Council:

M. C. BOTHA.

PROCLAMATIONS
by the State President of the Republic
of South Africa

No. R. 213, 1977
REGIONAL AUTHORITIES IN THE AREA OF
THE SWAZI TERRITORIAL AUTHORITY—
ASSIGNMENT OF THEIR POWERS, FUNCTIONS
AND DUTIES TO, AND VESTING OF THEIR
ASSETS, LIABILITIES, RIGHTS AND OBLIGA-
TIONS IN THE SWAZI TERRITORIAL AUTHORITY

Under and by virtue of the powers vested in me—

(1) by section 7 (1) (g) of the Bantu Authorities
Act, 1951 (Act 68 of 1951), I hereby assign to the
Swazi Territorial Authority, subject to the provisions
of any regulations, relevant law and to the directions
of the Minister of Bantu Administration and Develop-
ment, the powers, functions and duties vested in regional
authorities in the area of the said Swazi Territorial
Authority in terms of the provisions of subparagraphs
(i) to (vi), inclusive, of section 5 (1) (b) of the said
Bantu Authorities Act, 1951, and set forth in the
Schedule hereto;

(2) by section 25 of the Bantu Administration Act,
1927 (Act 38 of 1927), I hereby declare that—

(a) notwithstanding anything to the contrary in any
other law contained, all the assets, liabilities, rights
and obligations of regional authorities in the area of
the Swazi Territorial Authority shall, subject to such
conditions as the Minister of Bantu Administration
and Development may determine, vest in and become bind-
ing upon the Swazi Territorial Authority; and

(b) all property, movable and immovable, of the
aforementioned regional authorities shall vest without
payment of transfer duty, stamp duty or any other
charge in the Swazi Territorial Authority, but subject
to any charge, obligation or trust existing in
respect of or otherwise lawfully affecting such property.

Given under my Hand and the Seal of the Republic
of South Africa at Cape Town this Fifteenth day of April,
One thousand Nine hundred and Seventy-seven.

N. DIEDERUNGS, State President.

By Order of the State President-in-Council:

M. C. BOTHA.
A ROW has developed between the Swazi and Gazankulu homelands, with the Swazis accusing the Chief Minister of Gazankulu of racialism and calling for an urgent cabinet meeting to discuss the issue.

The dispute has arisen over a meeting addressed by the Chief Minister of Gazankulu, Professor Hudson Ntsanwisi, earlier this month.

Mr David Lukhele, the Swazi homeland's Executive Councillor for Justice, said his people had been very upset by the content of Professor Ntsanwisi's address and the homeland had written to the Commissioner General for the Shangaans and the Swazis asking him to arrange a meeting between the two homelands to discuss the issue.

"He made racist remarks of the sort we do not expect from a learned academic like Professor Ntsanwisi," said Mr Lukhele.

"He called our people to meet in a white area on October 9 and in his address he told the Shangaans living in the Swazi homelands to remember they would always be different from the Swazi.

He supported his argument with biblical quotations and said Shangaans should ask for separate schools and should retain their identity.

"We are upset by this type of racism. We have people from all tribal groups living here but we do not practise tribalism.

"There are Swazis living in Gazankulu — the Shangaan homeland — but we have not told them to ask for separate schools.

"The professor is a learned man, an academic, we do not expect this from him," said Mr Lukhele.

The Swazi homeland has asked for a meeting between the two homelands to be arranged to discuss the issue, but no date has yet been set.

Professor Ntsanwisi could not be contacted for comment on the issue.
JOB BACK
HAVE HIS
CHIEF CAN
COURT SAYS

By Peter Mann

ONE IN THE EYE FOR HOMELANDS POLICY

SUNDAY TELEGRAPH NOVEMBER 20 1977
Farms

Chief Dlamini, chief of the Nkazi tribe, was deposed as Chief Executive Officer of the Territorial Authority by a motion of no-confidence passed in June this year.

Until then, Chief Dlamini and the Territorial Authority had resisted attempts by the Department of Bantu Administration to conclude a land deal with the Swazi homeland which included the removal of the Nkazi tribe from the Red Place area to Swallows, Rest. The land deal, which included the annexation of 65 farms to the Swazi homeland, was put to the Swazi Territorial Authority on March 1 this year and was rejected, pending a detailed explanation of it.

During the meeting, one authority member, Mr. E. C. Mango, said one of the main objections to signing the deal was that members feared it might be construed as agreeing to the removal of the Nkazi.

On March 18, the executive committee was invited to Pretoria to discuss the deal with the Minister of Bantu Administration, Mr. M. C. Botha.

Meeting

According to a memorandum drawn up by Chief Dlamini, the Minister advised them that he was not in a position to grant them legislative powers unless they returned to the Territorial Authority and reconsider their decision.

"It was obvious that this was now a condition of obtaining legislative status by the Swazi," says Chief Dlamini in his memorandum.

At this time, the area was still a territorial authority, although the move to legislative assembly status had already been announced, with the first meeting of the Kungwane Legislative Assembly scheduled for March 31.

On March 31, a special meeting of the Authority was held, and after much pressure and argument, Chief Dlamini made an urgent application to the Supreme Court to have the motion of no-confidence set aside.

Void

In Pretoria this week, Mr. Justice van der Walt ruled the motion of no-confidence, the election of the new Executive Committee, and the land agreement entered into with the Government to be null and void.

He also declared the office-bearers at the time of the non-confidence motion to be the lawful office-bearers of the Kungwane Legislative Assembly.

The order paper for the meeting included a discussion of the refusal of Chief Dlamini to sign the agreement but according to a spokesman for Chief Dlamini, that matter was turned into a motion of non-confidence.

Although the Department of Bantu Administration argued that the motion was valid because the chief had the power to reject the motion, at the time and did not do so, the court ruled that officials had not properly advised him of his powers in this respect.
Homeland

Swaziland - General

1978

March - July - Oct - Dec
STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

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PROKLAMASIE
van die Staatspresident van die Republiek van
Suid-Afrika

No. R. 50, 1978

WYSIGING VAN PROKLAMASIE R. 267 VAN 1975

Kragtens die bevoegdheid my verleen by artikel 17 van
die Wet op Bantoe-owerhede, 1951 (Wet 68 van 1951),
gelees met artikel 25 van die Bantoe-administrasie Wet,
1927 (Wet 38 van 1927), en artikel 21 (1) van die Bantoe-
trust en -grond Wet, 1936 (Wet 18 van 1936)—

(i) wysig ek hiermee Proklamatie R. 267, gedateer
28 November 1975, met ingang van 15 Februarie 1978
doorekomstig bygaande Blye; en

(ii) verklaar ek hiermee dat enige verwysing in
genoemde Proklamatie R. 267 van 1975 na die Swazi-
gebiedsowerheid uitgelê word as 'n verwysing na die
KaNgwane- Wetgewende Vergadering.

Gegee onder my Hand en die Seil van die Republiek
van Suid-Afrika te Kaapstad, op hede die Sesde dag van
Maart Eenduisend Negehonderd Agt-en-sewentig.

N. DIEDERICHES, Staatspresident.
Op las van die Staatspresident-in-rade:
C. P. MULDER.

BYLAE

Regulasi 7 van Deel 1 van Hoofstuk II word hierby
gewysig deur die vervanging van die voorheids-
bepaling daarvan deur die volgende:

"Met dien verstande dat die aanwyseing van 'n lid van 'n
stamowerheid as 'n lid van 'n streekowerheid ingevolge
Regulasi 13 (1) (c), nie teruggetrek mag word ingevolge
die bepaling van Regulasi 14 nie, nog mag sodanige lid
by lidmaatskap van die spesifieke Stamowerheid opge-
skort word, tenby 'n besluit tot dien effekte geneem is
deur 'n behoorlik saamgestelde vergadering van sodanige
Stamowerheid en nadat geneem is deur redelike
geleenthede en genoegsame tyd gegun is om te antwoord
op enige beskuldigings of beweringe teen hom gemaak:
Met dien verstande voorts dat die aanwyseing van 'n stam-
verteenwoordiger as 'n lid van 'n streekowerheid ingevolge

69924—A

PROCLAMATION
by the State President of the Republic of
South Africa

No. R. 50, 1978

AMENDMENT OF PROCLAMATION R. 267 OF 1975

Under and by virtue of the powers vested in me by
section 17 of the Bantu Authorities Act, 1951 (Act 68 of
1951), read with section 25 of the Bantu Administration
Act, 1927 (Act 38 of 1927), and section 21 (1) of the
Bantu Trust and Land Act, 1936 (Act 18 of 1936)—

(i) I hereby amend Proclamation R. 267, dated 28
November 1975, with effect from 15 February 1978 in
accordance with the accompanying Schedule; and

(ii) I hereby declare that any reference in the said
Proclamation R. 267 of 1975 to the Swazi Territorial
Authority shall be construed as a reference to the
KaNgwane Legislative Assembly.

Given under my Hand and the Seal of the Republic of
South Africa at Cape Town this Sixth day of March, One
thousand Nine hundred and Seventy-eight.

N. DIEDERICHES, State President.
By Order of the State President-in-Council:
C. P. MULDER.

SCHEDULE

Regulation 7 of Part 1 of Chapter II is hereby amended
by the substitution for the proviso thereto of the
following:

"Provided that the designation, in terms of Regulation
13 (1) (c), of a member of a tribal authority as a member
of a regional authority may not be withdrawn in terms
of the provisions of Regulation 14, nor may such member
be deposed as a member of the particular Tribal Authority,
unless a decision to this effect has been taken by a pro-
perly constituted meeting of the Tribal Authority
concerned and after the said member has beforehand been
given reasonable opportunity and sufficient time to reply
to any accusations or allegations made against him: Pro-
vided further that the designation of a tribal representa-
tive as a member of a regional authority in terms of Regulation
DEPARTEMENT VAN PLURALE BETREKKINGS EN ONTWIKKELING

No. R. 1540  
28 Julie 1978

KANGWANE-WET OP DIE BETALING EN VOORREGE VAN LIDE VAN DIE WETGEWENDE VERGADERING, 1978 (WET 2 VAN 1978)

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gelewer het aan die volgende Wet wat deur die KaNgwane-Wetgewende Vergadering aangeneem is en wat hierby vir algemene inligting gepubliseer word.

GEBIED VAN DIE KANGWANE-WETGEWENDE VERGADERING

WET

om voorsiening te maak vir die betaling van salarisse en toelae aan lede van die Wetgewende Vergadering en die betaling van 'n toelae aan gevolmagte van kapteins

WET 2 VAN 1978

WET

om voorsiening te maak vir die betaling van salarisse en toelae aan lede van die Wetgewende Vergadering en die betaling van 'n toelae aan gevolmagte van kapteins.

Daar word deur die KaNgwane-Wetgewende Vergadering verorden:

Uitleg van uitdrukings

1. In hierdie Wet, ten spyte uit die samehang anders blyk beteken "Grendwetproklamasi" die KaNgwane-grondwetproklamasi, 1977 (Proklamasi R. 214 van 1977) en het 'n woord of uitdrukking waarin 'n betekenis in genoemde Grendwetproklamasi gegeb word, die betekenis aldaar daaraan gegeb.

Salarisse van lede

2. Daar is betaalbaar—
   (a) aan die Hoof-Uitvoerendesadl, 'n salaris van R10 500 per jaar;
   (b) aan elke Uitvoerendesadl (behalwe die Hoof-Uitvoerendesadl), 'n salaris van R9 456 per jaar;
   (c) aan die Voor sitter van die Wetgewende Vergadering, 'n salaris van R4 104 per jaar;
   (d) aan die Ondervoorsitter van die Wetgewende Vergadering, 'n salaris van R3 780 per jaar;
   (e) aan elke lid van die Wetgewende Vergadering [behalwe iemand in enige van die paragraf (a) tot en met (d) bedoel], 'n salaris van R3 156 per jaar.

Nie-belasbare toelae

3. Daar is betaalbaar—
   (a) aan die Hoof-Uitvoerendesadl, 'n nie-belasbare toelae van R1 200 per jaar;
   (b) aan elke Uitvoerendesadl (behalwe die Hoof-Uitvoerendesadl), 'n nie-belasbare toelae van R948 per jaar.

DEPARTMENT OF PLURAL RELATIONS AND DEVELOPMENT

No. R. 1540  
28 July 1978

KANGWANE PAYMENT AND PRIVILEGES OF MEMBERS OF THE LEGISLATIVE ASSEMBLY ACT, 1978 (ACT 2 OF 1978)

It is hereby notified that the State President has approved of the following Act which was passed by the KaNgwane Legislative Assembly and which is hereby published for general information:

AREA OF THE KANGWANE LEGISLATIVE ASSEMBLY ACT

to provide for the payment of salaries and allowances to members of the Legislative Assembly and for the payment of an allowance to deputies of chiefs

ACT 2 OF 1978

ACT

to provide for the payment of salaries and allowances to members of the Legislative Assembly and for the payment of an allowance to deputies of chiefs.

Be it enacted by the KaNgwane Legislative Assembly:

Interpretation of terms

1. In this Act, unless the context otherwise indicates, "Constitution Proclamation" shall mean the KaNgwane Constitution Proclamation, 1977 (Proclamation R. 214 of 1977), and any word or expression to which a meaning has been assigned in the said Constitution Proclamation, has the meaning so assigned thereto.

Salaries of members

2. There shall be payable—
   (a) to the Chief Executive Councillor, a salary of R10 500 per annum;
   (b) to every Executive Councillor (other than the Chief Executive Councillor), a salary of R9 456 per annum;
   (c) to the Chairman of the Legislative Assembly, a salary of R4 104 per annum;
   (d) to the Deputy Chairman of the Legislative Assembly a salary of R3 780 per annum;
   (e) to every member of the Legislative Assembly [other than a person referred to in any of the paragraphs (a) to (d) inclusive], a salary of R3 156 per annum.

Non-taxable

3. There shall be payable—
   (a) to the Chief Executive Councillor, a non-taxable allowance of R1 200 per annum;
   (b) to every Executive Councillor (other than the Chief Executive Councillor), a non-taxable allowance of R948 per annum.
Toelage van leden

4. (1) Beheers van de salarissen en niet-belastbare toesch een waarover in artikelen 2 en 3 onderscheid in voorziening genomen, wordt, is daar, behoudens de bepalingen van sub-
artikel 3 en artikel 5 niet gedacht dat de Wetgewende Vergadering vir die uittrekking behoort.

(a) aan elke lid van de Wetgewende Vergadering (behels 'n lid van de Uitvoerende Raad), onderworpe aan die voorwaarde wat die Voorzitter van die Wet-
gewende Vergadering bepaal:

(i) 'n sessietoesch een van R10 per dag;
(ii) 'n vervoer toesch een van 10c per kilometer ten opsigte van sy reis van sy woonplaas ten seë van die vergadering of die begin van 'n sessie en die terugtocht ten einde van die sessie;

(b) aan elke lid van die Wetgewende Vergadering (behels 'n lid van die Uitvoerende Raad):

(i) wat as lid van 'n regerings-kommissie of -komitee (behels 'n sessiekomitee) aangestel is en wat in die vervulling van sy plicht as lid van die Kommissie of Komitee van sy gewone verblyfplek afwees is; en
(ii) aan wie die Wetgewende Vergadering of Uit-
voerende Raad 'n plig opgedra het wat in die vervul-
ing van die plog van sy gewone verblyfplek afwees is, onderworpe aan die voorwaarde wat die Hoof-Uit-
voerenderaad bepaal. 'n Sessiekomitee en 'n vervoer-
toesch een word genoem in paragraaf (a) bedoelde sessie-
toesch een en verwervelings onderhoudlik;

(c) aan elke lid van die Uitvoerende Raad, ten opsigte van sy afwezigheid in nuttigheid diens van die seë van die Regering, die verblyfplaas wat die Hoof-Uit-
voerenderaad bepaal, maar in alle geval hoogstens R15 per dag van 24 uur, ten seë van die seë van die vervoer-
toesch een, maar dié bedrag van R15 per dag oordre en die Hoof-
Uitvoerenderaad die belasting van 'n bedrag gelokkig aan die werklike verblyfplak bepaal, ten einde die al-
lengte aanwezigheidstytperiode betaal wanneer die lid aan die vergadering toegetoon en die hoeveel-
heid in paragraaf (a) behels.

(2) Die in subartikel (1) (a) (i) bedoelde sessietoesch een word ten opsigte van elke dag gedurende 'n sessie van die eerste sittingsdatum en met die laast sittingsdatum behels. Met dien verstande dat dié van die Wetgewende Vergadering te eenig tyd gedurende die sessie vir 'n langer aaneenlopende tydperk, as sewe dae verdag, geen sodanige toesch een ten opsigte van dié vergaderstytperiode betaal word, maar 'n bykomstige vervoer toesch een, ooreenkomend sub-
artikel (1) (i) ten behoeft betaal word.

Aftrekking weens afwezigheid

5. Ten opsigte van elke dag waarop 'n lid van die Wetgewende Vergadering (behels 'n lid van die Uitvoerende Raad, die Voorzitter of Ondervoorzitter) versuem om 'n sitte van die Wetgewende Vergadering by te woon, word die bedrag van R10 afgetrek van die bedraan wat inge-
volge die bepaling van hierdie Wet aan hom betaal betaal is: Met dien verstande dat so 'n lid van aftrekking weens sodanige versuem vergelyk betaal word—

(a) ten opsigte van enige dag waarop hy as lid van 'n komitee van die Wetgewende Vergadering 'n verga-
dering van daar hul komitee byvoeg;

(b) wanneer sy afwezigheid te wyt is aan seë van of aan die dagvaarding of getuie-dagvaarding van 'n bevoegde hof (behels 'n dagvaarding om te verskyn op 'n kriminale aanklacht waarop hy skuldig bevind word);

Allooties

4. (1) In addition to the salaries and non-taxable allowances provided for in sections 2 and 3 respectively, there shall, subject to the provisions of subsection (2) and section 5, be payable, out of moneys appropriated by the Legislative Assembly for that purpose—

(a) to every member of the Legislative Assembly (other than a member of the Executive Council), subject to such conditions as the Chairman of the Legislative Assembly may determine—

(i) a session allowance of R10 per day;
(ii) a transport allowance of 10c per kilometre in respect of his journey from his home to the seat of the Government at the beginning of any session and the return journey at the end of such session;

(b) to every member of the Legislative Assembly (other than a member of the Executive Council)—

(i) who has been appointed as a member of any government commission or committee (other than a sessional committee) and who is absent from his ordinary place of residence in the performance of his duties as a member of such commission or committee; or
(ii) to whom the Legislative Assembly or the Executive Council has assigned a duty and who is absent from his ordinary place of residence in the performance of such duty, subject to such conditions as the Chief Executive Councillor may determine, a subsistence allowance and a transport allowance equal to the session allowance and the transport allowance, respectively, referred to in paragraph (a);

(c) to every member of the Executive Council, in respect of his absence on official duty from the seat of the Government, such subsistence allowance as the Chief Executive Councillor may determine, but in any case not exceeding R15 per day of 24 hours, unless the actual subsistence expenses exceed the sum of R15 per day and the Chief Executive Councillor approves the payment of an amount equal to such actual subsistence expenses.

(2) The session allowance referred to in subsection (1) (a) (i) shall be paid in respect of each day during any session, from the first sitting-day to the last sitting-day, inclusive. Provided that if the Legislative Assembly at any time during such session adjourns for a continuous period of more than seven days, no such allowance shall be paid in respect of the period of adjournment, but an additional transport allowance shall be paid in accordance with subsection (1) (a) (ii).

Deductions on account of absence

5. In respect of every day during which any member of the Legislative Assembly (other than a member of the Executive Council, the Chairman or Deputy Chairman) fails to attend a sitting of the Legislative Assembly, there shall be deducted the sum of R10 from the amount payable to him under the provisions of this Act. Provided that such member shall be exempted from deductions on account of such failure—

(a) in respect of any day on which he attends as a member of any committee of the Legislative Assembly, a meeting of that committee;

(b) when his absence is due to his illness or to the summons or subpoena of a competent court (except a summons to answer a criminal charge upon which he is convicted).
Metode van betaling van salarisse en nie-belastbare toeke.

6. (1) Met ingang van die verduideliking, as bover, betrek die Direkteur van die Departement van Overheidsakse en Finansies aan elke lid van die Wetgewende Vergadering (behalve in 'n lid van die Uitvoerende Raad) in maandelikse paie die salaris waarop so 'n lid kragtens hierdie Wet geregtig is en die eerste maand word gerekend—

(a) in die geval van 'n lid wat kragtens artikel 2 van Bylaw H van die Grondwetproklamasiemisiek aangestel is, van die dag waarop hy aldus aangewys is;
(b) in die geval van 'n lid wat ingevolge die bepaling van artikel 7 van Bylaw H van die Grondwetproklamasiemisiek aangestel is, van die dag daarop hy aldus aangestel is;
(c) in die geval van die Voorstuurder en Ondervoorstuurder van die Wetgewende Vergadering, vanaf die datum van verklyning tot hul ampt.

(2) Die direkteur van die Departement van Overheidsakse en Finansies betaal aan die Hoof-Uitvoerenderaadslid in maandelikse paie die salaris en nie-belastbare toelaag waarop hy kragtens hierdie Wet geregtig is, gerekend van die dag waarop hy in artikel 15 van Bylaw H van die Grondwetproklamasiemisiek bedoelde eed afgele en onder- teken het, en die Direkteur van elke ander departement betaal aan die Uitvoerenderaadslid van die betrokke departement in maandelikse paie die salaris en nie-belastbare toelaag waarop hy kragtens hierdie Wet geregtig is, gerekend van die dag waarop hy in artikel 15 van Bylaw H van die Grondwetproklamasiemisiek bedoelde eed afgele en onderteken het.

Salarisse en nie-belastbare toeke van lede maak verderings
uit teen inkomstenfonds

7. Die bedrag van die salarisse en nie-belastbare toeke wat kragtens hierdie Wet betaalbaar is, maak 'n jaarlike vordering teen die inkomstenfonds van KaNgwane uit en die bepaling van hierdie artikel word gevaar met betrekking van al die sodanige bedrag te wees.

Benaming van gevolmachtigde deur kapein

8. 'n Kapein wat tot Hoof-Uitvoerenderaadslid verkie- word of wat as Uitvoerenderaadslid aangeteek word, kan 'n gevolmachtigde benoem om hom behulpzaam te wees met die verrigting van aanvalsklike verhouding aan sy kapeinskop, en aan sodanige gevolmachtigde word gedurende sy amptstermyn die direkteur van die Departement van Overheidsakse en Finansies 'n toeke van hoogstens R600 per jaar betaal wat die Uitvoerende Raad bepaal.

Inwerkingtreding van sekere artikels


Kort titel

KANGWANE- WETGEWENDE VERGADERING.—
WYSING VAN PROKLAMASIE R. 214 VAN 1977

Kragtens die bevoegdheid my verleen by artikel 2 (3) van die Grondwet van die Bantuënislande, 1971 (Wet 21 van 1971), wysie ek hierby Proklamasi 214 van 16 September 1977, gedateer op 16 September 1977 ooreenkomstig die bygaande Bylae.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Durban, op hede die Twallaagste dag van Julie Hendatuinsend Negenhonderd Agt-en-sewenty.

N. DIEDERICH, Staatspresident.
Op las van die Staatspresident-in-rade:
C. P. MULDER.

BYLAE.

(i) Vervang subartikel (3) van artikel 2 van Bylae II deur die volgende subartikel:

"(3) By die verstryking van die termyn van die Wetgewende Vergadering of by die ontbinding daarvan word die lede van die nuwe Wetgewende Vergadering aangestel soos bepaal in subartikel (2) op 'n datum deur die Staatspresident by Proklamasi in die Staatshoorn bepaal."

(ii) Vervang artikel 5 van Bylae II deur die volgende artikel:

"5. Die termyn van elke Wetgewende Vergadering is vyf jaar vanaf die datum van die eerste sittingsdag van die eerste gewone sessie van die Wetgewende Vergadering na die samestelling daarvan ingevolge artikel 2 van hierdie Proklamasi, wêreldwyk 'n aanvanklik deur mense drie maande na die samestelling van sodanige Wetgewende Vergadering: Met dien verstande dat die Staatspresident op versoek van die Uitvoerende Raad by Proklamasi in die Staatshoorn die Wetgewende Vergadering kan ontbind voordat genoemde tydperk van vyf jaar verstryk het."
(iii) Voeg de volgende paragraaf in na paragraaf (d) van artikel 6 van Bylae II:

"(e) indien sodanige lid nalaat om ten minste die helfte van die aantal sittingsdae van enige gewone sessie van die Wetgewende Vergadering by te woon sonder verstrekking van rede aan die Voorstalter, voor die laaste sittingsdae van die besondere sessie, vir sy afwezigheid, wat aanvaarbaar is vir die Wetgewende Vergadering.")

(iv) Vervang artikel 7 van Bylae II deur die volgende artikel:

"7. Indien die setel van 'n lid van die Wetgewende Vergadering ingevolge artikel 6 vakant raak, moet sodanige vakature aangevoel word deur die aanstelling deur die betrokke streeksoevereheid, behoudens die bepalings van artikel 2 (2), van 'n lid vir die onverstrukte tydperk van die amptsternyn van sy voorganger. Met dien verstande dat die vakature nie aangevoel word nie indien die termyn van die Wetgewende Vergaderinginne drie maande van die ontstaan van sodanige vakature, verslyf.")

(v) Vervang subartikel (2) van artikel 8 van Bylae II deur die volgende subartikel:

"(2) 'n Buitengewone sessie van die Wetgewende Vergadering kan te enige tyd, en moet, indien die Minister die gels, deur die Uitvoerende Raad byeenkoms word, en, behoudens die voorbehoudsbepalings tot hierdie subartikel, mag op sodanige buitengewone sessie slegs die sake wat die Uitvoerende Raad goedgekeur, voorgelê word aan en behandel word deur die Wetgewende Vergadering. Met dien verstande dat indien sodanige buitengewone sessie op las van die Minister byeenkoms word, slegs die sake wat die buitroeping van die buitengewone sessie nodig gemaak het, bespreek word: Met dien verstande voorts dat die Wetgewende Vergadering by enige buitengewone sessie wat nie op las van die Minister byeenkoms is nie, deur 'n meerderheid van stemme kan besluit dat enige ander saak wat dringend en belangrik van aard is, by sodanige buitengewone sessie bespreek en behandel kan word.")

(vi) Vervang subartikel (4) van artikel 18 van Bylae II deur die volgende subartikel:

"(4) Die Sekretaris van die Wetgewende Vergadering moet skriftelik minstens 30 dae voor 'n gewone sessie en minstens sewe dae voor 'n buitengewone sessie van die Wetgewende Vergadering die lede en die Kommissies daarin in kennis stel van die datum en tyd bepaal vir sodanige sessie en indien dit 'n buitengewone sessie is van die sake wat behandel moet word, op sodanige buitengewone sessie: Met dien verstande dat genoemde tydperke van 30 dae en sewe dae, onderskeidelik, berken word vanaf die datum waarop sodanige kennisgewings gepas is.")

(vii) Vervang subartikel (1) van artikel 17 van Bylae II deur die volgende subartikel:

"(1) Behoudens andersluidende bepalings in hierdie Proklamasiervat--

(a) beklei die Hoof-Uitvoerenderaadslid sy amp vir die duur van die termyn van die Wetgewende Vergadering waardeur hy verkieis is en totdat sy opvolger deur 'n nuwe Wetgewende Vergadering verkieis is; en

(b) beklei 'n Uitvoerenderaadslid, uitgezonder die Hoof-Uitvoerenderaadslid, sy amp vir die duur van die termyn van die Wetgewende Vergadering waardeur die Hoof-Uitvoerenderaadslid deur die sodanige Uitvoerenderaadslid aangestel is, verkieis is, en totdat sodanige Uitvoerenderaadslid se opvolger deur die nuwe Hoof-Uitvoerenderaadslid aangestel is.")

(iii) Add the following paragraph after paragraph (d) of section 6 of Schedule II:

"(e) should such member fail to attend at least half the number of sitting days of any ordinary session of the Legislative Assembly without having furnished the Chairman prior to the last sitting day of the particular session with reasons for his absence which are acceptable to the Legislative Assembly.")

(iv) Substitute the following section for section 7 of Schedule II:

"7. Should the seat of a member of the Legislative Assembly become vacant in terms of section 6, the vacancy shall be filled by the appointment by the regional authority concerned, subject to the provisions of section 2 (2), of a member for the unexpired period of office of his predecessor; Provided that the vacancy shall not be filled if the life of the Legislative Assembly shall expire within three months of such vacancy arising.")

(v) Substitute the following subsection for subsection (2) of section 8 of Schedule II:

"(2) A special session of the Legislative Assembly may at any time, and shall, if the Minister so directs, be called by the Executive Council and, subject to the provisions of this subsection, at such special session only such matters as the Executive Council may approve, shall be held before and dealt with by the Legislative Assembly. Provided that if such special session is called by direction of the Minister, only the matters necessitating the calling of the special session shall be discussed. Provided further that the Legislative Assembly may, at any special session not called by direction of the Minister, by majority vote decide that any other matter that is of an urgent and important nature may be discussed and dealt with at such special session.")

(vi) Substitute the following subsection for subsection (4) of section 8 of Schedule II:

"(4) The Secretary of the Legislative Assembly shall in writing not less than 30 days prior to an ordinary session and not less than seven days prior to a special session of the Legislative Assembly inform the members and the Commissioner-general of the date and time fixed for such session and should it be a special session, of the matters to be dealt with at such special session: Provided that the said periods of 30 days and seven days respectively shall be calculated as from the date of posting of such notices.")

(vii) Substitute the following subsection for subsection (1) of section 17 of Schedule II:

"(1) Save as is otherwise provided for in this Proclamation--

(a) the Chief Executive Councillor shall hold office for the duration of the life of the Legislative Assembly by which he was elected and until his successor is elected by a new Legislative Assembly; and

(b) an Executive Councillor, other than the Chief Executive Councillor, shall hold office for the duration of the life of the Legislative Assembly by which the Chief Executive Councillor by whom such Executive Councillor was appointed, was elected, and until such Executive Councillor's successor is appointed by the new Chief Executive Councillors.")"
KANGWANE- WETG EWENDE VERGADERING.—
WYSIGING VAN PROKLAMASIE R. 214 VAN 1977

Kragtens die bevoegdheid my verleen by artikel 1 (2) van die Grondwet van die Bantoutrustelande, 1971 (Wet 21 van 1971), wysig ek hierby Bylae 1 van Proklamasie R. 214 gedateer 16 September 1977 deur die invoeging van die volgende paragraaf na paragraaf (a):

"(aA) Die gebied van die Moso-y-stamshowheid, waarvan die instelling bekend gemaak is by Goewwerns
dikgwening 1291 van 17 Augustus 1962."

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Durban, op hede die Elfde dag van Julie Hendisnend Negehonderd Agti-en-sewentig.

N. DIEDERICHS, Staatspresident.
Op las van die Staatspresident-in-rade:
C. P. MULDER.

No. R. 204, 1978

WYSIGING VAN PROKLAMASIE R. 216 VAN 1977

Kragtens die bevoegdheid my verleen by artikel 25 van
die Bantoeadministrasie Wet, 1927 (Wet 38 van 1927),
gelee met artikel 21 van die Bantoe-trust en grond Wet, 1936 (Wet 18 van 1936), wysig ek hierby die Bylae van
Proklamasie R. 216 gedateer 16 September 1977 ooreen-
komstig die hygaande Bylae.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Durban, op hede die Tweaande dag van Julie Hendisnend Negehonderd Agti-en-sewentig.

N. DIEDERICHS, Staatspresident.
Op las van die Staatspresident-in-rade:
C. P. MULDER.

BYLAE:
(a) Vervang die opschrift van Deel I deur die volgende
opschrift:
"Kangwane- Wetgewende Vergadering.
Stakings van die Betaling van Toelae aan Kapeins wat
lêe is van die Uitvoerende Rand van Kangwane.".

(b) Vervang regulasie 1 van Deel I deur die volgende:
"Indien 'n kaptein tot Hof Uitvoerenderaadsbed ver-
kies word of as Uitvoerenderaadsbed aangestel word, word
die betaling van enige toelage (behalwe 'n atferedintoe-
lae) wat ingevolge regulasie 24 van Proklamasie 110 van
1957, aan hom betaal word, van die dag waarop hy die
in artikel 15 van Bylae II van die Kangwane-grondwet-
proklamasie, 1977 (Proklamasie R. 214 van 1977) beskou
alges of onderken het, gestaak.".

(c) Herroep regulasies 2 tot 6, ingeslote, van Deel I.

SCHEDULE
(a) Substitute the following heading for the heading of
Part I:
"Kangwane Legislative Assembly.
Cessation of the Payment of Stipend to Chiefs who
are members of the Executive Council of Kangwane."

(b) Substitute the following for regulation 1 of Part I:
"If a chief is elected as Chief Executive Councillor or
appointed as Executive Councillor, the payment of any
allowance (other than a retiring allowance) which is paid
to him in terms of regulation 24 of Proclamation 110 of
1957, shall cease from the day on which he made and
subscribed to the oath referred to in section 15 of Schedule
II to the Kangwane Constitution Proclamation, 1977
(Proclamation R. 214 of 1977)."

(c) Repeal regulations 2 to 6, inclusive, of Part I.
PROCLAMATION

by the Acting State President of the Republic of South Africa

No. R. 274, 1978

AMENDMENT OF THE SWAZI STAFF REGULATIONS, 1977

Under and by virtue of the powers vested in me by section 25 (1) of the Black Administration Act, 1927 (Act 38 of 1927), read with section 21 (1) of the Development Trust and Land Act, 1936 (Act 18 of 1936), I hereby, with effect from 1 October 1977, amend the Swazi Staff Regulations, 1977, published under Government Notice R. 1815 of 9 September 1977, by the substitution for paragraph (a) of subregulation (2) of regulation C2 of the following paragraph:

“(a) a citizen of KaNgwane in terms of the provisions of the Black States Citizenship Act, 1970 (Act 26 of 1970), or, if he is not such a citizen, his appointment has been recommended by the Executive Council;”.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-sixth day of September, One thousand Nine hundred and Seventy-eight.

M. VILJOEN, Acting State President.
By Order of the Acting State President-in-Council:
C. P. MULDER.

GOVERNMENT NOTICES

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 2119 27 October 1978

REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF PEACHES AND NECTARINES INTENDED FOR SALE IN CERTAIN AREAS OF THE REPUBLIC OF SOUTH AFRICA

The Minister of Agriculture has, under the powers vested in him by section 89 of the Marketing Act, 1968 (Act 59 of 1968), made the regulations set out in the Schedule hereto.
ANNEXURE

Definitions

1. In these regulations, unless the context otherwise indicates—

(i) “Act” means the Black States Citizenship Act, 1970 (Act 26 of 1970);
(ii) “Commissioner” includes an Additional and an Assistant Commissioner and—

(a) in respect of KaNgwane, includes a magistrate, an additional and an assistant magistrate; and
(b) in respect of a district or area for which no Commissioner has been appointed, includes a magistrate or an additional or an assistant magistrate or an assistant magistrate having jurisdiction in that district or area;

(iii) “certificate” means a certificate of citizenship of KaNgwane;
(iv) “Councilor” means the member of the Executive Council to whom the control of the Department of Community Affairs has been assigned;
(v) “Director” means the officer assigned as administrative head of the Department of Community Affairs of the KaNgwane Government;
(vi) “Executive Council” means the Executive Council of KaNgwane;
(vii) “holder” means the person to whom a certificate has been issued in terms of regulation 5;
(viii) “responsible officer” means an officer whose function it is to receive or to consider applications for certificates;
(ix) “KaNgwane” means the area for which the KaNgwane Legislative Assembly was established by Proclamation R. 214 of 1977;
(x) “the KaNgwane Government” means the Government of KaNgwane.

Form of certificate

2. A certificate shall be in such form as the Executive Council may from time to time determine and shall indicate, inter alia—

(a) the name of the holder;
(b) the number of the certificate;
(c) that the holder is a citizen of KaNgwane;
(d) the emblem or coat of arms, if any, of the KaNgwane Government;
(e) the facsimile signature of the Councilor;
(f) a photograph of the holder.

Register of citizens

3. The Director shall maintain or cause to be maintained a register of the names and particulars of all persons to whom certificates have been issued.

Mutual arrangements with the Department of Plural Relations and Development

4. (1) Notwithstanding anything to the contrary contained in these regulations, the Councillor may make mutual arrangements with the Secretary for Plural Relations and Development for the processing of applications for certificates.

(2) Such arrangements may make provision, for inter alia—

(a) the printing and making available of application forms;
(b) the receipt of completed application forms;
(c) the transmission of completed application forms and certificates to given addresses;

AANHANGSEL

Woordomskrywing

1. In hierdie regulasies, ten sy uit die samehang anders byk, beteken—

(i) “Kommissaris” ook ‘n addisionele en ‘n assistent-kommissaris en—

(a) ten opsigte van KaNgwane, ook ‘n magistraat, ‘n addisionele en ‘n assistent-magistraat; en
(b) ten opsigte van ‘n distrikt of gebied ten opsigte waarvan geen Kommissaris aangestel is nie, ook ‘n landdros of ‘n addisionele of ‘n assistent-landdros met regsbevoegdheid in daardie distrikt of gebied;

(ii) “KaNgwane” die gebied waarvoor die KaNgwane-Wetgewende Vergadering ingestel is by Proklamasie R. 214 van 1977;

(iii) “die KaNgwane-regering” die Regering van KaNgwane;

(iv) “Direkteur” die beampte aangewys as administratiewe hoof van die Departement van Gemeenskapsakte van die KaNgwane-regering;
(v) “houer” die persoon aan wie ‘n sertifikaat kragtens regulasie 5 uitgereik is;
(vi) “Raadslid” die lid van die Uitvoerende Raad aan wie die baan van die Departement van Gemeenskapsakte opgedra is;
(vii) “sertifikaat” ‘n sertifikaat van burgerskap van KaNgwane;
(viii) “Uitvoerende Raad” die Uitvoerende Raad van KaNgwane;
(ix) “verantwoordelike beantwoord” ‘n beampte wie so funksie dit is om aansoeke om sertifikaat te ontvang of te oorweeg;

Vorm van sertifikaat

2. ‘n Sertifikaat is in die vorm soos van tyd tot tyd deur die Uitvoerende Raad bepaal en toon onder andere—

(a) die naam van die houer;
(b) die nommer van die sertifikaat;
(c) dat die houer ‘n burger van KaNgwane is;
(d) die emblem of wapen, as daar is, van die KaNgwane-regering;
(e) die facsimile-handteken van die Raadslid;
(f) ‘n foto van die houer.

Register van burgers

3. Die Direkteur hou ‘n register by of laat ‘n register byhou van die name en besonderhede van alle persone aan wie sertifikaat uitgereik is.

Onderlinge reëlings met die Departement van Plurale Betrekkinge en Ontwikkeling

4. (1) Ondanks ‘n andersluidende bepaling in hierdie regulasies vervat, kan die Raadslid onderlinge reëlings met die Sekretaris van Plurale Betrekkinge en Ontwikkeling tref vir die prosesserings van aansoeke om sertifikaate.

(2) Sodanige reëlings kan voorsiening maak vir, onder andere—

(a) die druk en beskikbaarstelling van aansekvorms;
(b) die ontvangs van ingevulde aansekvorms;
(c) die deursendings van ingevulde aansekvorms en sertifikaat na geeewe adresse;
(d) the making available of equipment for the purpose of the completion of application forms or for the production of certificates.

Issue of certificates

5. (1) A certificate shall be issued by the Councillor on behalf of the KaNgwane Government.

(2) If for any reason it would appear to be inexpedient, impracticable or impossible to issue, a certificate to a person who is alleged to be a citizen of KaNgwane, the responsible officer may, instead of issuing a certificate, issue a document, substantially in the form set out in Part C of the First Schedule to these regulations, to such person and may request him to present himself at a future date and at a place indicated so that a certificate, if it has been issued to him, can be handed to him, or posted to him, as the case may be.

Application for certificate

6. (1) Except where the KaNgwane Government otherwise determines, application may be made—

(a) to the person nominated by the KaNgwane Government;

(b) in an urban area, to a representative nominated in terms of the provisions of section 4 of the Promotion of Black Self-government Act, 1959 (Act 46 of 1959);

(c) to a Commissioner.

(2) An application for a certificate shall be made on a form substantially the same as that set out in the First Schedule to these regulations.

Photographs

7. (1) Every application for a certificate shall be accompanied by two identical photographs of the applicant, which shall comply with the following requirements:

(a) The outside measurements shall be as follows:

(i) Height: 40 mm (1 1/4"");

(ii) width: 30 mm (1 1/4"").

(b) Only the head and shoulders of the applicant shall be included in the photograph and the head in the final print shall not be less than 22 mm (") or more than 25 mm (") from the chin to the top of the hair.

(c) No silver grain shall be visible on the photographs.

(d) The face shall be a recognisable likeness of the applicant. For this purpose the whole of the face and both ears of the applicant shall be visible and the photograph shall be a recent one, taken without a hat or any other covering or ornament of any nature whatsoever. It shall also be without any temporary marks or colouring which may disguise his natural appearance or render identification from the photograph difficult. The photograph shall also not be damaged by holes, pencil or colouring-in marks, or in any other way.

(2) The responsible officer may reject the photographs submitted if, in his opinion, the said requirements are not complied with or he regards them as unsuitable in other respects and the applicant shall then furnish other suitable photographs at his own expense.

(3) If a photograph is taken by a photographer who is in the employ of the KaNgwane Government or who is acting on behalf of the KaNgwane Government and who visits an area where the services of professional photographers are not readily available, a sum of 50c shall be payable for two prints of a photograph taken

(d) die beskikbaarstelling van toerusting vir die invul van aanseke of vir die vervaardiging van sertifike.

Uitreiking van sertifike

5. (1) 'n Sertifikaat word deur die Raadslid ten behoeve van die KaNgwane-regering uitgereik.

(2) Indien dit om enige rede ondienstig, ondoenlik of onmoeilik blyk te wees om 'n sertifikaat uit te reik aan iemand wat beweer word 'n burger van KaNgwane te wees, kan die verantwoordelike beambte in stede van 'n sertifikaat, 'n dokument, wesentlik in die vorm soos uitgegee en in Deel C van die Eerste Blyae van hierdie regulasies, aan hom uitgereik en kan hy hom verskei om hom op 'n toekomstige datum en op 'n plek aangedaan, aan te meld sodat 'n sertifikaat, indien dit aan hom uitgereik is, aan hom oorhandig of gepos kan word, na gelang van die geval.

Aansoek om sertifikaat

6. (1) Behalwe waar die KaNgwane-regering anders bepaal, kan aanbieder om 'n sertifikaat gedoen word—

(a) by 'n persoon deur die KaNgwane-regering benoem;

(b) in 'n stedelike gebied, by 'n verteenwoordiger benoem kragtig die bepalings van artikel 4 van die Wet op die Bevordering van Swart Bestuur, 1959 (Wet 46 van 1959);

(c) by 'n Kommissaris.

(2) Aanbieder om 'n sertifikaat gedoen op 'n vorm wat wesentlik diezelfde is as die wat in die Eerste Blyae van hierdie regulasies uiteengezet is.

Fotos

7. (1) Elke aanbieder om 'n sertifikaat moet vergesel gaan van twee identieke fotos van die aanbieder wat tot die volgende vereistes moet voldoen:

(a) Die buitenste afmetings moet sover doenlik as volg wees:

(i) Hoogte: 40 mm (1 1/4")

(ii) breedte: 30 mm (1 1/4")

(b) Slegs die kop en skouers van die aanbieder moet op die foto ingesluit wees en die kop in die finale afdruk moet nie kleiner as 22 mm (") of groter as 25 mm (") van die bocht tot die boompunt van die hare wees nie.

(c) Geen silwerkoreel moet op die foto's sigbaar wees nie.

(d) Die gesig moet 'n herkenbare eewebdheid van die aanbieder wees. Vir dié doel moet die hele gesig en beide ore van die aanbieder sigbaar wees en moet dit 'n onlangs foto wees, geneem sonder 'n hoed of enige ander bedekking of toesig van watter aard ook. Ook moet dit sonder tydelike merke of kleur wees wat sy natuurlike voorkoms kan verbeden of uitsluiting van die foto kan bemoeilik. Die foto mag ook nie deur, potlood- of inkleermerk of op enige ander wyse gekend wees nie.

(2) Die verantwoordelike beambte kan die foto's wat verskaf is, verwerf indien dit na sy mening nie aan die genoemde vereistes voldoen nie of indien hy dit in ander opsigte ongelyk ag en die aanbieder moet dan op eie koste ander geskikte foto's verskaf.

As 'n foto geneem is deur 'n fotograaf wat in die diens van die KaNgwane-regering is of wat naamlik die KaNgwane-regering optree en wat 'n gebied besoek waar die diens van professionele fotografie nie geredelik beskikbaar is nie, is 'n bedrag van 50c betaalbaar vir twee afdrukke van 'n foto wat deur sodanige fotograaf
by such photographer, but should such prints be rejected 
by the responsible officer, the amount thus paid shall 
be repayable or another set of photographs shall, if 
possible, be taken.

(4) The Director may in his discretion grant approval 
for two identical photographs to be taken, the cost of 
which shall be borne by his Department, if he, on the 
recommendation of the responsible officer, is satisfied 
that—

(a) the person to whom the certificate is to be issued 
is indigent;

(b) that person has already supplied two identical 
photographs for the purpose of the certificate and 
that they have been lost or destroyed or damaged; or

c) a photograph which has been taken by a photo-
grapher mentioned in subregulation (3) is no longer 
suitable for purposes of identification and that the 
holder thereof was unable to prevent the unsatis-
factory condition thereof by reasonable means.

Death of holder of certificate

8. On the death of the holder of the certificate, the 
person who is in possession of the certificate shall 
immmediately send it to the nearest Commissioner or to 
the Director.

Duplicate certificates and replacement certificates

9. (1) A person whose certificate has been lost or 
destroyed may apply for a duplicate of that certificate.

(2) A sum of R1, which does not include the cost of 
the photographs, for every duplicate certificate is pay-
able by the person who applies therefor, but the 
Director may in his discretion grant exemption from 
the payment of this sum if he, as a result of the affidavit 
contained in the application or from other available 
information, is satisfied that the applicant for a duplicate 
certificate is indigent or that he could not by reasonable 
care have prevented the loss or destruction of the 
certificate.

(3) A person to whom a certificate which contains 
particulars that are incorrect has been issued may apply 
for a replacement certificate containing the correct 
particulars.

(4) A person who applies for a duplicate certificate 
or a replacement certificate shall mutatis mutandis 
follow the same procedure as is prescribed in these 
regulations for the issue of original certificates.

Unclaimed certificates

10. If the person who has applied for a certificate or 
a duplicate certificate fails or neglects to take possession 
of it within a period of six months after the certificate 
had been received at the office or at the place to which 
that person requested that it should be sent—

(a) the certificate may be disposed of in such 
manner as the Director may direct;

(b) the application shall be deemed to have lapsed; and

c) the amount paid for the certificate and for any 
photograph which is attached to the certificate and 
which has been taken by a photographer mentioned 
in regulation 7 (3) shall be forfeited to the KaNgwane 
Government.

geneem is, maar indien sodanige afdrukke deur die 
verantwoordelike beapptte verwerp word, is die bedrag 
aldus betaal, terugbetaalbaar of moet 'n ander stel foto's, 
indien moontlik, geneem word.

(4) Die Direkteur kan na goeddeunke goedkeuring 
verleen vir die neem van twee identieke foto's waarvan 
die koste deur sy Departement gedra word, indien hy op 
anbeveling van die verantwoordelike beapptte daarvan 
ooruit is dat—

(a) die persoon aan wie 'n sertifikaat uitgereik 
staan te word, behoefig is;

(b) daardie persoon reeds twee identieke foto's vir 
doeelindes van die sertifikaat verskaf het en dat dié 
weggeraak het of vernietig of beskadig is; of

c) 'n foto wat geneem is deur 'n fotograaf in sub-
reguliste (3) genoem, nie meer vir identifikasiedoel-
endes geskik is nie en dat die houer daarvan nie deur 
redelike voorsorg die swak toestand daarvan kon 
verhoed het nie.

Oorlyde van houer van sertifikaat

8. By die oorlyde van die houer van 'n sertifikaat 
moet die persoon wat in besit is van die sertifikaat, dit 
onverwyld deurstuur na die naaste Kommissaris of na 
die Direkteur.

Duplikatsertifikaat en vervangingsertifikaat

9. (1) 'n Persoon wie se sertifikaat weggeraak het of 
vernietig is, kan aansoek doen om 'n duplikaat van 
daarlike sertifikaat.

(2) Vir elke duplikatsertifikaat is 'n bedrag van R1, 
wat nie die koste van die foto's insluit nie, betaalbaar 
deur die persoon wat daarom aansoek doen, maar die 
Direkteur kan na goeddeunke van die betaling van hier-
die bedrag afsien as hy as gevolg van die beeldende 
verklaring wat in die aansoek vervat is, of van ander 
besluitbare ingting, daarvan ooruit is dat die applikant 
oor 'n duplikatsertifikaat behoefig is of dat hy nie 
deur redelike voorsorg die verlies of vernietiging van die 
sertifikaat kon verhoed nie.

(3) 'n Persoon aan wie 'n sertifikaat uitgereik is 
waarin besonderhede voorkom wat foutief is, kan 
aansoek doen om 'n vervangingsertifikaat waarop die juiste 
besonderhede voorkom.

(4) 'n Persoon wat aansoek doen om 'n duplikaat-
sertifikaat of 'n vervangingsertifikaat, volg dieselfde 
prosedure mutatis mutandis as wat in hierdie regulasies 
voorgeskryf word vir die uitekning van oorspronklike 
sertifikaate.

Onopgeloste sertifikaate

10. Indien die persoon wat om 'n sertifikaat of 'n 
duplikaat van 'n sertifikaat aansoek gedoen het, versoim 
of nalaat om dit in ontvang te neem binne 'n tydperk 
van ses maande nadat die sertifikaat ontvang is in die 
kantoor of op die plek waarheen daardie persoon vet-
soek het dat dit gestuur word—

(a) kan daar oor die sertifikaat beskik word op 
sodanige wyse as wat die Direkteur bepaal,

(b) word die aansoek geag te vervol het; en

c) word die bedrag wat betaal is vir die sertifikaat 
evir enige foto wat aan die sertifikaat geheg is en 
wat geneem is deur 'n fotograaf genoem in regulasie 
7 (3), aan die KaNgwane-regering verbee,
Handing in of lost certificates

11. Any person who comes into possession of a certificate which has not been issued to him shall, except where the certificate has been handed to him for transmission to the person to whom it was originally issued, immediately deliver or send the certificate to the nearest police station or to the Commissioner or the Director with an indication of the circumstances under which he came into possession thereof.

Loss of citizenship

12. Where citizenship of KaNgwane is lost on any of the grounds mentioned in section 4 of the Act, the certificate shall be cancelled by the Director and a suitable entry made in the register of citizens.

Objections by citizen

13. (1) Any person whose application for a certificate has been refused may, within one month of being notified of such refusal, lodge an objection against such refusal with the Director.

(2) For the purposes of the objection in terms of sub-regulation (1) the Director may require that person to complete a form substantially the same as that set out in the Second Schedule to these regulations and he may obtain from that person such further information as he may deem necessary and he shall refer all this information to the Councillor who shall submit it to the Executive Council for consideration.

(3) The person who has lodged an objection against the refusal of his application shall as soon as possible be advised of the result of his objection.

Appeals to the Minister

14. (1) Any person mentioned in regulation 13 (2) may, within one month of the decision of the Executive Council in regard to his objection having been made known to him, appeal to the Minister against such decision. Such appeal shall be in the form of a written request to the Director that the original of the objection and of the documents which were furnished or evidence which was led in connection with the proceedings be submitted to the Minister.

(2) The Minister shall cause the person who has appealed and the Executive Council to be informed of the result of the appeal as soon as possible.

Surrender of certificates by persons who are on the point of leaving the Republic

15. Any police officer, passport control officer or officer in the service of the State or the KaNgwane Government who is satisfied that any person who is in possession of a certificate is on the point of leaving the Republic permanently may demand from such person that he surrender to him any certificate which may have been issued to him and if such person should refuse or neglect to do so, such officer may confiscate such certificate, and shall dispose of it in such manner as the Director may determine.

Short title

16. These regulations shall, for all purposes, be called the KaNgwane Citizenship Regulations, 1978.
FIRST SCHEDULE

PART A

APPLICATION FOR A *CERTIFICATE/DUPLICATE CERTIFICATE OF CITIZENSHIP

To the Director of Community Affairs
KaNgwane Government Service
Private Bag X1004
Louw's Creek
1302

1. I hereby apply for the issue to me of a *certificate/duplicate certificate of citizenship of KaNgwane.

2. In support of my application I state—

(a) that my full name is: Surname

(b) that I was born in the Republic of South Africa;

(c) that I am not a prohibited immigrant in the Republic of South Africa;

(d) that a certificate of citizenship has been issued to me by the Government of any other Black state/that the attached certificate No. was issued to me by the Government of .

(e) that my identification number is .

(f) that I base my claim to citizenship on the following:

(i) I was born in KaNgwane, namely at .

(ii) I am domiciled in KaNgwane, namely residing at .

(iii) I speak a language used by the population of KaNgwane, namely .

(iv) I belong to a related language group which normally speaks a dialect of a language used by the population of KaNgwane, namely .

(v) I am related to a member of the population of KaNgwane, namely .

(vi) I have associated myself with I am as a result of my cultural background connected with a section of the population of KaNgwane, namely the tribe under Chief .

3. (In the case of an application for a duplicate certificate):

(a) A Certificate of Citizenship No. was issued to me but it has been lost/destroyed/stolen and I am furnishing details of such loss, destruction or theft .

(b) The certificate which was issued to me and which I am handing in contains the following incorrect particulars and I should be glad to receive a certificate in replacement thereof but continuing the correct particulars .

4. I enclose two recent photographs of myself (head and shoulders only).

5. I request that the certificate *be posted to me/be made available to me at the following address .

Place 

Date 

Signature or mark of applicant

* Delete whichever is not applicable.

PART B

I am satisfied that the applicant is a citizen of KaNgwane.

Councillor for Community Affairs
(or representative)

PART C

I hereby certify that has applied for a certificate of citizenship for KaNgwane.

He should present himself on or after at .

* to receive the certificate, if issued, the certificate will, if issued, be posted to him/If a certificate is not issued the person who has applied therefor will be notified of such decision and
the period of validity of this document will terminate on the date of
termination thereof.
Date stamp
Signature of officer who received
the application

* Delete whichever is not applicable.

SECOND SCHEDULE

OBJECTION TO REFUSAL OF CITIZENSHIP CERTIFICATE

PART A

To the Director of Community Affairs
KaNgwane Government Service
Private Bag X1004
Louw's Creek
1302

In view of the fact that my application for a certificate of citizenship of KaNgwane has been refused, I hereby lodge an objection to such refusal and assert that I am, indeed, a citizen of KaNgwane and that I am entitled to a certificate of citizenship.

I base my claim to such citizenship on the following grounds:


In support of my claim I *enclose the following documents/submit the following additional information.

Place......................................................

Date......................................................

Signature or mark of applicant

PART B

DECISION OF THE EXECUTIVE COUNCIL

After having heard the objection of the applicant and after having
examined the attached documents, the Executive Council is satisfied that the applicant *is/is not a citizen of KaNgwane.

Remarks................................................

Place......................................................

Date......................................................

Director of Community Affairs

* Delete whichever is not applicable.

gedoen het van sodanige beslissing in kennis gestel word en verval
die geldigheidsduur van hierdie dokument op die datum van
bekendmaking daarvan.
Datumstempel
Handtekening van beantwoord wat
aanvraas ontvang

* Skrap wat nie van toepassing is nie.

TWEDE BYLAAR

BESWAAR TEEN WEIERING VAN BURGERSKAPSCERTIFIAAT

DEEL A

Aan die Direkteur van Gemeenskapsak
KaNgwane-Regeringsdiens
Privaatsak X1004
Louws* Creek
1302

Aangesien my aanvraag om ’n sertifikaat van burgerskap van
KaNgwane geweier is, teken ek hierby beswaar teen sodanige
weiering aan en beweer ek dat ek wel ’n burger is van KaNgwane
eं dat ek geregtig is op ’n sertifikaat van burgerskap.

Ek grond my aanspraak op sodanige burgerskap op die volgende
feite:

Ter stawing van my aanspraak *sluit ek die volgende doku-
mente in/verstrek ek die volgende bykomende inligting:

Plek......................................................

Handtekening of merk van
aplikant

DEEL B

BESLISSING VAN DIE UITVOERENDE RAAD

Nadat die beswaar van die applikant aangehoor is en nadat die
aangehegde dokumente bestudeer is, is die Uitvoerende Raad oor-
tuig dat die applikant *’n burger van KaNgwane is/nie ’n burger
van KaNgwane is nie.

Opmerkings............................................

Plek......................................................

Datum......................................................

Direkteur van Gemeenskapsak

* Skrap wat nie van toepassing is nie.
DEPARTMENT OF PLURAL RELATIONS, AND DEVELOPMENT
No. R. 2531
22 December 1978
The following Government Notice, issued by the Government of KaNgwane, is published for general information:

KANGWANE GOVERNMENT
KANGWANE GOVERNMENT NOTICE 1 OF 1978
DEPARTMENT OF AUTHORITY AFFAIRS AND FINANCE
INCLUSION OF THE AREA OF THE MASOYI TRIBAL AUTHORITY IN THE AREA OF THE LEGOTSE NSIKAZI REGIONAL AUTHORITY

The Executive Council of KaNgwane has been pleased, under and by virtue of the powers vested in it by sections 2 (1) (b) and 3 (1) of the Black Authorities Act, 1951 (Act 68 of 1951), read with section 2 (e) of the Black States Constitution Act, 1971 (Act 21 of 1971),

and item 30 of Schedule I of the said Black States Constitution Act, 1971 to—

(1) include the area of the Masoyi Tribal Authority, the establishment of which was made known by Government Notice 1291 of 1962, in the area of the Legotse Nsikazi Regional Authority, the establishment of which was made known by Government Notice 1286 of 1962; and

(2) increase the number of members of the said Legotse Nsikazi Regional Authority from 15 to 18.


(a) by the substitution for paragraph (1) of the following paragraph:

"(1) in terms of paragraph (b) of section 2 (1) of the Black Authorities Act, 1951 (Act 68 of 1951), to establish a regional authority to be known as the Legotse Nsikazi Regional Authority in respect of the areas for which the following tribal authorities have been established:

(a) Mpakeni Tribal Authority;
(b) Gutshwa Tribal Authority;
(c) Mbuyane Tribal Authority;
(d) Mhulumi Tribal Authority;
(e) Swazi-Msogwaba Tribal Authority; and
(f) Masoyi Tribal Authority; and"

(b) by the substitution in paragraph (2) for the word "fifteen" of the word "eighteen".

(File F55/4/14)
Homeland

Swaziland - General

1979

March - June - Aug - Nov
Hoe die geld bestee moet word

2. Die geld wat deur hierdie Wet beskikbaar gestel word, moet aangewend word vir die diensle in besonderhede in die Bylae vermeld en meer omstandig uiteengesit in die Begroting van Addisionele Uitgawes, soos aan die KaNgwane-Wetgewende Vergadering voorgeleë en deur die KaNgwane-Wetgewende Vergadering goedgekeur, en vir geen ander doel nie.

Hoof-Uitvoerendaalid kan afwyking goedkeur

3. Met die goedkeuring van die Hoof-Uitvoerendaalid kan 'n besparing onder die een hoofindeling van 'n begrotingspos aangewend word tot dekking van uitgawes bo die gesagte bedrage onder 'n ander hoofindeling of van uitgawes onder 'n Nuwe hoofindeling van dieselfde begrotingspos.

Kort titled


BYLAE

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<th>No.</th>
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<th>Bedrag</th>
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<td>Gemeenskapsakte</td>
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<td>Werke</td>
<td>407 150</td>
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<tr>
<td>4</td>
<td>Onderwys en Kultuur</td>
<td>459 959</td>
</tr>
<tr>
<td>5</td>
<td>Landbou</td>
<td>265 600</td>
</tr>
<tr>
<td></td>
<td>Totaal</td>
<td>R1 328 515</td>
</tr>
</tbody>
</table>

How money to be applied

2. The money appropriated by this Act shall be applied to the services detailed in the Schedule, and more particularly specified in the Estimates of Additional Expenditure, as submitted to and approved by the KaNgwane Legislative Assembly, and to no other purpose.

Chief Executive Councillor may approve variation

3. With the approval of the Chief Executive Councillor a saving on any main division of a vote may be made available to meet excess expenditure on any other main division or expenditure on a new main division of the same vote.

Short title

4. This Act shall be called the KaNgwane Additional Appropriation Act, 1980.

SCHEDULE

<table>
<thead>
<tr>
<th>No.</th>
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<tr>
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<td>Authority Affairs and Finance</td>
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<td>2</td>
<td>Community Affairs</td>
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<td>3</td>
<td>Works</td>
<td>407 150</td>
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<tr>
<td>4</td>
<td>Education and Culture</td>
<td>459 959</td>
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<tr>
<td>5</td>
<td>Agriculture</td>
<td>265 600</td>
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<tr>
<td></td>
<td>Total</td>
<td>R1 328 515</td>
</tr>
</tbody>
</table>
No. R. 57, 1979


Kragtens die bevoegdheid my verleen by artikel 2 (3) van die Grondwet van die Swart State, 1971 (Wet 21 van 1971), wysig ek hierby die KaNgwane Grondwetproklamasie, 1977 (Proklamasie R. 214 van 1977), met ingang van 1 April 1979, deur die woord “vier” waar dit in artikel 11 (1) voorkom deur die woord “vyf” te vervang.

Gegee onder my Hand en die Scel van die Republiek van Suid-Afrika te Kaapstad, op hede die Eén-entwintigste dag van Maart Fentuisend Negehonderd Nege-en-seventig.

B. J. VORSTER, Staatspresident.

Op las van die Staatspresident-in-rade:

P. G. J. KOORNHOF.

(Lêer R223/22)

No. R. 58, 1979

INSTELLING VAN DIE KANGWANE EKONOMIESE ONTWIKKELINGSKORPORASIE BEPERK

Kragtens die bevoegdheid my verleen by artikel 5 (1) en (3) van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Swart State, 1968 (Wet 46 van 1968), stel ek hierby met ingang van 1 April 1979, ten opsigte van daardie Swart gebiede wat deur die Swazi-volk bewoon word, ’n ontwikkelingskorporasie in wat bekend sal staan as die KaNgwane Ekonomiese Ontwikkelingskorporasie, Beperk.

Gegee onder my Hand en die Scel van die Republiek van Suid-Afrika te Kaapstad, op hede die Agt-entwintigste dag van Maart Fentuisend Negehonderd Nege-en-seventig.

B. J. VORSTER, Staatspresident.

Op las van die Staatspresident-in-rade:

P. G. J. KOORNHOF.

No. R. 57, 1979


Under and by virtue of the powers vested in me by section 2 (3) of the Black States Constitution Act, 1971 (Act 21 of 1971), I hereby amend the KaNgwane Constitution Proclamation, 1977 (Proclamation R. 214 of 1977), with effect from 1 April 1979, by the substitution for the word “four” where it appears in section 11 (1) of the word “live”.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-first day of March, One thousand Nine hundred and Seventy-nine.

B. J. VORSTER, State President.

By Order of the State President-in-Council:

P. G. J. KOORNHOF.

(File R223/22)

No. R. 58, 1979

ESTABLISHMENT OF THE KANGWANE ECONOMIC DEVELOPMENT CORPORATION LIMITED

Under the powers vested in me by section 5 (1) and (3) of the Promotion of the Economic Development of Black States Act, 1968 (Act 46 of 1968), I hereby establish with effect from 1 April 1979, in respect of those Black areas occupied by the Swazi national unit, a development corporation to be known as the KaNgwane Economic Development Corporation, Limited.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-eighth day of March, One thousand Nine hundred and Seventy-nine.

B.J. VORSTER, State President.

By Order of the State President-in-Council:

P. G. J. KOORNHOF.
DEPARTEMENT VAN SAMEWERKING EN ONTWIKKELING
No. R. 651 28 Maart 1980
KANGWANE- WETGEWENDE VERGADERING WET 1 VAN 1980
(ADDISIONELE BEGROTINGSWET)

Dit het die Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel 3 (2) van die Grondwet van die Swart State, 1971 (Wet 21 van 1971), sy goedkeuring te heeg aan onderstaande Wet:

WET

Tot aanwending van 'n verdere som geld vir die dienste van die gebied van die KaNgwane- Wetgewende Vergadering vir die boekjaar wat op die 31ste dag van Maart 1980 eindig.

Daar word deur die KaNgwane- Wetgewende Vergadering verorden.

Inkomstefonds belas met somme geld soos uiteengesit in die Blyae

1. Die Inkomstefonds van die gebied van die KaNgwane- Wetgewende Vergadering word hierby belas met die somme geld wat nodig is vir die dienste van genoemde gebied vir die boekjaar wat op die 31ste dag van Maart 1980 eindig, soos uiteengesit in die Blyae, benewens die somme waarmee bedoelde Fonds deur die KaNgwane-wet op die Begroting, 1979 (Wet 2 van 1979), belas is.

DEPARTMENT OF CO-OPERATION AND DEVELOPMENT
No. R. 651 28 March 1980
KANGWANE LEGISLATIVE ASSEMBLY
ACT 1 OF 1980
(APPROPRIATION ACT)

The State President has been pleased, under and by virtue of the powers vested in him by section 3 (2) of the Black States Constitution Act, 1971 (Act 21 of 1971), to approve the following Act:

ACT

To apply a further sum of money towards the services of the area of the KaNgwane Legislative Assembly for the financial year ending on the 31st day of March 1980.

Be it enacted by the KaNgwane Legislative Assembly.

Revenue Fund charged with sums of money as shown in the Schedule

1. The Revenue Fund of the area of the KaNgwane Legislative Assembly is hereby charged with such sums of money as may be required for the services of the said area for the financial year ending on the 31st day of March 1980, as shown in the Schedule, in addition to the sums with which that Fund has been charged by the KaNgwane Appropriation Act, 1979 (Act 2 of 1979).
KANGWANE—WETGEWENDE VERGADERING
WET 1 VAN 1979

(ADDITIONELE BEGROTINGSWET)

Dit het die Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel 3 (2) van die Grondwet van die Swart State, 1971 (Wet 21 van 1971), sy goedkeuring te hê aan onderstaande WET:

**WET**

Tot aanwending van 'n verdere som geld vir die dienste van die gebied van die KaNgwane- Wetgewende Vergadering vir die boekjaar wat op die een-en-derde dag van Maart 1979 eindig.

No. 709 30 March 1979
KANGWANE LEGISLATIVE ASSEMBLY
ACT 1 OF 1979

(ADDITIONAL APPROPRIATION ACT)

The State President has been pleased, under and by virtue of the powers vested in him by section 3 (2) of the Black States Constitution Act, 1971 (Act 21 of 1971), to approve the following Act:

**ACT**

To apply a further sum of money towards the Services of the Area of the KaNgwane Legislative Assembly for the financial year ending on the thirty-first day of March, 1979.

866379

54 No. 6379
STAATSKOERANT, 29 MAART 1979

Daar word deur die KaNgwane- Wetgewende Vergadering verord:

1. **Inkomstefonds belas met somme geld soos uitgeengst in die Bylae**

   1. Die Inkomstefonds van die gebied van die KaNgwane- Wetgewende Vergadering word hierby belas met die somme geld wat nodig is vir die dienste van die gebied vir die boekjaar wat op die een-en-derde dag van Maart 1979 eindig, soos uitgeengst in die Bylae, benewens die somme waarmee behoefde Fonds deur die KaNgwane-wet vir die Begroting, 1978 (Wet 1 van 1978), belas is.

   **Hoe die geld bestee moet word**

   2. Die geld wat deur hierdie WET beskikbaar gestel word, moet aangewend word vir die dienste in besonderheid in die Bylae vermeld en meer omstandig uitgeengst in die Begroting van Additionele Uitgawes, soos aan die KaNgwane- Wetgewende Vergadering voorgeli en deur die KaNgwane- Wetgewende Vergadering goedgekeur, en vir geen ander doel nie.

   **Hoof-Uitvoerenderaadslid kon uitwyking goedkeur**

3. Met die goedkeuring van die Hoof-Uitvoerendeaadslid kan 'n besparing onder die een hoofindeling van 'n begrotingspos aangewend word tot dekking van uitgawes bo die gemagigde bedrag onder 'n ander hoofindeling of van uitgawes onder 'n nuwe hoofindeling van dieselfde begrotingspos.

Kort title


<table>
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<th>BYLAE</th>
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<td>2</td>
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<td>3</td>
<td>Werke.</td>
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<tr>
<td>Totaal</td>
<td></td>
<td>1 750 410</td>
</tr>
</tbody>
</table>

Be it enacted by the KaNgwane Legislative Assembly:

Revenue Fund charged with sums of money as shown in the Schedule

1. The Revenue Fund of the area of the KaNgwane Legislative Assembly is hereby charged with such sums of money as may be required for the services of the said area for the financial year ending on the thirty-first day of March, 1979, as shown in the Schedule, in addition to the sums with which that Fund has been charged by the KaNgwane Appropriation Act, 1978 (Act 1 of 1978).

How money to be applied

2. The money appropriated by this Act shall be applied to the services detailed in the Schedule, and more particularly specified in the Estimates of Additional Expenditure, as submitted to and approved by the KaNgwane Legislative Assembly, and to no other purpose.

Chief Executive Councillor may approve variation

3. With the approval of the Chief Executive Councillor a saving on any main division of a vote may be made available to meet excess expenditure on any other main division or expenditure on a new main division of the same vote.

Short title

4. This Act shall be called the KaNgwane Additional Appropriation Act, 1979.

<table>
<thead>
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<th>SCHEDULE</th>
<th>Vote</th>
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<tr>
<td>No.</td>
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<td>Community Affairs and Justice</td>
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<td>3</td>
<td>Works</td>
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<td>4</td>
<td>Education and Culture</td>
<td>255 060</td>
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<tr>
<td>Total</td>
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<td>1 750 410</td>
</tr>
</tbody>
</table>
Control settlement, Vosloo urges

KANYAMAZANE. — Although the KwaNgwane government had taken its first step along the road to constitutional development with limited funds because of adverse economic conditions, it had succeeded in maintaining existing services, the Deputy Minister of Plural Relations and Development, Dr Willie Vosloo, said in Kanyamazane yesterday.

Opening the second session of the second KwaNgwane Legislative Assembly, Dr Vosloo said the homeland had also managed to establish additional services for the Swazi, who had continued to migrate to the territory in large numbers.

"The Swazi people, who are clearly experiencing a national awakening, are still flocking to the territory in their thousands," he said.

"Although one has great appreciation of the fact that people want to come and settle in their national home, it is necessary to sound a warning that chiefs should not allow settlement to take place in an unregulated way."

Because it had not been possible to foresee that people would move to the territory in such numbers, services became inadequate and the highest degree of administrative skill was needed to prevent a collapse.

Dr Vosloo said work was already in progress on the drafting of a national plan for KwaNgwane.

"This will undoubtedly help attract new entrepreneurs to the territory and encourage the establishment of smaller industries needed to promote productivity and create a national income."

Dr Vosloo reported progress in agriculture "despite a critical shortage of experienced staff."

And by the end of last year, more than 74,000 pupils had been enrolled at schools — an increase of 23% on the previous year. — Sopa.
No. R. 1423  
29 June 1979

KANGWANE WETGEWENDE VERGADERING

WET 2 VAN 1979
(BEGROOTINGSWET)

Dit het die Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel 3 (2) van die Grundwet van die Swart State, 1971 (Wet 21 van 1971), sy goedgekeurde teg na onderstaande Wet.

WET

Tot aanwending van 'n som geld vir die dienste van die gebied van die KaNgwane- Wetgewende Vergadering vir die boekjaar wat op die 31ste dag van Maart 1980 eindig.

Daar word deur die KaNgwane- Wetgewende Vergadering verord;

Inkomstefonds hele met somme geld soos uiteengesit in kolom 1 van die Bylae

1. Die Inkomstefonds van die gebied van die KaNgwane- Wetgewende Vergadering word hierby belas met die somme geld wat nodig is vir die dekking van genoemde gebied vir die boekjaar wat op die 31ste dag van Maart 1980 eindig, soos uiteengesit in kolom 1 van die Bylae.

Hoe die geld bestee moet word

2. Die geld wat deur hierdie Wet beskikbaar gestel word, moet aangewend word vir die dienste in besonderhede in die Vergadering van die Bylae vermeld en meer omstandig uiteengesit in die Begrooting van Uitgawes, soos aan die KaNgwane- Wetgewende Vergadering voorgestel en deur die KaNgwane- Wetgewende Vergadering goedgekeur, en vir geen ander doel nie.

STAAKSKOERANT, 29 JUNIE 1979

No. 6595 41

Hoof-Uitvoerendaarslid kan afwyking goedgekeur

Met die goedgekeuring van die Hoof-Uitvoerenderaadslid kan 'n besparing onder 'n hoofindeling van 'n begrootingspos aangewend word tot dekking van uitgawes bo die gemagtigde bedrag onder 'n ander hoofindeling of van uitgawes onder 'n nuwe hoofindeling van dieselfde begrootingspos; Met die verstande dat die somme wat in kolom 2 van die Bylae voorkom nie oorskyn mag word nie en besparing daarop met die goedgekeuring van die Hoof-Uitvoerendaarslid, aangewend kan word ter besparing van ander uitgawes waarvoor n onvolwonde bewëling onder daardie begrootingspos gemaak is.

Hoof-Uitvoerendaarslid kan oorskrywing van bedrae soos uiteengesit in kolom 2 van die Bylae goedgekeur

Ondanks die bepalingen van artikel 3 kan die Hoof-Uitvoerendaarslid migtiging verleen dat geld in die Inkomstefonds gedurende die boekjaar aangewend word ter besparing van uitgawes in verband met 'n vervagte oorskrywing van bedrae wat in kolom 2 van die Bylae voorkom. Met dien verstande dat die beslag aldes oorskry kan aan die Wetgewende Vergadering vir bewëling tydens sy eerstelike siting voorgele het word.

Kort titel

GOVERNMENT NOTICES

DEPARTMENT OF CO-OPERATION AND DEVELOPMENT

No. R. 2067
21 September 1979

KWANDEBELE STAFF REGULATIONS, 1979

The State President has been pleased, under the provisions of section 17 of the Black Authorities Act, 1951 (Act 68 of 1951), to make the regulations in the Schedule hereto, being the Staff Regulations for the KwaNdebele Territorial Authority.

SCHEDULE

ARRANGEMENT OF REGULATIONS

Chapter I

Part A

Definitions........................................ A1-A2

Part B

Organisation and administration................. B1-B9

Part C

Appointments, promotions, transfers, retirements and discharges.............. C1-C5

Part D

Inefficiency and misconduct....................... D1-D7

Part E

General.............................................. E1-E6

Chapter II

Part F

Definitions........................................ F1

Part G

Leave of absence..................................... G1-G22

Part H

Subsistence, camping and special allowances..... H1-H10

Part J

Official travelling and transport............... J1-J10

Part K

Transfer expenses and transport privileges on first appointment and on termination of services or death........................................ K1-K4

Official hours of attendance, attendance registers, working weeks and overtime remuneration........ L1-L6

6669—1
DEPARTMENT OF CO-OPERATION AND DEVELOPMENT
No. R. 1674 3 August 1979
REGULATIONS.—KANGWANE ECONOMIC DEVELOPMENT CORPORATION LIMITED

Under and by virtue of the powers vested in me by section 26 of the Promotion of the Economic Development of Black States Act, 1968 (Act 46 of 1968), I, Pieter Gerhardus Jacobus Koornhof, Minister of Co-operation and Development, hereby make the regulations contained in the Schedule hereto in respect of the Kangwane Economic Development Corporation Limited, established by Proclamation R. 58 of 1979.

P. G. J. KOORNHOF, Minister of Co-operation and Development.

SCHEDULE

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Promotion of the Economic Development of Black States Act, 1968 (Act 46 of 1968), shall bear the meaning so assigned thereto, and—

“Act” means the Promotion of the Economic Development of Black States Act, 1968 (Act 46 of 1968);

GG 6608
“Korporasie” die KaNgwane Ekonomiese Ontwikkelingskorporasie Beperk, wat by Proklamasi R. 58 van 1979 ingestel is; “ouditeur” die persoon wat ingevolge artikel 21 (2) van die Wet benoem is om die rekeninge van die Korporasie te oudeite; “Raad” die raad van direkteure van die Korporasie ingevolge artikel 9 van die Wet aangestel; “sekretaris” die persoon deur die Raad aangestel om die pligte van sekretaris te vervul; “Wet” die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Swart State, 1968 (Wet 46 van 1968).

Hoofkantoor
2. Die hoofkantoor van die Korporasie is in Witrivier geleë tot tyd en wyl die Minister na oorlog met die Korporasie anders bepaal.

Boekjaar
3. Die boekjaar van die Korporasie eindig op 31 Maart van elke jaar.

Aangeleentheid wat aan die Trustee vir beslissing voorgele moet word
4. Die Raad lei die volgende aan die Trustee vir sy beslissing voor:
   (a) Enige aangeleentheid waaroor die Trustee moet beslis of wat hy moet goedkeur of bepaal, ingevolge die Wet;
   (b) enige aangeleentheid wat die Raad aan die Trustee moet voorlie, indien die Trustee dit ingevolge artikel 24 van die Wet vereis;
   (c) enige aangeleentheid wat uit die toepassing van die Wet of hierdie regulasies of die uitoefening, deur die Raad, van sy bevoegdhede of die vervulling van sy pligte voortspruit en waarvan voorlegging aan die Trustee dienstig geag word.

Procedure wat gevolg moet word om Trustee se beslissing te verkry
5. Enige aangeleentheid wat ingevolge regulasie 4 van die Trustee voorgele word—
   (a) moet aan die Minister voorgele word, tensy die Minister anders bepaal;
   (b) moet skriftlik voorgele word;
   (c) moet, indien dit nie 'n afskrif is nie van 'n besluit van die Raad of 'n uitreksel uit die notule van 'n vergadering van die Raad, behoorlik deur die voorantwoordende voorzitter en die sekretaris gesigneer, vergresel gaan van 'n besluit van die Raad wat as sodanig gesigneer moet wees en wat 'n aanbeveling deur of die sienswyse van die Raad moet bevat; en
   (d) moet, indien 'n direkteur dit verlang, vergresel gaan van 'n asonderlike verslag deur sodanige direkteur: Met dié verklaring dat die Minister kan gelaat dat enige bepaalde aangeleentheid voorgele moet word op 'n ander wyse wat hy goed ag.

Voorwaardes verbonden aan amp van direkteur
6. Die amptenares van die direkteure en van die voorantwoordende van die Raad en die bepaling van 'n direkteur is soos deur die Trustee ingevolge artikel 13 van die Wet bepaal.

“auditor” means the person appointed in terms of section 21 (2) of the Act to audit the accounts of the Corporation;
“Board” means the board of directors of the Corporation, appointed in terms of section 9 of the Act;
“Corporation” means the KaNgwane Economic Development Corporation Limited, established by Proclamation R. 58 of 1979;
“director” means a director of the Corporation, appointed in terms of section 9 of the Act;
“secretary” means the person appointed by the Board to perform the duties of secretary.

Head office
2. The head office of the Corporation shall be situated in Witrivier until such time as the Minister after consultation with the Corporation determines otherwise.

Financial year
3. The financial year of the Corporation shall end on 31 March of each year.

Matters to be submitted to the Trustee for decision
4. The Board shall submit to the Trustee for decision—
   (a) any matter which the Trustee is required in terms of the Act to decide upon, approve or determine;
   (b) any matter which the Trustee may in terms of section 24 of the Act require the Board to submit to him;
   (c) any matter arising from the operation of the Act or these regulations or the exercise by the Board of its powers or the performance of its duties which it is deemed expedient to submit to the Trustee.

Procedure to be followed to obtain the Trustee's decision
5. Any matter submitted to the Trustee in terms of regulation 4—
   (a) shall be submitted to the Minister, unless the Minister determines otherwise;
   (b) shall be in writing;
   (c) shall, if it is not a copy of a resolution by the Board or an extract from the minutes of a meeting of the Board, duly certified by the chairman and the secretary, be accompanied by a resolution of the Board which shall be certified as such and which shall contain a recommendation by or the views of the Board; and
   (d) shall, if any director so desires, be accompanied by a separate report by such director: Provided that the Minister may direct that any particular matter shall be submitted in such other manner as he may deem fit.

Conditions attaching to office of director
6. The period of office of the directors and of the chairman of the Board and the remuneration of a director shall be as determined by the Trustee in terms of section 13 of the Act.
7. A director shall be compensated on a basis as determined by the Board for all travelling and other expenses necessarily incurred in connection with the business of the Corporation and attendance at meetings of the Board.
7A. (1) Geen directeur mag zonder de voorafgaande goedkeuring van de Raad regstreks of onregstreks betrokke raak by 'n kontrak met die Korporasie, deel by in die winste of verliese van enige kontrak met die Korporasie of op enige ander wyse 'n geldelike belang in die sake van die Korporasie verkry nie. 

(2) Indien 'n direkteur se eggenote, sy vennoot, die vennoot van sy eggenote, sy werkgever (behalwe die Regering van KaNgwane of die Staat) of die werkgever van sy eggenote (behalwe die Regering van KaNgwane of die Staat) regstreks of onregstreks betrokke raak by 'n kontrak met die Korporasie, deel hy by in die winste of verliese van enige kontrak met die Korporasie of op enige ander wyse 'n geldelike belang verkry in dié sake van die Korporasie, moet sodanige direkteur die aard en omvang van sodanige belang aan die Raad bekend maak.

8. Die amp van 'n direkteur word geag ontruim te wees—
(a) by die afstere van sodanige direkteur; of
(b) by verslyping van sy amptstynem; of
(c) wanneer die Raad sy bedanking as direkteur ontvang, mits hy 30 dae skriflike kennis aan die Raad gee van sy voornemens om te bedank en verder mits die Raad sodanige bedanking aanvaar; of
(d) indien by vir 'n tydperk van ses agtereenvolgende maande versuim, sonder dat die Raad afwesigheidsverlof toegestaan het, om die vergaderings van die Raad te woone tenby hy in verband met die sake van die Korporasie afwezig is.

(e) indien hy onderworpe is aan 'n hofbevel wat hom krankskynig of geestesgesteld verklaar, of indien hy wettig kragtens die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973), as geestesgesteld aangewys word; of
(f) indien hy deur 'n bevordering of insent opgevolg word of van sy boodskapsopdracht ontslag toegeken word ten voordeel van of 'n akkoord tref met sy krediteure; of
(g) indien hy versuim om te voldoen aan die bepaling van regulasie 7A.

Bevoegdhede en pligte van direkteure

9. Die Raad is bevoeg om op 'n behoorlik gekonstitueerde vergadering, waarop 'n kworum teenwoordig is, al die of enige van die bevoegdhede en pligte ingevolge die Wet of hierdie regulasies uit te oefen en te vervul wat, of waarvan die uitoefening en vervulling, asdan by die Korporasie berus.

10. 'n Skriflike besluit, deur al die direkteure onder teken, het die regskrag en geldigheid as 'n besluit geneem op 'n behoorlik belegde en gekonstitueerde vergadering van die Raad.

11. (1) Die Raad kan met die Ekonomiese Ontwikkelingskorporasie Beperk, ooreenkoms dat voormede korporasie amptenare en werknemers aan die Korporasie beskikbaar stel op die voorwaardes wat op personeel van die Ekonomiese Ontwikkelingskorporasie Beperk van toepassing is.

(2) Die Raad kan van tyd tot tyd enige amptenaar of werknemer van die Korporasie of enige amptenaar of werknemer wat ingevolge subregulasi 1 (a) aan die Korporasie beskikbaar gestel is, bolas of beklee met pligte of bevoegdhede waarvan die vervulling of uitoefening na die Raad se meerderheids wenslik of noodsaaklik is vir 'n bepaalde oogmerk of doel, en wel op die beding dat die persoon met die beperking of voorbehoede wat die Raad dienstig ag, en kanal of ingenie van sodanige pligte of bevoegdhede uitbied, verander of herroep.

7A. (1) No director may, directly or indirectly, become involved in any contract with the Corporation or share in the profits or losses of any contract with the Corporation or in any other manner obtain a financial interest in the business of the Corporation without the prior approval of the Board.

(2) If the spouse of a director, his partner, the partner of his spouse, his employer (except the Government of KaNgwane or the State) or the employer of his spouse (except the Government of KaNgwane or the State) directly or indirectly becomes involved in any contract with the Corporation or shares in the profits or losses of any contract with the Corporation or in any other manner obtains a financial interest in the business of the Corporation, such director shall disclose to the Board the nature and extent of such interest.

8. The office of a director shall be deemed to have been vacated—
(a) upon the death of such director; or
(b) upon the expiration of his period of office; or
(c) upon receipt by the Board of his resignation as a director, provided that he shall have given 30 days' notice, in writing, to the Board of his intention to resign and provided further that such resignation is accepted by the Board; or
(d) if for a period of six consecutive months he fails, without leave of absence having been granted by the Board, to attend the meetings of the Board unless he is absent in connection with the business of the Corporation; or
(e) if he is subject to an order of court declaring him to be of unsound mind or mentally ill or is lawfully detained as mentally ill under the Mental Health Act, 1973 (Act 18 of 1973); or
(f) if he is declared insolvent by a competent court of law or assigns his estate for the benefit of or compounds with his creditors; or
(g) if he fails to comply with the provisions of regulation 7A.

Powers and duties of directors

9. It shall be competent for the Board at a duly constituted meeting, at which a quorum is present, to exercise and perform all or any of the powers and duties under the Act or these regulations which for the time being are vested in or may be exercised or performed by the Corporation.

10. A resolution, in writing, signed by all the directors, shall have the same force and effect as a resolution adopted at a duly convened and constituted meeting of the Board.

11. (1) The Board may enter into an agreement with the Corporation for Economic Development, Limited, that the said corporation make available officers and employees to the Corporation on the conditions which apply to personnel of the Corporation for Economic Development, Limited.

(2) The Board may from time to time entrust to or confer upon any officer or employee of the Corporation or any officer or employee made available to the Corporation in terms of subregulation (1) such duties or powers as the Board may deem desirable or necessary to be exercised or performed for any particular object or purpose and upon such terms and conditions and with such restrictions or reservations as the Board may deem expedient, and may add to, vary or revoke all or any of such duties or powers.
12. (1) Die Raad kan na goedwille 'n komitee aansien van die Raad, wat bestaan uit sodanige direkteur of direkteure as wat hy aanwy, om namens die Korporasie die bevoegdheid te oefen of die pligte te vervul wat die Raad wenslik of diensag is.

(2) 'n Komitee wat ingevolge subregulering (1) aangestel is, moet in die uitvoering van sy bevoegdheede of die vervullinge van sy pligte die reëls, hedinge en voorwaardes wat die Raad van tyd tot tyd mag bepaal, nakom en hom daaraan hou en moet sy handelinge en verrigtinge notuleer op dieselfde wyse as wat van die Raad vereis word.

Kworum en procedure op vergaderings van die Raad

13. Die vereiste kworum vir die verrigting van die sake van die Raad is 'n meerderheid van die dienende direkteure.

14. Sover doenlik word vergaderings van die Raad elke maand gehou, maar minstens ses vergaderings per jaar moet gehou word: Met dien verstande dat die voorsetter te enigtyd op versoeke van 'n direkteur 'n vergadering van die Raad moet beleg.

15. Die voorsetter bepaal die tyd en plek vir die vergaderings en kan die Raad na goeddunken vir die aftahdeling van sake byeen roep, die vergaderings verlang en andersins reg.

16. Minstens 10 die kennis van die datum, tyd en plek van 'n vergadering van die Raad moet aan elke direkteur of plaasvervangende direkteur, na gelang van die geval, gegee word en sodanige kennisgewing moet beteken word op die wyse in regulasie 28 bepaal: Met dien verstande dat die voorsetter magting kan verkry tot kennisgewing van 'n korter tydperk wat hy mag vaststellen opsigte van 'n vergadering wat hy as dringend beskou.

17. Die voorsetter neem die voorsitterstoel op alle vergaderings van die Raad in: Met dien verstande dat as die voorsetter op die datum en plek wat vir 'n vergadering bepaal is binne 10 minute na die vastgestelde tyd vir die aanvang van daardie vergadering nie teenwoordig is, die teenwoordigheidsdirekteure en die huile gelede direkteur kan kies om vir daardie vergadering as voorsetter op te tree.

18. (1) Geen besluit van die Raad is bindend nie tensy dit by meerderheid van stemme aangeneem is.

(2) In die geval van 'n staking van stemme het die voorsetter 'n tweede of beslisstende stem.

Hou van registers, rekords en rekeningboeke

19. Die Korporasie moet op sy hoofkantoor 'n register hou van direkteure en plaasvervange direkteure, as daar is, waarin die volgende besonderhede ten opsigte van elke direkteur of plaasvervange direkteur opgetekend moet word:

(a) sy volle naam;
(b) die datum van sy aanstalling en die tydperk waarvoor hy aangestel is;
(c) sy woong- en besigheidsadres waarvan die direkteur of plaasvervange direkteur een as sy geregistrerede adres moet aansien vir die betrekking van kennisgwing in die geval van regulasie 28;
(d) sy beroep;
(e) ten opsigte van 'n plaasvervangende direkteur, die naam van die direkteur in wie sy plek hy as direkteur optree en
(f) die datum waarop hy ophou om sy amp te bekleed.

20. Elke direkteur wat op 'n vergadering van die Raad teenwoordig is, moet sy naam teken in 'n boek wat vir die doel gehou word.

12. (1) The Board may, in its discretion, appoint a committee consisting of such director or directors as it may designate to exercise such powers or perform such duties on behalf of the Corporation as the Board may deem desirable or expedient.

(2) Any committee appointed in terms of subregulation (1) shall in the exercise of its powers or the performance of its duties conform and adhere to such rules, terms and conditions as the Board may from time to time determine and shall record its acts and proceedings in the same manner as is required of the Board.

Quorum and procedure at meetings of the Board

13. The quorum required for the transaction of the business of the Board shall be a majority of the serving directors.

14. As far as practicable meetings of the Board shall be held monthly, but not fewer than six meetings a year shall be held: Provided that the chairman shall be present at the request of any director at any time convene a meeting of the Board.

15. The chairman shall appoint the time and place of the meetings and may convene the Board for the dispatch of business, adjourn and otherwise regulate the meetings as he may deem fit.

16. At least 10 days' notice of the date, time and place of a meeting of the Board shall be given to each director or alternate director, as the case may be, and such notice shall be served in the manner provided for in regulation 28: Provided that the chairman may on his own motion authorize a notice of such shorter period as he may determine in respect of a meeting deemed by him to be urgent.

17. The chairman shall preside at all meetings of the Board: Provided that if on the date and at the place appointed for a meeting the chairman is not present within 10 minutes after the time appointed for the commencement of that meeting, the directors then present may elect one of their number to act as chairman for that meeting.

18. (1) No resolution of the Board shall be binding unless it has been passed by a majority of votes.

(2) In the case of an equality of votes the chairman shall have a second or casting vote.

Keeping of registers, records and books of account

19. The Corporation shall keep, at its head office, a register of directors and alternate directors, if any, in which shall be recorded the following particulars in respect of each director or alternate director:

(a) his full name;
(b) the date of his appointment and the period for which he was appointed;
(c) his residential and business addresses, one of which shall be indicated by such director or alternate director as his registered address for the purpose of the service of notices in terms of regulation 28;
(d) his occupation;
(e) in respect of an alternate director, the name of the director in whose place he acts as director; and
(f) the date upon which he ceased to hold office.

20. Every director present at any meeting of the Board shall sign his name in a book which shall be kept for this purpose.
21. Die Raad moet skriftelike rekords laat hou in
geskakte registers waarin die volgende besonderhede
opgeteken moet word:

(a) die naam van direkteure teenwoordig op elke
vergadering van die Raad en van elke komitee inge-
volge regulasie 12 aangestel;
(b) alle aanswaltelings van amptenare en werknemers
deur die Raad gedoen;
(c) alle opdragte of voorskrifte deur die Raad uit-
gereik; en
(d) alle besluite en verrigtinge op vergaderings van
die Raad en komitees ingevolge regulasie 12 aangestel.

22. (1) Die Raad moet sodanige rekkening boekie laat
hou as wat nodig is om 'n ware en juiste weergawe te
bied van—

(a) die stand van sake, die transaksies en finan-
siële toestand van die Korporasie;
(b) die gelde ontvang en bestee deur die Korpo-
rasie; en
(c) die bates, kredite en laste van die Korporasie.

(2) Die boeke in subregulasie (1) genoem, moet in
die hoofkantoor van die Korporasie gehou word en wel
op 'n plek of plekke wat die Raad goed ag en lê ter
insae vir die Minister of enige persoon behoorlik deur
hom of deur die Raad daartoe genaag het.

(3) Die Korporasie moet na oorleg met die
oudieter voorskrifte uiterlik oor die invoering, ont-
vang, bank, bewaring, uitbetalings, versorging en beheer
van gelde en oor die verkryging, bewaring, vervreem-
ding en beheer van eiendom.

Amptelike seël en die gebruik daarvan

23. Daar moet 'n amptelike seël van die Korporasie
wees waarop sy naam in leesbare letters in die amptel-
lke tale van KaNgwane gegraveer moet wees.

24. Die gebruik van die amptelike seël is onderworpe
aan die volgende voorskrifte:

(a) Dit mag nie op 'n dokument aangebring word
nie tensy magtiging by besluit van die Raad daartoe
verleen is;
(b) dit mag nie aldus aangebring word nie tensy dit
gedefinieer in teenwoordigheid van twee direkteure en die
sekraris of in onder persoon wat die Raad in sodanige
besluit daartoe magtig is;
(c) genoemde twee direkteure en die sekraris of
dodane ander persoon moet, in meer as teenwoor-
digheid, elke dokument ondersteek waarop die amptel-
lke seël aldus aangebring word.

25. Elke dokument waarop die amptelike seël oor-
centumig hierdie regulasies aangebring is, is bindend
vir die Korporasie.

26. Die Raad moet behoorlike voorsiening maak vir
die veilige bewaring van die amptelike seël.

Voorlegging aan die Trustee van balansstaat, staat van
inkomste en uitgawe en verslag deur die Raad

27. Die balansstaat, staat van inkomste en uitgawe
die verslag deur die Raad wat ingevolge artikel 22
die Wet aan die Trustee voorgelê moet word, moet
deur twee direkteure en die sekraris onderteken wees.

Betekening van kennisgewings

28. 'n Kennisgewing van die Korporasie of die Raad
aan 'n direkteur, plasservangende direkteur of enige
ander persoon moet deur die voorvetter of die sekre-
taris beteken word—

(a) deur hom persoonlik van die teks van die kennis-
gewing te verwittig; of

21. The Board shall cause written records to be kept
in suitable registers in which the following particulars
shall be recorded:

(a) the names of directors present at each meeting
of the Board and of each committee appointed in
terms of regulation 12;
(b) all appointments of officers and employees made
by the Board;
(c) all directions or instructions given by the Board;
and
(d) all resolutions and proceedings at meetings of
the Board and committees appointed in terms of regu-
lation 12.

22. (1) The Board shall cause such books of account
to be kept as are necessary to give a true and correct
record of—

(a) the state of affairs, the transactions and the
financial position of the Corporation;
(b) the moneys received and expended by the Cor-
poration; and
(c) the assets, credits and liabilities of the Cor-
poration.

(2) The books referred to in subregulation (1) shall
be kept in the head office of the Corporation and at
such place or places as the Board may deem fit and
shall be open for inspection by the Minister or any
person duly authorized by him or by the Board.

(3) The Board shall after consultation with the
auditor issue instructions in respect of the collection,
receipt, banking, custody, payment, maintenance and
control of moneys and of the acquisition, custody, dis-
posal and control of property.

Official seal and the use thereof

23. There shall be an official seal of the Corporation
upon which its name shall be engraved in legible
characters in the official languages of KaNgwane.

24. The use of the official seal shall be subject to
the following requirements:

(a) It shall not be affixed to any document except on
the authority of a resolution of the Board;
(b) it shall not be so affixed except in the presence
of two directors and the secretary or such other person
as the Board may authorize thereto in such resolution;
(c) the said two directors and the secretary or such
other person shall, in the presence of one another, sign
every document to which the official seal is referred.

25. Every document to which the official seal has
been affixed in terms of these regulations shall be bind-
ing on the Corporation.

26. The Board shall make suitable provision for the
safekeeping of the official seal.

Submission to the Trustee of balance sheet, statement
of income and expenditure and report by the Board

27. The balance sheet, statement of income and
expenditure and the report by the Board submitted
to the Trustee in terms of section 22 of the Act shall
be signed by two directors and the secretary.

Service of notices

28. A notice of the Corporation or the Board to a
director, alternate director or any other person shall
be served by the chairman or the secretary—

(a) by informing him personally of the text of the
notice; or
(b) by handing the notice to him personally; or
(c) by posting a registered letter, containing the notice and properly addressed and franked, to—
(i) the director or alternate director at the registered address indicated by him for this purpose in terms of regulation 19 (c); and
(ii) any other person at his last known address.

29. A notice served by post in terms of regulation 28 (c) shall be deemed to have been served at the time at which the letter would be delivered in the normal course of mail delivery.

Consultation with Government of KaNgwane

30. The Corporation may in respect of the execution of its functions in the area for which it was established consult with the Government of KaNgwane if it deems it necessary within the scope of its operations.

Interim arrangements

31. Notwithstanding the provisions of these regulations, the Minister may take such steps as he may deem necessary to convene the first meeting of the Board.

(b) deur die kennisgewing aan hom persoonlik te oorhandig; of
(c) deur 'n geregistreerde brief, met die kennis-
gewing daarin, behoorlik te adreseer en te frankeer
et te pos aan—
(i) die direkteur of plaasvervangende direkteur by
die geregistreerde adres deur hom vir dié doel inge-
volge regulasie 19 (c) aangedui; en
(ii) enige ander persoon by sy jongsbekende adres.

29. 'n Kennisgewing wat per pos ooreenkomsstig regu-
lasie 28 (c) beteken word, word geag beteken te gewees
het op die tydstip waarop die brief in die gewone loop
van posaflewering afgelever sou word.

Oorlegpleging met Regering van KaNgwane

30. Die Korporasie kan ten opsigte van die uitoef-
ening van sy funksies in die gebied waarvoor hy inges-
stel is met die Regering van KaNgwane oorleg pleeg
indien hy dit binne die bestek van sy werksaamhede
nodig ag.

Tussentydse reëlings

31. Ondanks die bepaling van hierdie regulasies, kan
die Minister die stappe doen wat hy nodig ag ten
einde die eerste vergadering van die Raad te belê.
KANGWANE-DEVELOPMENT TAX ACT, 1979
(ACT 4 OF 1979)

It is hereby notified that the State President has approved of the following Act which was passed by the KaNgwane Legislative Assembly and which is hereby published for general information:

AREA OF THE KANGWANE LEGISLATIVE ASSEMBLY

ACT

To levy a tax on citizens of KaNgwane

Be it enacted by the KaNgwane Legislative Assembly, as follows:

Definitions

1. In this Act, unless the context otherwise indicates—
   "citizen" means any person who is a citizen of KaNgwane in terms of the provisions of the Black States Citizenship Act, 1970 (Act 26 of 1970);
   "Councillor" means the Executive Councillor of Authority Affairs and Finance;
   "Director" means the Director of Authority Affairs and Finance;
   "KaNgwane" means the area for which the KaNgwane Legislative Assembly has been established as amended from time to time;
   "magistrate" means—
   (a) in respect of any district in KaNgwane, a magistrate, additional magistrate and assistant magistrate appointed in terms of section 8 of the Magistrates’ Courts Act, 1944 (Act 32 of 1944);
   (b) in respect of a district outside KaNgwane, a Commissioner, Additional Commissioner and Assistant Commissioner appointed in terms of section 2 (2) of the Black Administration Act, 1927 (Act 38 of 1927) and where there is no such Commissioner, the magistrate, additional magistrate and assistant magistrate;
   "receiver" means any magistrate and any person appointed under section 11 (1) (a) to collect tax;
   "Revenue Fund" means the Revenue Fund established by section 6 of the Black States Constitution Act, 1971 (Act 21 of 1971);
   "tax" means the KaNgwane Development Tax levied by section 2;
   "taxpayer" means any male citizen who has attained the age 18 years;
   "tax year" means a period commencing on the first day of January of any year and ending on the last day of December of the same year.
Heffing van belasting

2. Daar word ten bate van die Inkomstefonds en ooreenkoms met die bepaling van hierdie Wet 'n belasting, bekend as die KaNgwane Ontwikkelingsbelasting, ten bedrade van R5 ten opsigte van elke belastingjaar deur elke belastingpligtige betaal met ingang van die belastingjaar wat op die eerste dag van Januarie 1980 begin.

Betrekening van belasting

3. Behoudens die bepaling van hierdie Wet is die belasting by die kantoor van 'n ontvanger betaalbaar op of voor die eerste dag van Julie van die betrokke belastingjaar.

Uitstel vir betrekking van belasting

4. 'n Ontvanger kan na goeddunken aan 'n belastingpligtige by wysie van 'n uitsielcertifikaat en in die mate wat in sodanige uitsielcertifikaat vermeld word, uitstel verleen van die betrekking van belasting wat deur sodanige belastingpligtige ingevoeg hierdie Wet verskuldig en betaalbaar is.

Vrystelling van belasting

5. (1) Behoudens die bepaling van subartikel (4), word 'n belastingpligtige vrygestel van die betrekking van belasting in die mate vermeld in 'n vrystelcertifikaat wat kragtens hierdie artikel aan hom uitgereik is.

(2) 'n Ontvanger reik aan 'n belastingpligtige wat hom oortuig dat hy die ouderdom van 65 jaar bereik het, 'n certifikaat uit wat sodanige belastingpligtige permanente vrystel van die betrekking van belasting vanaf 'n datum in die certifikaat vermeld.

(3) 'n Ontvanger kan aan 'n belastingpligtige 'n certifikaat uitreik wat sodanige belastingpligtige vrystel van die betrekking van belasting in die mate in die certifikaat vermeld indien sodanige belastingpligtige hom oortuig—

(a) dat hy behoefteig is en weens ouderdom, chroniese siekte of enige ander oorsaak buite sy beheer, verhinder word om genoeg te verdienen om hom in staat te stel om sodanige belasting te betaal; of

(b) dat vanweë sy gereelle bywoning van 'n opvoedkundige inrigting wat hy of kragtens enige wet ingestel of kragtens 'n wet na behore geregs- treer of goedgekeur is, hy verhinder is om genoeg te verdienen om hom in staat te stel om sodanige belasting te betaal.

(4) 'n Belastingpligtige wat ingevoeg die betrelings van die Wet op Swart Belasting, 1969 (Wet 92 van 1969) vrygestel is van die betrekking van belastinge deur hom ingevoeg deur die betrekking van belasting deur hom betaalbaar in die mate vermeld in die vrystelcertifikaat wat kragtens artikel 13 van bedoelde Wet op Swart Belasting, 1969 aan hom uitgereik is.

Intrekking van certifikaat

6. 'n Certifikaat wat ingevoeg artikel 4 of 5 uitge- reik is, kan te eniger tyd deur 'n ontvanger ingetrek word indien hy oortuig is—

(a) dat dit bedrieglikerswys verkry is; of

(b) dat die belastingpligtige aan wie dit uitge- reik is, nie meer op uitstel vir die betrekking van belasting ingevoeg artikel 4 of vrystelling van belasting ingevoeg artikel 5, na gelang van die geval, geregig is nie.

Levy of tax

2. There shall be paid for the benefit of the Revenue Fund and in accordance with the provisions of this Act a tax, known as the KaNgwane Development Tax, to the amount of R5 in respect of every tax year by every taxpayer with effect from the tax year commencing on the first day of January 1980.

Payment of tax

3. Subject to the provisions of this Act, the tax is payable at the office of any receiver on or before the first day of July of the tax year concerned.

Extension of time for payment of tax

4. A receiver may in his discretion grant to any taxpayer by way of a certificate of extension and to the extent mentioned in such certificate of extension, an extension of time for the payment of tax due and payable by such taxpayer in terms of this Act.

Exemption from tax

5. (1) Subject to the provisions of subsection (4), any taxpayer shall be exempted from payment of tax to the extent mentioned in a certificate of exemption issued to him under this section.

(2) Any receiver shall issue to any taxpayer who satisfies him that he has attained the age of 65 years, a certificate exempting such taxpayer permanently from payment of tax with effect from a date mentioned in the certificate.

(3) Any receiver may issue to any taxpayer a certificate exempting such taxpayer from payment of tax to the extent mentioned in the certificate if such taxpayer satisfies him—

(a) that he is indigent and is prevented by reason of age, chronic disease or any other cause beyond his control from earning sufficient to enable him to pay such tax; or

(b) that, in consequence of his regular attendance at an educational institution established by or under any law or duly registered or approved under any law, he has been precluded from earning sufficient to enable him to pay such tax.

(4) Any taxpayer who has been exempted in terms of the provisions of the Black Taxation Act, 1969 (Act 92 of 1969), from the payment of taxes payable by him in terms of that Act, is exempted from the payment of tax payable by him in terms of this Act to the extent mentioned in the certificate of exemption issued to him under section 13 of the said Black Taxation Act, 1969.

Cancellation of certificates

6. Any certificate issued under section 4 or 5 may at any time be cancelled by any receiver if he is satisfied—

(a) that it was obtained fraudulently; or

(b) that the taxpayer to whom it was issued is no longer entitled to extension of time for the payment of tax in terms of section 4 or exemption from tax in terms of section 5, as the case may be.
Vertoning van kwitansies en sertifikate

7. (1) 'n Ontvanger of 'n persoon of klas van persone skriftelik deur hom daartoe gemag of enige kaptein of hoofman aangestel of erken ingevolge die bepaling van die Swart Administrasie Wet, 1927 (Wet 38 van 1927), kan te enig tyd 'n burger wat vermoed word 'n belastingplichtige ingevolge hierdie Wet te wees of te gewees het, versoek om inligting met betrekking tot sy identiteit of belastingplichtigheid te verstreik of om 'n kwitansie ter stawing van die betaling van belasting of 'n uitstelcertifikaat bedoel in paragraaf 4 of 'n vrystellingscertifikaat bedoel in paragraaf 5 te toon en kan sodanige kwitansie of sertifikaat ondersoek: Met dien verstaande dat geen belastingplichtige wat 'n kwitansie of 'n sertifikaat van kragtens hierdie Wet aan hom uitgereik is ten opsigte van belasting vir enige jaar toon, verplig om enige sodanige kwitansie of sertifikaat ten opsigte van sodanige belasting vir 'n voorafgaande jaar te toon nie.

(2) 'n Persoon wat 'n versoek kragtens subparagraaf (1) tot 'n burger rig—

(a) besorg na insae en ondersoek enige dokument wat deur sodanige burger getoon is, aan hom terug; en
(b) kan sodanige burger sonder 'n lasbrief in hegtenis neem indien laasgenoemde versuim om aan sodanige versoek te voldoen of deur sodanige persoon vermoed word 'n misdryf ingevolge hierdie Wet te gepleeg het.

(3) Daar word met 'n belastingplichtige wat kragtens subparagraaf (2) in hegtenis geneem is, gehandel ooreenkomstig die bepaling van paragraaf 50 van die Strafproeswet, 1977 (Wet 51 van 1977), of hy word vrygelaat—

(a) indien 'n vrystellings- of uitstelcertifikaat ten opsigte van die belasting wat blyk agterstallig te wees, aan hom uitgereik word;
(b) indien hy tot bevrediging van die persoon wat hom in hegtenis geneem het, sekerheid stel vir die betaling van die belasting wat blyk agterstallig te wees;
(c) indien die agterställige belasting ten volle betaal word; of
(d) indien hy na sy inhegtenisneming aan die persoon wat hom in hegtenis geneem het, dokumente toon waarin hy bewyse van die agterställing van die Wet na hom uitgereik is waaruit dit blyk dat die belasting ten volle betaal is of dat uitstel of vrystelling van die betaling van belasting aan hom verleen is.

Verhaal van agterställige belasting

8. (1) 'n Bedrag van belasting wat ingevolge hierdie Wet agterställig is, is 'n straf aan die Regering van KaNgwane en kan op die wyse uiteengestel in subparagraaf (2) verhaal word.

(2) Wanneer 'n bedrag van belasting wat ingevolge hierdie Wet deur 'n belastingplichtige betaalbaar is, agterställig is, kan die magistraat van die distrik waarin sodanige belastingplichtige woon, met die doel om sodanige bedrag te verhaal, 'n lasbrief vir eksekusie teken de roerende goed van sodanige belastingplichtige uitreik en daarna word sodanige lasbrief deur 'n persoon deur die magistraat aangestel ten uitvoer gelê asof dit ingevolge 'n vonnis van 'n magistratshof uitgereik is, behalwe dat dit nie nodig is dat 'n afskrif van sodanige lasbrief aan sodanige belastingplichtige beteken word nie.

Production of receipts and certificates

7. (1) Any receiver or any person or class of persons authorized thereto in writing by him or any chief or headman appointed or recognized in terms of the provisions of the Black Administration Act, 1927 (Act 38 of 1927), may at any time request any citizen who is suspected to be or to have been a taxpayer in terms of this Act to furnish information as to his identity or liability for tax or to produce a receipt in proof of payment of tax or a certificate or extension referred to in section 4 or a certificate of exemption referred to in section 5 and may examine such receipt or certificate: Provided that no taxpayer who produces any receipt or certificate issued to him under this Act in respect of tax for any year, shall be required to produce any such receipt or certificate in respect of tax for any proceeding year.

(2) Any person making a request to any citizen under subsection (1)—

(a) shall after inspection and examination return any document produced by such citizen to him; and
(b) may arrest such citizen without a warrant if the latter fails to comply with such request or is suspected by such person of having committed an offence in terms of this Act.

(3) Any taxpayer arrested under subsection (2) shall be dealt with in accordance with the provisions of section 50 of the Criminal Procedure Act, 1977 (Act 51 of 1977), or shall be released—

(a) if a certificate of exemption or extension in respect of the tax which appears to be in arrear is issued to him;
(b) if he furnishes security to the satisfaction of the person who arrested him for payment of the tax which appears to be in arrear;
(c) if the arrear tax is paid in full; or
(d) if, after his arrest, he produces to the person who arrested him documents issued to him under this Act before his arrest from which it appears that the tax has been paid in full or that extension of time or exemption from payment of tax has been granted to him.

Recovery of arrear tax

8. (1) Any amount of tax which is in arrear in terms of this Act, shall be a debt due to the Government of KaNgwane and may be recovered in the manner set forth in subsection (2).

(2) Whenever any amount of tax which is payable by any taxpayer in terms of this Act is in arrear, the magistrate of the district in which such taxpayer resides may, for the purpose of recovering such amount, issue a warrant of execution against the movable property of such taxpayer, and thereafter such warrant shall be executed by a person appointed by such magistrate as if it were issued pursuant to a judgment of a magistrate's court, except that it shall not be necessary to serve a copy of such warrant upon such taxpayer.
(3) Indien 'n belastingpligtige nie aan die persoon wat 'n lasbrief, uitgereik kragtens subartikel (2), ten uitvoer lê, die bedrag van die agterstallige belasting teamee met die koste ten opsigte van die tenultvoerlegging, op aanvraag betaal nie, of nie aan sodanige persoon voldoende toegeende goed uitwys vir die verhaal van sodanige bedrag en sodanige koste nie, kan sodanige persoon sodanige belastingpligtige sonder lasbrief in hestenis neem, en daarna word daar met sodanige belastingpligtige ooreenkomstig die bepalings van artikel 7 (3) gehandhaal.

(4) Die gelede en koste voorgeskryf kragtens artikel 45 (1) (b) van die Wet op Swart Belasting, 1969 (Wet 92 van 1969), ten opsigte van die tenultvoerlegging van 'n lasbrief kragtens daardie Wet uitgereik, is die gelede en koste betaalbaar ten opsigte van die tenultvoerlegging van 'n lasbrief kragtens subartikel (2) uitgereik.

 Toevoeging van betalings

9. Indien 'n belastingpligtige 'n bedrag vir die betaling van belasting ten opsigte van enige besondere belastingjaar aanbied, en sodanige belastingpligtige enige bedrag van belasting ten opsigte van 'n vorige belastingjaar skuldig, word die bedrag aldus aangebied, aangewend ter vereffening van die belasting wat die langs agterstallig is.

Terugbetalings

10. Indien die Direkteur oortuig is dat 'n bedrag wat deur 'n belastingpligtige ingevolge hierdie Wet betaal is, die bedrag van belasting wat ingevolge hierdie Wet verstaan of agterstallig is, oorskry, betaal hy die balans aan sodanige belastingpligtige terug.

Administrasie

11. (1) Die Direkteur is verantwoordelik vir die invordering van belasting en kan—

(a) enige persoon of liggaam as ontvanger aanstel om belasting namens hom in te vorder. Met dien verstande dat 'n magistraat geag word so aangestel te wees;
(b) enige van sy bevoegdheide kragtens hierdie Wet delegeer aan enige beambte, hetsy toegewese of andersins, in die Regeringsdiens van KaNgwane of in die regeringsdiens van enige ander Swart staat of aan enige beambte in die Staatsdiens van die Republiek;
(c) voorskrifte met betrekking tot die invordering van belasting aan ontvangers uitreik;
(d) die vorm van kwantitansies en certifikate wat kragtens die bepalings van hierdie Wet uitgereik word, voorskrif;

(2) Die Raadslid kan uit gelede wat die Wetgewende Vergadering vir die doel bevolig, aan 'n ontvanger wat ple 'n beambte, hetsy toegewese of andersins, in die Regeringsdiens van KaNgwane of in die regeringsdiens van enige ander Swart staat is nie of nie 'n beambte in die Staatsdiens van die Republiek is nie, vir dienste gelever in verband met die invordering van belasting, die vergoeding of toelae betaal wat die Raadslid bepaal.

Vermoeideus

12. Indien by vorigtiges ingevolge hierdie Wet, die vraag ontstaan—

(a) of 'n persoon 'n belastingpligtige is aldus nie, word daar vermoed totdat die teenede bewys word, dat sodanige persoon 'n belastingpligtige is;

(3) If any taxpayer does not pay on demand to the person executing a warrant issued under subsection (2), the amount of the arrear tax, together with the costs in respect of the execution, or does not point out to such person sufficient movable property for the recovery of such amount and such costs, such person may arrest such taxpayer without warrant, and thereupon such taxpayer shall be dealt with in accordance with the provisions of section 7 (3).

(4) The fees and costs prescribed under section 45 (1) (b) of the Black Taxation Act, 1969 (Act 92 of 1969), in respect of the execution of a warrant issued under that Act, shall be the fees and costs payable in respect of the execution of a warrant issued under subsection (2).

Allocation of payments

9. If any taxpayer tenders any amount in payment of tax in respect of any particular tax year, and such taxpayer owes any amount of tax in respect of any previous tax year, the amount so tendered shall be applied to the discharge of the tax which is longest in arrear.

Refunds

10. If the Director is satisfied that any amount paid by any taxpayer in terms of this Act is in excess of the amount of tax due or in arrear in terms of this Act, he shall refund the balance to such taxpayer.

Administration

11. (1) The Director shall be responsible for the collection of tax and may—

(a) appoint any person or body as receiver to collect tax on his behalf: Provided that any magistrate shall be deemed to be so appointed;
(b) delegate any of his powers under this Act to any officer, whether seconded or not, in the Government Service of KaNgwane or in the government service of any other Black state or to any officer in the Public Service of the Republic;
(c) issue instructions to receivers in relation to the collection of tax;
(d) prescribe the form of receipts and certificates issued in terms of the provisions of this Act.

(2) The Councillor may, out of moneys voted by the Legislative Assembly for the purpose, pay to any receiver who is not an officer, whether seconded or not, in the Government Service of KaNgwane or in the government service of any other Black state or not an officer in the Public Service of the Republic, for services rendered in connection with the collection of tax, such remuneration or allowances as the Councillor may determine.

Presumptions

12. If in any proceedings under this Act, the question arises—

(a) whether or not any person is a taxpayer, it shall be presumed, until the contrary is proved, that such person is a taxpayer;
(b) or the billing person is not liable to the court, and if it is not proved that the billing person is not liable to the court, the billing person shall produce evidence that the billing person is not liable to the court.

(c) the tax is payable or is in arrear, it shall be presumed, until the contrary is proved, that the tax is payable by the billing person or that it is in arrear, as the case may be;

(d) as to the age of any person, his age shall, until the contrary is proved, be presumed to be the age estimated by the officer presiding at such proceedings from such person's appearance or from any information which may be available.

**Offences and penalties**

13. (1) Any person who—

(a) is a taxpayer and who fails to pay the tax payable by him in terms of this Act on or before the last day permitted for the payment of such tax;

(b) fails to comply with a request made under section 7 (1);

(c) furnishes false information in complying with a request made under section 7 (1);

(d) fails to return to any taxpayer any document as required by section 7 (2) (a);

(e) unlawfully deprives any taxpayer of possession of any receipt or certificate issued by him under this Act;

(f) permits any receipt or certificate issued by him under this Act, which is in his possession, to come into the possession of any other person with intent that it be used for any fraudulent purpose;

(g) falsely pretends or gives out that any receipt or certificate issued by him under this Act, which is in his possession, has been issued to him;

(h) unless he has no intention to defraud, alter, deface, destroy or damage any receipt or certificate used for the purposes of this Act;

shall be guilty of an offence and on conviction liable to a fine not exceeding R100 or to imprisonment for a period not exceeding three months.

(2) If any taxpayer has been convicted of a contravention of subsection (1) (a) for non-payment of tax payable by him in respect of any particular tax year, such taxpayer shall not be charged again for such non-payment: Provided that the debt of such taxpayer to the Government of KaNgwane in respect of the said tax shall not be extinguished.

**Application of this Act outside KaNgwane**

14. This Act shall also apply to citizens who are or reside outside KaNgwane, provided they are or reside within the Republic.

**Short title and date of commencement**

15. This Act shall be called the KaNgwane Development Tax Act, 1979, and shall come into operation on 1 January 1980.
KANGWANE-WET OP DIE BETALING EN VOORREGTE VAN LEDE VAN DIE WETGEWENDE VERGADERING, 1979 (WET 2 VAN 1979)

Hierby word bekendgemaak dat die Staatspresident sy goedkeuring geneig het aan die volgende Wet wat deur die KaNgwane- Wetgewende Vergadering aangeknoem is en wat hierby vir algemene inligting gepubliseer word:

GEBIED VAN DIE KANGWANE- WETGEWENDE VERGADERING

WET

Tot wysiging van die KaNgwane-Wet op die Betaling en Voorregte van Lede van die Wetgewende Vergadering, 1978, ten einde voorsiening te maak vir verhoogde salarisse aan lede van die Uitvoerende Raad
daar word deur die KaNgwane- Wetgewende Vergadering verordena:

Wysiging van artikel 2 van Wet 2 van 1978

1. Artikel 2 van die KaNgwane-Wet op die Betaling en Voorregte van Lede van die Wetgewende Vergadering, 1978, word hierby gewysig—

(a) deur paragraaf (a) deur die volgende paragraaf te vervang:

"(a) aan die Hoof-Uitvoerenderaadslid, 'n salaris van R14 511 per jaar"; en

(b) deur paragraaf (b) deur die volgende paragraaf te vervang:

"(b) aan elke Uitvoerenderaadslid (behalwe die Hoof-Uitvoerenderaadslid), 'n salaris van R13 287 per jaar".

Kort-titel en inwerkingtreding

2. Hierdie Wet het die KaNgwane-Wysigings Wet op die Betaling en Voorregte van Lede van die Wetgewende Vergadering, 1979, en word geënt op 1 Januarie 1978 in werking te getree het.

No. 1766 17 Augustus 1979

KANGWANE-WET OP DIE REGERINGSDIENS, 1979 (WET 3 VAN 1979)

Hierby word bekendgemaak dat die Staatspresident sy goedkeuring geneig het aan die volgende Wet wat deur die KaNgwane- Wetgewende Vergadering aangeknoem is en wat hierby vir algemene inligting gepubliseer word:

GEBIED VAN DIE KANGWANE- WETGEWENDE VERGADERING

WET

Tot regeling van die aanstelling, diensvoorwaardes, dienstermyn, discipline, afdruk, uitdruk en ontslag van lede van die Regeringsdiens en ander aangeleentheid wat daarmee in verband staan.

No. 1766 17 Augustus 1979

KANGWANE PAYMENT AND PRIVILEGES OF MEMBERS OF THE LEGISLATIVE ASSEMBLY ACT, 1979 (ACT 2 OF 1979)

It is hereby notified that the State President has approved of the following Act which was passed by the KaNgwane Legislative Assembly and which is hereby published for general information:

AREA OF THE KANGWANE LEGISLATIVE ASSEMBLY

ACT

To amend the KaNgwane Payment and Privileges of Members of the Legislative Assembly Act, 1978, in order to provide for increased salaries to members of the Executive Council

Be it enacted by the KaNgwane Legislative Assembly:

Amend section 2 of Act 2 of 1978

1. Section 2 of the KaNgwane Payment and Privileges of Members of the Legislative Assembly Act, 1978, is hereby amended—

(a) by the substitution for paragraph (a) of the following paragraph:

"(a) to the Chief Executive Councillor, a salary of R14 511 per annum"; and

(b) by the substitution for paragraph (b) of the following paragraph:

"(b) to every Executive Councillor (other than the Chief Executive Councillor), a salary of R13 287 per annum".

Short title and commencement

2. This Act shall be called the KaNgwane Payment and Privileges of Members of the Legislative Assembly Amendment Act, 1979 and shall be deemed to have come into operation on 1 January 1978.

No. 1767 17 Augustus 1979

KANGWANE PUBLIC SERVICE ACT, 1979
(ACT 3 OF 1979)

It is hereby notified that the State President has approved of the following Act which was passed by the KaNgwane Legislative Assembly and which is hereby published for general information:

AREA OF THE KANGWANE LEGISLATIVE ASSEMBLY

ACT

To regulate the appointment, conditions of employment, tenure of office, discipline, retirement and discharge of members of the Public Service and other incidental matters
Daar word bepaal deur die Wetgewende Vergadering van KaNgwane, soos volg:

HOOFSTUK 1
INLEIDENDE BEPALINGS

Woordenskrywing
1. (1) In hierdie Wet, teny uit die samehang anders blyk, beteken—

“beampte”'n persoon wat vas aangestel is, al is die aanstelling op voor, in 'n pos bedoel in artikel 3 (1) (a) en (b) en ook 'n persoon bedoel in artikel 3 (1) (c) en artikel 3 (2) (b) wat 'n voorgeskrewe pos bekleed het wat as 'n nie-voorgeskrewe pos herklassifiseer is;

“burger”'n persoon wat kragtens die Wet op Burgerd. van Swart State, 1970 (Wet 26 van 1970), 'n burger is van KaNgwane;

“departement”'n departement, subdepartement of kantoor van die Regeringsdiens ingestel kragtens artikel 5 (2) van die Grondwet van die Swart State, 1971 (Wet 21 van 1971);

“departementshoof” of enige variasie daarvan, die beampte of toegewese beampte wat 'n pos met die benaming Direkteur van 'n departement op die vaste diensbeleid of daarin waarnem;

“hoof van kantoor” die hoof van 'n kantoor, tak, afdeling of werkplek en ook 'n departementshoof;

“Inkomstefonds” die Inkomstefonds van KaNgwane, ingestel kragtens artikel 6 van die Grondwet van die Swart State, 1971 (Wet 21 van 1971);

“kalendermaand”'n tydperk wat strek van 'n dag van 'n maand tot en met die dag wat die dag voorafgaan wat numeriek ooreenstem met daardie dag in die volgende maand;

“KaNgwane” die gebied waarvoor die Wetgewende Vergadering van KaNgwane ingestel is;

“Kommissie” die Regeringsdienskommissie bedoel in artikel 4 van hierdie Wet;

“maand”'n tydperk wat van die eerste tot en met die laaste dag van enige een van die 12 maande van die jaar strek;

“nie-voorgeskrewe pos”'n pos as sodanig geklassifiseer kragtens artikel 3 (2);

“pensioenleefyt”'die leeftyd waarop 'n beampte kragtens artikel 15 (1) die reg het om uit die Regeringsdiens af te trek en daarop afgedank moet word;

“Raadslid” met betrekking tot 'n beampte of werknemer of persoon wat in diens is of was of wat in diens geneem kan word, die Raadslid wat verantwoordelik is vir die departement waarin die beampte, werknemer of persoon in diens is of was of geneem gaan word in die kantoor van die Kommissie, die Raadslid vir die Departement van Overheidse- en Finansiële Administrasie;

“Regering” die Regering van KaNgwane;

“Regering van die Republiek” die Regering van die Republiek van Suid-Afrika en ook 'n provinsiale administrasie, maar nie die Spoorwegasministerie nie;

“Regeringsdiens” die Regeringsdiens bedoel in artikel 3;

“regulasie” in regulasie kragtens artikel 26 van hierdie Wet uitgevaardig;

“skaal” met betrekking tot salaris, ook salaris teen 'n vaste bedrag;
"toegeweese beambte" 'n beambte van die Staatsdiens van die Republiek wat kragtens artikel 5 (4) van die Grondwet van die Swart State, 1971 (Wet 21 van 1971), aangewys is om die Uitvoerende Raad by te staan;

"Uitvoerende Raad" Die Uitvoerende Raad saamgestel kragtens artikel 5 (1) van die Grondwet van die Swart State, 1971 (Wet 21 van 1971);

"vaste dienstaat" die poste geskep vir die normale onverdeelde vereiste van 'n departement;

"voorgeskrewe apparaat" enige apparaat (deur die Uitvoerende Raadslid vir Oorheidsakte en Finansies, op aanbeveling van die Kommissie, by kennisgewing in die Staatsonderneemskrif) deur middel waarvan die asamhanklikheid van 'n persoon getoets of ontleed word om te bepaal of die alkoholinhoud van die bloed van die betrokke persoon 'n geewee perk oorskryf af dan nie;

"voorgeskrewe pos" 'n pos as sodanig geklassifiseer kragtens artikel 3 (2);

"werkner" 'n persoon in artikel 3 (1) (d) bedoel.

(2) Waar daar in hierdie Wet in verband met 'n beambte van 'n verligting van 'n salarissekmaal melding gemaak word, word dit so uitgeleë dat dit die toepassing van 'n salarissekmaal insluit wat laer is as die skaal wat toere toegewas is wat betref die maksimum of minimum van die dienst, of die tempo van vordering in die skaal tot so 'n vermelding van 'n verligting in graad of dat 'n graad laer is as 'n ander graad, word in 'n ooreenstemmende sin uitgeleë.

Toepassing van Wet

2. Behalwe waar dit uit die samehang anders blyk, is die bepalinge van hierdie Wet van toepassing op of ten opsigte van alle beambtes en werkneres in die Regeringsdiens. Met dien verstande dat indien enige bepaling van hierdie Wet in stryd is met 'n bepaling van enige ander wet wat die aanstelling, diensvoorwaardes, dienstermyn, discipline, afdanking en ontsel van enige bepaalde persoon of groep persone in die Regeringsdiens regte, dan die bepalinge van sodanige ander wet ten opsigte van sodanige persoon of groep persone sal geld.

HOOFSTUK 2

ORGANISASIE EN ADMINISTRASIE

Die Regeringsdiens

3. (1) Die Regeringsdiens bestaan uit persone, uitgesonder die lede van die Wetgewende Vergadering, Raadslede en lede van die Kommissie—

(a) wat, voorgeskrewe poste op die vaste dienstaat beklee;

(b) wat ander poste op die vaste dienstaat beklee as die poste in paragraaf (a) genoem;

(c) wat, madat hy of sy op die vaste dienstaat in paragraaf (a) vermeld, te beklee en wat nie uit diens getree het of ontslaan is nie, bykomend deur dié vaste dienstaat in diens geboor word kragtens 'n aanbeveling gedoen lugevolge artikel 6 (2) (e), van wat gesê word 'n voorgeskrewe pos te bly beklee onder die omstandighede in die voorbehoudsbeplings van subparagraaf (c) (2) (b) bedoel; of

(d) wat tydelik of onder 'n spesiale kontrak in 'n departement, hetsy in 'n voldygte of deeltwyse houdaaligheid, bykomend deur die vaste dienstaat, in diens geboor word ooreenkomstig 'n aanbeveling gedoen kragtens artikel 6 (2) (d).

"prescribed apparatus" means any apparatus (prescribed by the Executive Councilor for Authority Affairs and Finance, on the recommendation of the Commission, by notice in the Government Gazette) by means of which the breath of any person is tested or analysed in order to determine whether or not the alcohol content of the blood of such person exceeds a given limit;

"prescribed post" means a post classified as such in terms of section 3 (2);

"public service" means the Public Service referred to in section 3;

"regulation" means a regulation made in terms of section 26 of this Act;

"Revenue Fund" means the Revenue Fund of KaNgwane, established in terms of section 6 of the Black States Constitution Act, 1971 (Act 21 of 1971);

"scale" in relation to salary, includes salary at a fixed rate.

(2) Where in this Act reference is made in relation to an officer to a reduction in a scale of salary, the reference shall be construed as including the application of a scale of salary which is lower than the scale previously applied as regards the maximum or minimum of the scale or the rate of progression in the scale, and any such reference to a reduction in grade or to a grade being lower than any other grade shall be correspondingly construed.

Application of Act

2. Save as the context otherwise indicates, the provisions of this Act shall apply to or in respect of all officers and employees of the Public Service: Provided that if any provision of this Act is in conflict with a provision of any other law governing the appointment, conditions of employment, tenure of office, discipline, retirement and discharge any specified person or group of persons in the Public Service, the provisions of such other law shall apply in respect of such person or group of persons.

CHAPTER 2

ORGANISATION AND ADMINISTRATION

The Public Service

3. (1) The Public Service shall consist of persons other than members of the Legislative Assembly, Councillors and members of the Commission—

(a) who hold prescribed posts on the fixed establishment;

(b) who hold posts on the fixed establishment other than posts referred to in paragraph (a);

(c) who, having ceased to hold posts on the fixed establishment referred to in paragraph (a), and not having retired or having been discharged are employed additional to the fixed establishment in accordance with a recommendation made in terms of section 6 (2) (e), or who are deemed to continue to hold prescribed posts in the circumstances contemplated by the proviso to subsection (2) (b); or

(d) who are employed temporarily or under a special contract in a department, whether in a full-time or part-time capacity, additional to the fixed establishment in accordance with a recommendation made in terms of section 6 (2) (d).
(2) Die Kommissie het die bevoegdheid om te gelaat dat—
(a) enige pos op die vaste dienswaart as 'n voor-
geskrewre of nie-voorgeskrewe pos geklassiseer word; en
(b) enige voorgeskrewe pos, as 'n nie-voorgeskrewe
pos herklassiseer word of enige nie-voorgeskrewe
pos as 'n voorgeskrewe pos herklassiseer word. Met
dien verstande dat geen lasgewing krægtens hierdie
paragraaf 'n beampte of werknemer verlof of ander
voorreg of reg wat sy beledeling van 'n voorgeskrewe
of 'n nie-voorgeskrewe pos meegebring het, mag ont-
nome nie.

Aanstelling, besoldiging en amptsterryn van Regerings-
dienskommissie

4. (1) In ooreenstemming met die bepalingen van arti-
kel 16 van die Grondwet van die Swart State, 1971
(Wet 21 van 1971), is daar 'n kommissie bekend as die
Regeringsdienskommissie, met die bevoegdighede, werk-
saamhede en pligte wat by hierdie Wet of enige ander
wetbepaling voorgestryf word.

(2) (a) Die Kommissie bestaan uit drie lede wat nie
lede van die Wetgewende Vergadering is nie en wat deur
die Uitvoerende Raad aangestel word.

(b) Die Uitvoerende Raad wys een lid as voorzitter
en een lid as ondervoorzitter van die Kommissie aan.

(3) Behoudens die bepaling van subartikels (8), (9),
(10) en (11), behoort 'n lid van die Kommissie sy ampt
vir 'n tydperk van drie jaar en kan hy by die ver-
striking van sy amptsterryn heraangestel word. Met
dien verstande dat 'n lid van die Kommissie wat behoorlik
as 'n kandidate vir verkiezing tot lid van die Wetgewende
Vergaderinge genomineer is, sy ampt as lid van die
Kommissie met ingang van die datum waarop hy aldus
gonomineer is, neerlê.

(4) Die Uitvoerende Raad stel die salarisie en diens-
voorwaardes van lede van die Kommissie vas: Met dien
verstande dat die salaris van 'n lid nie gedurende sy
amptsterryn verdubbel mag word nie, behalwe by 'n
wat van die Wetgewende Vergadering.

(5) 'n Lid van die Kommissie mag nie sonder die
toestemming van die Uitvoerende Raad beslissende werk
buie sy amptsplyte verrig of hom verbind om dit te
verrig nie of hom aktief met die politiek bemoei nie.

(6) (a) Gedurende die afwesigheid van die voorzitter
van die Kommissie, om watter rede ook al, of as daar
gedurende die afwesigheid van enige een of meer
as een van die drie lede van die Kommissie kan die
Uitvoerende Raad 'n persoon of persone aanstel om
waar te neem in die plek van sodanige afwesige lid of
lede.

(b) Gedurende die afwesigheid van beide die voor-
zitter en ondervoorzitter van die Kommissie kan die
Uitvoerende Raad 'n lid of waarnemende lid aanstel
om op te tree as voorzitter van die Kommissie.

(7) 'n Lid van die Kommissie mag nie in sy ampt
gekors of daarvan onthef word nie, behalwe ooreen-
komstig die bepaling van subartikels (8), (9) en (10).

(8) (a) Die Uitvoerende Raad kan 'n lid van die
Kommissie in sy ampt skors en, behoudens die bepalingen
van hierdie subartikel hom daarvan onthef—
(i) weens wangedrag;
(ii) weens ongeskiktheid vir sy amptsplyte of onver-
moë om hulle op bekwaam wyse uit te voer; of

(2) It shall be competent for the Commission to
direct that—

(a) any post on the fixed establishment be classi-
fied as a prescribed post or as a non-prescribed
post; and

(b) any prescribed post be reclassified as a non-
prescribed post or any non-prescribed post be
reclassified as a prescribed post. Provided that no
direction under this paragraph shall deprive an offi-
cer or employee of any leave or other privilege or
right which flowed from the occupancy by him of
a prescribed or non-prescribed post.

Appointment, remuneration and tenure of office of
Public Service Commission

4. (1) In accordance with the provisions of section
16 of the Black States Constitution Act, 1971 (Act
21 of 1971), there shall be a commission known as
the Public Service Commission with such powers, func-
tions and duties as are prescribed in this Act or in
any other law.

(2) (a) The Commission shall consist of three mem-
bers, not being members of the Legislative Assembly,
to be appointed by the Executive Council.

(b) The Executive Council shall designate one mem-
ber as chairman and one member as vice-chairman
of the Commission.

(3) Subject to the provisions of subsections (8), (9),
(10) and (11), a member of the Commission shall hold
office for a period of three years, and shall be eligi-
ble for re-appointment on the expiry of his period of
office: Provided that a member of the Commission
who has duly been nominated for election as a mem-
ber of the Legislative Assembly shall relinquish his
office as member of the Commission with effect from
the date on which he was so nominated.

(4) The Executive Council shall determine the sala-
raries and conditions of service of members of the Com-
mission: Provided that the salary of a member shall
not be reduced during his tenure of office, except by
an act of the Legislative Assembly.

(5) A member of the Commission shall not without
the permission of the Executive Council perform or
engage himself to perform any remunerative work out-
side the duties of his office or actively engage in poli-
tics.

(6) (a) During the absence of the chairman of the
Commission for any reason whatsoever, or where there
is no chairman, the vice-chairman shall act as chair-
man.

(b) During the absence of any one or more than
one of the three members of the Commission the
Executive Council may appoint a person or persons
to act in the place of such absent person or persons.

(c) During the absence of both the chairman and
vice-chairman the Executive Council may appoint a
member or an acting member to act as chairman.

(7) A member of the Commission shall not be sus-
pended or removed from the office except in ac-
cordance with the provisions of subsections (8), (9) and
(10).

(8) (a) The Executive Council may suspend a mem-
ber of the Commission from office and subject to the
provisions of this subsection, remove him from office—

(i) for misconduct;

(ii) for unfitness for the duties of his office or
incapacity to carry them out efficiently; or
(iii) as, om ander redes as sy eie ongeschiktheid of onvermoë, sy ontheffing van sy amp doeltreffendheid of besluitingsal sal bevorde.

(b) Elke storsing van 'n lid van die Kommissie en die rede daarvoor moet aan die Wettewende Vergadering binne 14 dae na die skorsing meegedeel word as die Wettewende Vergadering dan sit of as die Wettewende Vergadering nie dan sit nie, binne 14 dae na die aanvag van sy eersvolgende sessie.

(c) As aan die Uitvoerende Raad, binne 21 dae vanaf die datum waarop genoemde skorsing en die rede daarvoor aansien aan die Wettewende Vergadering meegedeel is, 'n adres van die Wettewende Vergadering vorgele word, waarin verzoek word dat die lid van sy amp onthef word en waarin die rede vir die ontheffing geopen word, kan die Uitvoerende Raad hom dienverseenkomstig onthef.

(d) As geen sodanige adres binne die tydperk in paragraaf (c) genoem aan die Uitvoerende Raad voorgele word nie, moet die lid in sy amp herstel word.

(e) As 'n lid van die Kommissie 'n blywende verstandelike of liggaamlike swakheid opdoen what hom ongeskil maak vir die behoorlike vervulling van sy amptspagte, kan die Uitvoerende Raad—

(a) hom toelaat om sy amp neer te lê; of

(b) hom, behoudens die bepalings van subartikel 8, van sy amp op grond van onvermoë onthef.

(f) 'n Lid van die Kommissie moet minstens 35 jaar oud wees en aftree wanneer hy die leeftyd van 65 jaar bereik.

(11) As 'n beampte in die Regeringsdiens aangestel word om lid van die Kommissie te wees, moet hy uit sy betrekking in die Regeringsdiens bedank, en in die geval is hy geregtig op die pensioen waarop hy geregtig sou gekwang het as hy weens die afskaffing van sy pos uit die Regeringsdiens ontstap was.

Uitleg en delegasie van die Kommissie se bevoegdhede en werkzaamhede

5. (1) Behoudens die bepalings van subartikel 2, word 'n aanwending van lasgewing wat deur minstens twee lede van die Kommissie gegene is by die toepassing van hierdie Wet of enige ander wetsbepaling gegee word, begin met die geval van die Regeringsdiens genoem moet hy in aanvulling van die Kommissie hande in die geval van enige ander wetsbepaling (uitgesonderd die delegasiebevoegdheid wat hierby verleen word), met die instemming van die Kommissie uitgeoefen of verrig word—

(a) deur 'n lid van die Kommissie ingevoeg 'n algemene en speciale delegasie van die Kommissie; of

(b) deur 'n beampte of toegewege beampte in diens in die kantoor van die Kommissie.

(2) Die Kommissie mag nie die bevoegdhede aan hom verleen deur artikel 6 (2) (a), (g) en (n) of by artikel 15 (2), 15 (3), 15 (4) (a) tot en met (c), 15 (5) en 15 (7) of Hoofstuk 4 van hierdie Wet delegeer nie.

(3) Die Kommissie kan enige persoon magtig om 'n ondersoek in te stel na enige aangeklaagde waaroor hykragtige hierdie Wet of enige ander wetsbepaling die bevoegdheid het om 'n aanwending te doen of 'n lasgewing te gee.

(4) Enige delegasie of magtiging deur die Kommissie mag verleen, kan te eniger tyd deur die Kommissie gewysig of ingetrek word.

(iii) if for reasons other than his own unfitness or incapacity his removal from office will promote efficiency or economy.

(b) Every suspension of a member of the Commission and the reason therefor shall be communicated to the Legislative Assembly within 14 days of the suspension, if the Legislative Assembly is then in session, or, if the Legislative Assembly is not then in session, within 14 days of the commencement of its next session.

(c) If, within 21 days of the date on which the said suspension and the reason therefor have been so communicated to the Legislative Assembly, an address of the Legislative Assembly is presented to the Executive Council requesting the removal of the member from office and stating the reason for such removal, the Executive Council may remove him accordingly.

(d) If no such address is presented to the Executive Council within the period referred to in paragraph (c), the member shall be re-instated in office.

(9) If a member of the Commission becomes afflicted with a permanent infirmity of mind or body which disables him from the proper discharge of the duties of his office, the Executive Council may—

(a) allow him to vacate his office; or

(b) subject to the provisions of subsection (8), remove him from office on the ground of incapacity.

(10) A member of the Commission shall be at least 35 years of age and shall retire when he reaches the age of 65 years.

(11) If an officer in the Public Service is appointed a member of the Commission he shall resign his post in the Public Service, in which case he shall be entitled to the pension to which he would have been entitled had he been discharged from the Public Service owing to the abolition of his post.

Exercise and delegation of powers and functions of the Commission

5. (1) Subject to the provisions of subsection (2), a recommendation or direction given by not less than two members of the Commission shall be deemed for the purposes of this Act or any other law to be a recommendation or direction given by the Commission.

(2) Subject to the provisions of subsection (3), any power conferred upon or function entrusted to the Commission by this Act or any other law (except the power of delegation conferred hereby), may, with the concurrence of the Commission, be exercised or performed—

(a) by any member or members of the Commission under a general or special delegation from the Commission; or

(b) by any officer or allocated officer employed in the office of the Commission.

(3) The Commission shall not delegate the powers conferred upon it by section 6 (2) (a), (g) and (n) or by section 15 (2), 15 (3), 15 (4) (a) to (e) inclusive, 15 (5) and 15 (7) or Chapter 4 of this Act.

(4) The Commission may authorise any person to conduct an inquiry into any matter which is within the terms of this Act or of any other law it is competent for the Commission to make a recommendation or give a direction.

(5) Any delegation or authorisation made or given by the Commission under this section may at any time be amended or revoked by the Commission.
Bevoegdhede, werkzaamhede en pligte van die Kommissie

6. (1) Die Kommissie het die bevoegdhede—

(a) om die werkzaamhede aan hom opgedra en die pligte aan hom toevertrou van hierdie wet of by of wettigens enige ander wet, te verrig en uit te voer; en
(b) om aanbevelings te doen of lagings te gee
oor alle aangeleenthede waarvoor daar nie uitdruklik in hierdie Wet of enige ander wet voorsiening gemaak is nie maar wat neet daartoe strydig is met betrekking tot of voortspruitende uit die indienenn-
ming van en diensvoorwaardes in die algemeen van beamptes en werknemers.

(2) Die Kommissie moet—

(a) aanbevelings doen aangaande die skerpnie van afkalking van departemante, subdepartemante, takke of kantore, die oordag van werkzaamhede van een departemante aan 'n ander of van 'n departemante aan 'n ander liggaam of van 'n ander liggaam aan 'n departemante;
(b) aanbevelings doen aangaande die beheer, organisasie en herroeping van departemante, subdepartemante, takke of kantore;
(c) aanbevelings doen aangaande die getal, grade-
ning, hergrading en omkoppeling van poste op die vaste diensstaat;
(d) aanbevelings doen aangaande die getal persone wat tydelik of onder 'n spesiale kontrak, hetsy in 'n voltydse of 'n doeltydse hoedanigheid, in diens geneem moet word—

(i) teen poste op die vaste diensstaat, wat nie per-
manent gevat is nie; of
(ii) bykomend by die vaste diensstaat, hetsy weens die afwezigheid of siekte van die beheer van 'n pos, of wanneer dit nodig is om personeel te versoek vir die verrigting van 'n klas werk waarvoor personeel nie onder gewone omstandighede op 'n permanente basis aangewyn word nie, of wanneer dit om enige ander rede nodig is om die personeel van 'n departemante tydelik te vergroot;
(e) wanneer by dit nodig is om 'n aanbeveling te doen vir die indienenneming van 'n beampte bykomend by die vaste diensstaat of in 'n pos wat hoeër of laer as sy eie grond gegradeer is;
(f) aanbevelings doen vir die bewerkstelliging van besnuinging en die bevordering van doeltreffendheid in die bestuur en funksionering van departemante, subdepartemante, takke en kantore deur—

(i) verbeterde organisasie, procedure en metodes;
(ii) verbeterde toeges;
(iii) vereenvoudiging van werk en die uitskakeling van onnodige werk;
(iv) koördinasie van werk en beperking van die getal beamptes en werknemers van departemantes, subdepartemante, takke en kantore en die aanwending van die diens van beamptes en werknemers op die vooringestelde wyse;
(g) aanbevelings doen aangaande die skoue van salarisse, long en toeges van al die verskillende klasse en grade van beamptes en werknemers;
(h) wanneer dit nodig is om 'n aanspanting of bevoer-
dering te doen in of tot 'n voorgeskoude pos op die vaste diensstaat hetsy dit nodig is weens die feit dat die pos vakant of hergrader of omskyn is, 'n aanbeveling doen aangaande die persoon wat aangestel of bevorder moet word;

Powers, functions and duties of the Commission

6. (1) The Commission shall have the power—

(a) to perform the functions entrusted to and to carry out the duties imposed upon it by this Act or by or under any other law; and
(b) to make recommendations or give directions on all matters not specifically provided for in this Act or any other law, but inconsistent therewith, relating to or arising out of the employment of and the conditions or service generally of officers and employees.

(2) The Commission shall—

(a) make recommendations as to the creation or abolition of departments, subdepartments, branches or offices, the transfer of functions from one depart-
ment to another or from a department to any other body or from any other body to a department;
(b) make recommendations as to the control, orga-
nisation and readjustment of departments, sub-
departments, branches or offices;
(c) make recommendations on the number, grad-
ing, regarding and conversion of posts on the fixed establishment;
(d) make recommendations as to the number of persons to be employed temporarily or under a spe-
cial contract, whether in a full-time or a part-time capacity—

(i) against posts on the fixed establishment which are not permanently filled; or
(ii) in addition to the fixed establishment, either by reason of the absence or illness of the incumbent of any post, or when it is necessary to provide staff
for the performance of a class of work for which
staff is not ordinarily maintained on a permanent
basis, or when it is necessary for any other reason
to increase temporarily the staff of any department;
(e) whenever it considers it necessary, make a
recommendation for the employment of an officer
additional to the fixed establishment, or in a post
graded lower or higher than his own grade;
(f) make recommendations for effecting economy
and promoting efficiency in the management and
working of departments, subdepartments, branches,
and offices by—

(i) improved organisation, procedure and methods;
(ii) improved supervision;
(iii) simplification of work and the elimination of
unnecessary work;
(iv) co-ordination of work; and
(v) limitation of the number of officers and
employees of departments, subdepartments, branches
and offices and the utilisation of the services
of officers and employees to the best advantage;
(g) make recommendations as to the scales of salar-
aries, wages and allowances of all the various classes
and grades of officers and employees;
(h) whenever it is necessary to make any appoint-
ments or promotion to a prescribed post on the fixed establishment, whether such necessity arises from the
fact that the post is vacant or has been regarded or
converted, make a recommendation as to the person
to be appointed or promoted;
(i) aantekening hou van beamptes wat in voor-
geskrekke poste in diens geneem is;
(ii) onderzoek instel na griewe van beamptes en,
beholden die bepalings van hierdie Wet, die aan-
bevelings daaroor doen wat hy goeddink;
(iii) leesgewings gee aangenaam die leefstyd-, opvoed-
kundige, reël- en ander kwalifikasies wat persone
moet beset by aanstelling in, ooroplossing na of bevoer-
dsing in die Regeringsdiens, waar die kwalifikasies
nie by of kragtens hierdie Wet of enige ander wet
voorgekry is nie;
(iv) waar hy dit nodig ag, eksamens aande of laat
aaneen in vakke, instuutende tale, soos hy getas, of
soos voorgekry as 'n kwalifikasie wat persone by
aanstelling in, ooroplossing na of bevoerding in die
Regeringsdiens moet beset;
(v) dié ander bevoeghede uitoeen, dié ander worksamhede verrig en dié ander pligte uitvoer wat
nie met hierdie Wet streydig is nie en wat die Uit-
voerende Raad aan hom opgedra of hom opgelê het;
(vi) aanbevelings doen by die Uitvoerende Raad
vir die uitvaardiging of wysiging van regulasies in
artikel 26 van hierdie Wet bedoel;
(vii) so spoedig doenlik na die 31ste dag van Desem-
ber van elke jaar 'n verslag opstel oor aangeleent-
hede wat die Kommissie gedurende die vorige jaar
behandel het, soos spesiale verslae wat die Kom-
missie van tyd tot tyd wyslik ag.
(3) Die Kommissie kan, behoudens die bepalings van
enige regulasies ingevolge hierdie Wet uitgevaardig-
defisie, aangeneem word, personeelverenigings wat beamptes, soos voorgekry in artikel 1 van hierdie Wet verteenwoordig word.
(4) Die Uitvoerende Raad kan die bevoeghede,
werkسامhede en pligte wat by enige wet aan hom en/
or 'n Raadslid verleen, opgedra of opgelê is ten opsigte
de van die aanstelling, gradering, bevordering, afdeling,
disipline, diensuur, verlof en, in die algemeen, diens-
voorwaarde van persone in diens van rade, dergelijke
aanbevelings en ander instellings wat hul fondse gehal
aangetroef het. Die Inkomstfonds verkry, aan die
Kommissie delegeer.

Uitvoering van aanbevelings van die Kommissie

(1) Elke aanbeveling wat deur die Kommissie or-
sontrusting hierdie Wet gedoen word, en wat op 'n
bepaalde persoon betrekking het—

(a) 'n, behoudens die bepalings van subartikel
(2), voordat dit uitgevoer is, deur die Kommissie
tanggetrek of gewysig word of deur die Uitvoerende
Raad verworp of gewysig word te eniger tyd binne
't dy per van se kalendermaande na die datum
waaronder dit deur die Kommissie gedoen is of binne
't dy per van se kalendermaande na die datum
waaronder dit deur die Kommissie gewysig is; Met dien
verstaande dat die Kommissie nie 'n aanbeveling wat
deur die Uitvoerende Raad gewysig is, mag intrek
of wysig nie;

(b) word, behoudens die bepalings van subartikel
(2), as dit deur die Uitvoerende Raad gewysig is,
onverwyld deur die Raadslid, soos aldus gewysig uit-
gevoer;

(c) word, behoudens die bepalings van subartikel
(2), as die Uitvoerende Raad gewysig het om dit te
wegwerp of te verworp, onverwyld deur die Raadslid
deur die Kommissie gedoen of gewysig uitgevoer;

(i) keep a record of officers employed in pre-
scribed posts;

(ii) inquire into the grievances of officers and, sub-
ject to the provisions of this Act, make such rec-
ommendations thereon as it may deem fit;

(iii) give directions regarding the age, educational,
language and other qualifications to be possessed
by persons on appointment, transfer or promotion to
or in the Public Service, where such qualifications are
not prescribed by or under this Act or any other
law;

(1) where it deems it necessary, conduct examina-
tions or cause examinations to be conducted in such
subjects including languages, as it may direct or as
may be prescribed as a qualification to be possessed
by persons on appointment, transfer or promotion to
or in the Public Service;

(iv) exercise such other powers, perform such other
functions, and carry out such other duties, not
repugnant to this Act, as may be entrusted to or
conferr'd upon it by the Executive Council;

(v) make recommendations to the Executive Coun-
cil for the promulgation or amendment of regula-
tions referred to in section 26 of this Act;

(vi) as soon as practicable after the 31st day of
December of each year compile a report on the mat-
ters dealt with by the Commission during the pre-
vious year, as well as special reports which the Com-
misson may deem expedient from time to time.

(3) The Commission may, subject to the provisions of
any regulations made in terms of this Act, grant
recognition to staff associations representing officers as
defined in section 1 of this Act.

(4) The Executive Council may delegate to the com-
mision the powers, functions and duties as are by any
law granted or entrusted to or imposed upon the Ex-
cutive Council and/or a Councillor in connection with
the appointment, grading, promotion, retirement, disci-
pline, hours of attendance, leave and conditions of ser-
vice in general, of persons in the employment of coun-
cils, similar institutions and other establishments which
obtain their funds from the Revenue Fund, wholly or
in part.

Implementation of recommendations of the Commis-
sion

7. (1) Subject to the provisions of subsection (2)
every recommendation made by the Commission in
accordance with this Act and relating to a particular
person—

(a) may be withdrawn or varied by the Commission
or may be rejected or varied by the Executive
Council before it has been implemented, at any time
within a period of six calendar months of the date
upon which it was made by the Commission or with-
in a period of six calendar months of the date upon
which it was varied by the Commission; Provided
that it shall not be competent for the Commission to
withdraw or vary any recommendation which has
been varied by the Executive Council;

(b) shall, if the Executive Council has varied it,
forthwith be implemented by the Councillor as so
varied.
(d) word, behoudens die bepalings van subartikels
(2), as genoemde tydperk verstryk het en dit nie uit-
gevoer of deur die Kommissie teruggetrek of deur die
Uitvoerende Raad verwerp of gewysig is nie, onver-
wylde deur die Raadslid se deur die Kommissie
geden of gewysig, uitgevoer.

(2) Elke aanbeveling van die Kommissie aangaan-

d) die geval gradering, hergradering, en omkep-
ing van poste op die vaste dienstaat;
(b) die dieensusings en dienshouding van
beamptes en werknermes bykomend by die vaste
dienstaat of teen poste wat laer of hoër gegradeer
is as hulle eie gradering);
(c) die skale van salarisse, tone, en toelaes van
beamptes en werknermes;
(d) die betaling aan beamptes en werknermes of
aan klasse beamptes of werknermes van salarisse
ten hoër bedrae as die minimums van skale wat
op hulle poste by aanstelling, oorplasing of bevör-
dering van toepassing is;
(e) die spesiale vordering van beamptes en werk-
nermes of van klasse beamptes of werknermes binne
die salarissedak wat op hulle poste van toepassing
is of die betalings aan hulle van salarisse ooreen-
komstig hoër skale;
(f) die betaling aan beamptes en werknermes van
ekstra besoldiging vir die verrigting van oortydse;
(g) die bedrag aan bonusse, toekennings, gratifi-
kasies, honorariums en enige ander ekstra betalings
wat aan beamptes en werknermes gedoen moet
word;
(h) die toekenning van burses en hulpthoelaers vir
studie- en navorsingsdoeleindes;
(i) die diensvoorwaardes, in die algemeen, van
beamptes en werknermes,

en elke aanbeveling gedoen kragtens artikel 6 (2)
(n) wat uitgaar deur die Inkomstefonds meewerig,
word aan die Direkteur van Overheidskoste en Finan-
sies meegedeel en nie uitgevoer nie, tenby die Direkteur
sodanige uitgaar goedgelê het.

(3) Waar 'n aanbeveling van die Kommissie deur
die Uitvoerende Raad verwerp of gewysig is, handel
die Raadslid in die aangeleentheid in verband waar-
mee die aanbeveling gedoen is, ooreenkomstig enige
magtiging deur die Uitvoerende Raad verleen of oor-
eenkomstig die aanbeveling van die Kommissie, soos
aldus gewysig, sonder om 'n verdere aanbeveling van
die Kommissie te verkry.

(4) Vir die toepassing van die bepalings van sub-
artikels (1) en (3) betreffende die verwering of wysi-
ging deur die Uitvoerende Raad van 'n aanbeveling
van die Kommissie word 'n wetting deur of 'n ver-
suur van die Kommissie om 'n aanbeveling te doen,
geag 'n aanbeveling van die Kommissie te wees.

(5) Geen aansoek om die verwering of wysiging
van 'n aanbeveling word by die Uitvoerende Raad
gedaan nie, tenby die Raadslid aan die Kommissie
minstens 4 dae kennis gee van sy voorneme om
aldus aansoek te deen en sodanige konsekwensie
moet die grote uiterst met waarop die Raadslid van
rekening is om die aansoek te beseer.

(6) Vir die toepassing van hierdie Wet of enige ander
wet word 'n aanbeveling geag—

(a) gedoen te gewees het op die datum van die
skriflike mededeling waarin sodanige aanbeveling
oorgetred word; en
(b) deur die Kommissie toegestaan of gekies.

(c) shall, if the Executive Council has refused to
vary or reject it, forthwith be implemented by the
Councillor as made or varied by the Commission;
(d) shall, if the said period has expired, and it
has not been implemented or withdrawn by the Com-
mision or rejected or varied by the Executive Coun-
cil, forthwith be implemented by the Councillor as
made or varied by the Commission.

(2) Every recommendation of the Commission on

(a) the number, grading, regrading and conversion
of posts on the fixed establishment;
(b) the employment and continued employment of
officers and employees, additional to the fixed estab-
lishment or against posts graded higher or lower
than their own grading;
(c) the scales of salaries, wages, and allowances of
officers and employees;
(d) the payment to officers and employees or to
classes of officers or employees of salaries at higher
rates than the minima of the scales applicable to
their posts on appointment, transfer or promotion;
(e) the special advancement of officers and employ-
ees or of classes of officers or employees within the
scales of salary applicable to their posts or the pay-
ment to them of salaries in accordance with higher
scales;
(f) the payment to officers and employees of extra
remuneration for the performance of overtime duties;
(g) the amounts of bonuses, awards, gratuities,
honoraria and any other extra payments to be made
to officers and employees;
(h) the grant of bursaries and grants-in-aid for
purposes of study and research;

(i) the conditions of service generally of officers
and employees;

and every recommendation made in terms of section
(2) (n) involving expenditure from the Revenue Fund
shall be communicated to the Director of Administration,
Affairs and Finance and shall not be implemented
unless the Director has approved the expenditure
involved.

(3) Where a recommendation of the Commission has
been rejected or varied by the Executive Council, the
Councillor shall act in the matter in connection with
which the recommendation was made, in accordance
with any authority granted by the Executive Council
or in accordance with the recommendation of the Com-
mision as so varied, without obtaining a further recom-
mandation of the Commission.

(4) For the purposes of the provisions of subsection
(1) and (3), relating to the rejection or variation by
the Executive Council of a recommendation of the Com-
mision, any refusal or failure by the Commission
to make a recommendation shall be deemed to be a
recommendation of the Commission.

(5) No application for the rejection or variation of
a recommendation shall be made to the Executive
Council unless the Councillor has given the Commis-
sion at least 14 days notice of its intention so to apply
and such notice shall set forth the grounds upon which
the Councillor intends basing the application.

(6) For the application of this Act or any other law,
a recommendation shall be deemed—

(a) to have been made on the date of the written
communication conveying such recommendation; and
(b) as dit op 'n bepaalde persoon betrekking het, deur die Raadslid uitvoer te gee wat op die datum van die skriftelike mededeling aan daardie persoon dat die Raadslid sodanige aanbeveling goed-gekeur het.

(7) As die Uitvoerende Raad nie in staat of nie bereid is om 'n aanbeveling van die Kommissie wat coreenkomstig hierdie Wet gedoen is, aan te neem nie, of dit verwerp of wysig moet die Kommissie die aangemelde, hetsy deur middel van 'n spesiale verslag of in sy jaarverslag volledig aan die Wettewende Vergadering rapporteer.

Delegasie van bevoegdheid en werkzaamhede

8. (1) (a) Enige bevoegdheid verleen aan 'n Raads- lid by hierdie Wet kan, met die instemming van die Raadslid uitvoer of uitgeoefen word—

(i) deur enige toegewese beampte; of
(ii) deur enige beampte.

(b) In Raadslid mag nie die werkzaamhede by artikel 7 (1) aan hom opgedra delegeer nie.

(2) (a) Enige bevoegdheid wat kragtens hierdie Wet aan die departementshoof verleen is, kan deur hom aan 'n ander beampte of toegewese beampte, gedelegeer word op voorwaardes wat hy bepaal.

(b) In Departementshoof kan 'n delegasie wat kragtens hierdie artikel verleen is so eenig tyd teruggetrek.

Die Kommissie kan departemente inspioneer en het inslag in amptelike dokumente

9. Die Kommissie het die bevoegdheid om, vergesel van die Sekretaris van die Kommissie, enige departemente te inspioneer, en moet inslag gegee word in amptelike dokumente en stukke en moet vooroor word van alle inligting deur hoofde van departemente en onder beamptes en werknemers, wat na sy mening nodig is vir die uitvoering van sy bevoegdheid, die vergesel van sy werkzaamhede en die uitvoering van sy pligte kragtens hierdie Wet of kragtens enige ander Wet.

Personal van die Kommissie, inspекtie van departemente en bevoegdheid van Kommissie

10. (1) Daar word met inaamming van die bepaling van hierdie Wet 'n sekretaris en die Kommissie en die gedurende onder beamptes en werknemers aangestel, wat van tyd tot tyd nodig is om die Kommissie in staat te stel om op daadwerke wyse sy bevoegdheid uit te oefen, sy werkzaamhede te verrig en sy pligte uit te voer.

(2) Die Sekretaris in subartikel (1) bedoel, moet die opdragte nakom en die pligte uitvoer wat die Kommissie van tyd tot tyd aan hom gegee of hom opgedra het.

(3) Die Kommissie kan enige persoon magtig om die inspelde van departemente namens die Kommissie uit te voer en enige persoon aldus magtig het die bevoegdheid wat by artikel 9 aan die Kommissie verleë is.

(4) Die Sekretaris in subartikel (1) bedoel of 'n beampte of toegewese beampte deur hom daartoe magtig, moet die Kommissie, na ooreenkomstig met die voorstuur of waarnemende voorstuur byenwoordpension, die pligte verduidelik dat niks die voorstuur of waarnemende voorstuur van die Kommissie sal belet om in vergadering van die Kommissie te eniger tyd te belê nie. Met dien verstande voorts dat die Kommissie altyd ten keer per maand moet vergader.

(b) if it relates to a particular person, to have been implemented by the Councillor on the date of the written communication to such person stating that the Councillor has approved such recommendation.

(7) If the Executive Council is unable or not prepared to accept a recommendation by the Commission in accordance with this Act, or rejects or varies it, the Commission shall report the matter fully to the Legislative Assembly, either by means of a special report or in its annual report.

Delegation of powers and functions

8. (1) (a) Any power conferred upon a Councillor by this Act may, with the concurrence of the Council, be exercised or carried out—

(i) by any allocated officer; or

(ii) by any officer.

(b) A Councillor shall not delegate the functions conferred upon him by section 7 (1).

(2) (a) Any power conferred upon a head of department by this Act may be delegated by him to another officer or allocated officer, on conditions determined by him.

(b) A head of department may at any time withdraw a delegation granted in terms of this section.

The Commission may inspect departments and has access to official documents

9. The Commission accompanied by the secretary of the Commission shall have the power to inspect any department and shall be given access to official documents and records, and shall be furnished with all such information by heads of departments and other officers and employees as in its opinion may be necessary for the exercise of its powers, the performance of its functions and the carrying out of its duties under this Act or under any other law.

Staff of the Commission, inspection of departments and convening of the Commission

10. (1) There shall be appointed subject to the provisions of this Act, a secretary to the Commission and so many other officers and employees as may from time to time be necessary to enable the Commission effectually to exercise its powers, to perform its functions and to carry out its duties.

(2) The Secretary referred to in subsection (1) shall observe such directions and carry out such duties as may from time to time be given to or imposed upon him by the Commission.

(3) The Commission may authorise any person to carry out an inspection of departments on behalf of the Commission and any person so authorised shall have the powers conferred upon the Commission by section 9.

(4) The secretary referred to in subsection (1) or an officer or an allocated officer authorised by him shall, after consultation with the chairman or acting chairman of the Commission convene a meeting of the Commission at any time. Provided further that the Commission shall meet at least once a month.
HOOFSTUK 3
AANSTELLINGS, BEVORDERINGS, OORPLASINGS, AFTREDINGS, AFDANKINGS EN ONTSLAG

Deur wie aanstelling en bevordering gedaan word

11. Ondanks die bepaling van enige wet wat voor die inwerkingtreding van hierdie Wet aangeneem is en wonder om afbreuk te doen aan die werksaamhede wat deur die Kommissie kragtens hierdie Wet verrig moet word, word die aanstelling of bevordering van enige persoon in die Regeringsdiens deur die Raadslid gedaan.

Voorwaardes vir die vulling van poste

12. (1) Behoudens die bepaling van hierdie artikel en van artikel 13, word aanstelling, oorplasings, bevorderings en bevorderings in die Regeringsdiens gedaan op die wyse en onder die voorwaardes deur die Kommissie gelaat of aanbeveel, insluitende die besit van kennis van amptelike tale, tale wat kragtens artikel 108 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), as addisionele amptelike tale van KaNgwane erken is, of ander tale.

(2) Niemand word vas aangestel, of oorgeplaas en vas aangestel, hetsy op proef al dan nie, in enige pos op die vaste dienststaat van die Regeringsdiens nie, tenzyn so iemand—

(a) 'n burger is of, indien hy nie so 'n burger is nie, die uitvoerende Raad sy aanstelling aanbeveel het;

(b) van goeie karakter is; en

(c) na die mening van die Kommissie vry van enige verstandelike of liggaamlike gebrek, siekte of swakheid is, wat waarskynlik die behoorlike uitvoering van sy plicht sal belemmer, of sy afdeling in die Regeringsdiens voordat hy dié pensioenleeftyd bereik, nodig sal maak en die Kommissie aldus verknar het:

Mon dit versterke dat in persone soos op proef aangestel kan word, ondanks die bepaling van paragraaf (e) as die Kommissie die verklaring daarin bedoel, agterweë hou en as 'n voorwaarde van die aanstelling aanbeveel dat dit bekrachtig kan word slegs nadat die Kommissie sodanige verklaring uitgereik het.

(3) By die vulling van 'n pos in die Regeringsdiens moet daar behoorlik rekening gehou word met die kwalifikasies, betrokke verdiendelikheid, bekwaamheid en geskiktheid van die persone wat vir bevordering, oorplasing of aanstelling in aanmerking kom.

(4) Wanneer die vulling van 'n voorgeschreefse pos op die vaste dienststaat moet die Kommissie, behoudens die bepaleings van subartikel (3), of—

(a) die oorplasing of bevordering van 'n beambaarde aanbeveel; of

(b) as die pos nie op bevredigende wyse deur sodanige oorplasing of bevordering gevul kan word nie, die aanstelling van 'n persoon wat nie 'n beambaarde is nie aanbeveel.

Met dien verstande dat binne een kalendermaand na die aanvang van elke gewone sessie van die Wetgewende Vergadering, die Raadslid van die Departement

(5) Die Sekretaris in subartikel (1) bedoel of 'n beambaarde of toegeweze beambaarde wat deur hom daartoe gemagtig is, moet alle vergaderings van die Kommissie bywoon.

CHAPTER 3
APPOINTMENTS, PROMOTIONS, TRANSFERS, RETIREMENTS AND DISCHARGES

By whom appointments and promotions are made

11. Notwithstanding the provisions of any law passed before the commencement of this Act and without derogation from the functions to be performed by the Commission under this Act, the appointment or promotion of any person in the Public Service shall be made by the Councillor.

Conditions for the filling of posts

12. (1) Subject to the provisions of this section and of section 13, appointments, transfers and promotions in the Public Service shall be made in such manner and subject to such conditions as the Commission may direct or recommend, including the possession of knowledge of the official languages, languages which are recognised in terms of section 108 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961) as additional official languages for KaNgwane or other languages.

(2) No person shall be appointed permanently, or be transferred and appointed permanently, whether on probation or not, to any post on the fixed establishment of the Public Service unless such person is—

(a) a citizen or, if he is not such a citizen, his appointment has been recommended by the Executive Council;

(b) of good character; and

(c) in the opinion of the Commission, free from any mental or physical defect, disease or infirmity which would be likely to interfere with the proper carrying out of his duties or to render necessary his retirement from the Public Service before reaching the pensionable age and the Commission has so declared.

Provided that a person may be so appointed on probation, notwithstanding the provisions of paragraph (c), if the Commission withholds the declaration referred to therein and recommends as a condition of the appointment, that it may be confirmed only after the Commission has issued such declaration.

(3) In the filling of any post in the Public Service due regard shall be had to the qualifications, relative merit, efficiency and suitability of the persons who are eligible for promotion, transfer or appointment.

(4) For the filling of any prescribed post on the fixed establishment the Commission shall, subject to the provisions of subsection (3), recommend either—

(a) the transfer or promotion of an officer; or

(b) if the post cannot be satisfactorily filled by such transfer or promotion, the appointment of a person who is not an officer.

Provided that within one calendar month from the commencement of each ordinary session of the Legislative Assembly the Councillor for Department of
van Overheidsake en Finansies in die Wetgewende Vergadering 'n oppawe ter tafel moet le waarin opge-
gee word—
(a) die naam van elke persoon wat sedert die aan-
vang van die vorige gewone sessie van die Wetge-
wende Vergadering in 'n pos hoewel as 'n toetredings-
rang aangestel is en wat onmiddellik voor sodanige
aanstelling nie 'n beampte was nie;
(b) die pos waarmee dié persoon aangestel is;
(c) dié salarisskaal aan dié pos verbonden is;
(d) dié spesifieke kwalifikasies van dié persoon
vir dié pos en die spesifieke redes vir sy aanstelling.

Aanstellings, oorplasings en bevorderings op proef

13. (1) Aanstelling in, oorplasings na en bevode-
rings tot poste op die vaste dienstaat geskied op proef

(a) in die geval van voorgeskrewe poste, die Kom-
missie aldus aanbeveel; of
(b) in die geval van nie-voorgeskrewe poste, die
persoon wat die bevoegdheid het om aanstellings,
oorplasings en bevorderings goed te keur, mag die
bevoegdheid van die hoof van dié departement oor die
aanstelling van die persoon na die aanstelling van die
persoon self bevaat.

(2) Die proefydaldus aanbeveel of waartoe mag-
tiging aldus verleen is, is minstens 12 kalendermaande.
Hierdie termijn word reken as van diens op proef doet.
Oorplasings of bevorderings op proef in dié geval kan
al eers plaas vind nadat die persoon se diens op proef erfre.

(3) As die hoof van dié kantoor, tak, subdeparte-
ment of departement sertificeer dat dié persoon op
proef is en dat die persoon onwaardig is om op proef
dag die lug al of nêe toe te voer, is dié oorplasing draai-
vurig en mag die persoon nie op proef word nie.

(4) Die hoof van dié departement moet in dié geval
van 'n aanbeveling wat 'n voorgeskrewe persoon bekleed
en die nie-voorgeskrewe persoon bekleed, dié aanbeve-
eling met 'n beklag varieer en aan die Kommissie
rapporteer.

(5) Indien die Kommissie hierdie rapporteer van
diê volgorde opvoer, kan die Kommissie in dié geval
van 'n aanbeveling wat 'n voorgeskrewe persoon bekleed
en dié aanbeveling varieer, dié aanbeveling aan die
Kommissie voorleg.

(6) In dié geval van 'n aanbeveling wat 'n
voorgeskrewe persoon bekleed is, moet dié aanbeve-
eling aan die Kommissie voorlig.

Authority Affairs and Finance shall lay upon the Table
of the Legislative Assembly a return showing—

(a) the name of every person who has, since the
commencement of the preceding ordinary session of
the Legislative Assembly, been appointed to a post
higher than an entry grade and who was, immediately
prior to such appointment not an officer;
(b) the post to which such person has been
appointed;
(c) the salary scale attached to such post; and
(d) the special qualifications of such person for
the post and the special reasons for his appointment.

Appointments, transfers and promotions on probation

13. (1) Appointments, transfers or promotions to
posts on the fixed establishment shall be made on pro-
bation if—

(a) in the case of prescribed posts the Commis-
sion recommends accordingly; or
(b) in the case of non-prescribed posts, the
person holding power to approve appointments, trans-
fers and promotions thereinc, so authorises.

(2) The period of probation so recommended or
authorised shall not be less than 12 calendar months.
Provided that if an officer who is serving on probation
is transferred or promoted to any other post, a lesser
period of service on probation in the new post may
be recommended or authorised, which, together with
the period of probation served in the former post,
shall total at least 12 calendar months.
Provided further that the probationary period of an officer
shall be extended by the number of days leave taken by
him during the period of probation or any extension
thereof.

(3) If the head of the office, branch, subdepart-
ment or department certifies that during the period
of probation or extended period of probation the officer
concerned has been diligent and his conduct uniformly
satisfactory and that he is in all respects suitable for
the post which he holds, the Councillor may, if the
officer has complied with all the conditions to which
his appointment, transfer or promotion was subject,
confirm the appointment, transfer or promotion but
if the probationary appointment, transfer or promotion
is not so confirmed—

(a) the head of department shall, in the case of
an officer holding a prescribed post, report the
reasons for the non-confirmation to the Commis-
sion which, subject to the provisions of subsection
(5) make such recommendation in the matter as it
may deem fit; or
(b) the Councillor may extend the period of pro-
bation or act as is provided in subsection (4) if the
officer holds a non-prescribed post.

(4) Notwithstanding anything to the contrary in
subsection (2) or in Chapter 4 contained, but subject
to the provisions of subsection (5), an officer who is
serving on probation may be discharged from the
Public Service by the Councillor either during or at
or after the expiry of the period of probation—

(a) by giving one month's notice; or
(b) forthwith, if his conduct is unsatisfactory.

Provided that before an officer holding a prescribed
post is so discharged the Commission shall first have
made a recommendation.
Oorplaging en sekondering van beambtes en werknermers

14. (1) Behoudens die bepalinge van hierdie Wet kan elke beambte en werknermer, wanneer die openbare belang dit vereis, oorplaa geweest word uit die pos of betrekking wat hy bekleed na enige ander pos of betrekking in deselde of in enige ander departement het.

(b) 'n Beambte wat oorplaa is na of in diens is in 'n pos van hoer of hoer graad soos 'n eie graad sonder 'n verandering in sy salarisskaal, deur die Kommissie aanbeveel moet word vir oorplasing na 'n pos waarby sy salarisskaal pas sodra 'n geskikte vakature ontstaan;

(c) 'n Beambte of werknermer wat oorplaa is na of in diens is in 'n pos wat hoer as sy eie graad gepgradeer is of wat hergradeer is na, of omskakel in 'n pos van 'n hoer graad as sy eie graad, nie uit hoofde alleen van sodanige oorplaging of diens op die hoer salarisskaal of salaris wat op die pos van toepassing is, geregte is nie.

15. (1) Dit kan ook beteken dat die bepalinge van hierdie Wet kan elke beambte en werknermer, wanneer die openbare belang dit vereis, oorplaa geweest word uit die pos of betrekking wat hy bekleed na enige ander pos of betrekking in deselde of in enige ander departement het.

(a) 'n Beambte wat oorplaa is na of in diens is in 'n pos wat hoer as sy eie graad is of 'n ander beambte of werknermer wat oorplaa is na of in diens is in 'n pos wat hoer as sy eie graad is.

(b) 'n Beambte of werknermer wat oorplaa is na of in diens is in 'n pos wat hoer as sy eie graad is, deur die Kommissie aanbeveel moet word vir oorplasing na 'n pos waarby sy salarisskaal pas sodra 'n geskikte vakature ontstaan;

(c) 'n Beambte of werknermer wat oorplaa is na of in diens is in 'n pos wat hoer as sy eie graad is, deur die Kommissie aanbeveel moet word vir oorplasing na 'n pos waarby sy salarisskaal pas sodra 'n geskikte vakature ontstaan.

(d) 'n Beambte of werknermer wat oorplaa is na of in diens is in 'n pos wat hoer as sy eie graad is, deur die Kommissie aanbeveel moet word vir oorplasing na 'n pos waarby sy salarisskaal pas sodra 'n geskikte vakature ontstaan.

(e) 'n Beambte of werknermer wat oorplaa is na of in diens is in 'n pos wat hoer as sy eie graad is, deur die Kommissie aanbeveel moet word vir oorplasing na 'n pos waarby sy salarisskaal pas sodra 'n geskikte vakature ontstaan.

(f) 'n Beambte of werknermer wat oorplaa is na of in diens is in 'n pos wat hoer as sy eie graad is, deur die Kommissie aanbeveel moet word vir oorplasing na 'n pos waarby sy salarisskaal pas sodra 'n geskikte vakature ontstaan.
(5) 'n Burger wat 'n beampte of werknemer van die Staatsdienis van die Republiek is of wat in diens van die Regering van die Republiek is, mag geen swart staat bereik.

Retirement and discharge of officers

15. (1) (a) Subject to the provisions of subsections (2) and (3) and any law governing the pension rights of officers an officer shall have the right to retire from the Public Service on attaining the age of 60 years and shall be so retired on reaching the said age if that day is the first day of a month or if that day is any later day, on the first of the month immediately following the month in which he attains the age of 60 years.

(b) An officer who has been transferred from the Public Service of the Republic to the Public Service of the Republic without a break in service, shall have the right to retire with effect from the date determined by section 14 of the Public Service Act, 1957 (Act 54 of 1957), as if he had remained an officer of the Public Service of the Republic.

(2) If it is in the public interest to retain an officer in his post beyond the age at which in accordance with subsection (1) he shall be retired, he may be so retained from time to time on the recommendation of the Commission and the approval of the Council for further periods which shall not, except with the approval of the Legislative Assembly, exceed in the aggregate two years.

(3) (a) An officer (except an officer referred to in subsection (5) who has reached the age of 55 years) may, subject in every case to the recommendation of the Commission, be retired from the Public Service.

(b) An officer who has been transferred from the Public Service of the Republic to the Public Service without a break in service, may be retired on recommendation of the Commission with effect from the date determined in section 14 (5) of the Public Service Act, 1957 (Act 54 of 1957) read with section 6 of the Government Service Pensions Act, 1965 (Act 62 of 1965), as if he had remained an officer of the Public Service of the Republic.

(d) Every officer shall be liable to be discharged from the Public Service—

(a) on account of continued ill-health;

(b) owing to the abolition of his post or any reduction in or re-organisation or re-adjustment of departments or offices;

(c) if, for reasons other than his own unfitness or incapacity, his discharge will promote efficiency or economy in the department or office in which he is employed;

(d) on account of unfitness for his duties, or incapacity to carry them out efficiently;

(e) on account of misconduct;

(f) if, in the case of an officer appointed on probation his appointment is not confirmed.
32 No. 6619 STAATSKOEERANT, 17 AUGUSTUS 1979

(5) 'n Beampte wat sonder verlof van die departe-
mentshoof of die hoof van sy kantoor vir 'n tydperk
van meer as 'n kalendermaand van sy amptspigte
wegbly, word geag tot die Regeringsdiens weens wan-
gedrag ontslaan te gewees het met ingang van die datum
wat onmiddellik volg op die laaste dag waarop hy op
sy plek van diens teenwoordig was: Met dien ver-
stande dat as sodanige beampte ander werk aanvaar,
by geag word ontslaan te gewees, het wat voormalig
nie ontslaan bly nie en die genoemde tydperk nog nie versy-
kring nie: Met dien verstande woont dat as sodanige
beampte hom enige tyd na die versykring van
sodanige tydperk vir diens aanmeld, die Kommissie,
ondanks andersluidende wetsbepalings kan aanbeveel
het dat hy in die Regeringsdiens in sy vorige of enige ander
pos of betrekking herstel word op die voorwaardes wat
die Kommissie aanbeveel, en in so 'n geval word die
tydperk van sy afwezigheid van sy amptspigte, geag
afwezigheid met vakansieverlof sonder besoldiging of
verlof op die ander voorwaardes wat die Kommissie
aanbeveel, te wees.

(6) Die diens van 'n beampte wat 'n nie-voorges-
krewte pos op die vaste diensstaat bekleed, kan ondanks
die afwezigheid van enige rede vir ontslag ooreenkom-
tig subartikel (4), beëindig word na minstens een
maand skriftelike kennisgeving: Met dien verstande
dat, in die geval van 'n beampte met 10 jaar of langer
onderbroke diens, die Kommissie eers die beëindi-
ging van sy dienste moet aanbeveel.

(7) Die bevoegdheid om 'n beampte of werknemer
te ontslaan bly met die Raadslid: Met dien verstande
dat in die geval van 'n beampte wat 'n voorgestrewte
pos beklede die Kommissie eers sy ontslag moet aan-
beveel.

HOOSTUK 4
ONBEKWAAMHEID EN WANGEDRAG

Onbekwame beamptes

16. (1) As 'n departementshoof aan die Raadslid
verslag doen dat 'n beampte wat 'n voorgestrewte pos
in sy departement bekleed, na sy mening ongeskik is vir
sy plek of nie in staat is om hulle op bekwaame wyse
uit te voer nie, stel die Raadslid 'n beampte of 'n toe-
geweke beampte aan om onderzoek na die inhou-
d van daardie verslag in te stel, en as enige sodanige
verslag aan 'n departementshoof gedaan word deur 'n beampte
of 'n toegeweke beampte wat ingevolge artikel 10 (3)
gemag is om departemente te inspekteer, stuur
genoemde departementshoof dit binne een kalender-
maand na die datum waarop hy dit ontvang het deur
na die Raadslid wat 'n beampte of toegeweke beampte
moet aanstel om onderzoek na die inhoud van daardie
verslag in te stel.

(2) Die beampte of toegeweke beampte wat die onder-
zoek moet instel, stel, in oorelg met die departements-
hoof, die tyd en die plek van diens onderzoek, en dus
die departementshoof gee aan die betrokke beampte
redelike skriftelike kennis van die tyd en plek aldus
vastgestel en verstrekt aan hom 'n skriftelike uiteset-
ting van die redes op grond waarvan beweer word dat
hy ongeskik is vir sy plek of nie in staat is om hulle
op bekwaame wyse uit te voer nie.

(3) Die departementshoof kan enige persoon magtig
om by die onderzoek teenwoordig te wees en om
getuie en argumente ter stawing van die bewerings
in subartikel (2) bedoel, aan te voer en om enige persoon
wat getuie is, afgelei het om daardie bewerings te weer-
ke, te kruisvra.

(5) 'n Officer who absents himself from his official
positions without the permission of the head of his depart-
ment or the head of his office for a period exceeding
one calendar month, shall be deemed to have been dis-
charged from the Public Service on account of miscon-
duct with effect from the date immediately succeeding
his last day of attendance at his place of duty: Provided
that if such officer assumes other employment he shall
be deemed to have been discharged as aforesaid, not-
withstanding that the said period has not expired:
Provided further that if such officer reports for duty at
any time after the expiry of the said period the Com-
mision may, notwithstanding anything to the contrary
contained in this Act or any other law, recommend
that he be reinstated in the Public Service in his former
or any other post or appointment, on such conditions
as the Commission may recommend, in which event the
period of his absence from official duty shall be deemed
to have been absence on vacation leave without pay or
leave on such other conditions as the Commission may
recommend.

(6) The services of an officer who occupies a non-
unprescribed post on the fixed establishment may be
withdrawing the absence of any cause of discharge
under subsection (4), be terminated by the giving of not
less than one month's notice in writing: Provided that
in the case of an officer with 10 years continuous service
or longer, the Commission shall first make a recom-
mendation for his discharge.

(7) The power of discharge of an officer or employee
is vested in the Councillor: Provided that in the case of
an officer who occupies a prescribed post the Com-
mission shall first make a recommendation for his dis-
charge.

CHAPTER 4
INEFFICIENCY AND MISCONDUCT

Inefficient officers

16. (1) If a head of a department reports to the
Councillor that any officer who occupies a prescribed
post in his department is, in his opinion, unfit for his
duties or incapable of carrying them out efficiently, the
Councillor shall appoint an officer or an allocated officer
to inquire into the subject matter of that report, and
if any such report is made to a head of department by
an officer or an allocated officer, who is authorised to
inspect departments in terms of section 10 (3), the said
head of department shall within one calendar month of
the date on which he received it, transmit it to the
Councillor who shall appoint an officer or an allocated
officer to inquire into the subject matter of that report.

(2) The officer or allocated officer who is to hold the
inquiry shall, in consultation with the head of depart-
ment, fix the time and place of the inquiry and the
head of department shall give the officer concerned
reasonable notice in writing of the time and place so
fixed and shall furnish him with a written statement of
the grounds on which it is alleged that he is unfit for
his duties or incapable of carrying them out efficiently.

(3) The head of department may authorise any per-
to attend the inquiry and to adduce evidence and
arguments in support of the allegation referred to in
subsection (2) and to cross-examine any person who has
given evidence to rebut those allegations.
(4) (a) By die ondersoek het die betrokke beambte die reg om teenwoordig te wees en aangehoor te word, hetsy persoonlik of deur 'n verteenwoordiger, om enige persoon wat as getuie opgeroep is ter stawing van die bewerings in subartikel (2) bedoe, te kruisvra om insas te hé in alle dokumente wat as getuie voorgelé is om sef getuie van af te lê en om enige ander persoon as getuie op te roep.
(b) Die beambte of toegewees beambte wat die onderstel, moet noteer hou van die verrijtings by die ondersteun en van alle getuëiens wat aanvaar afgele word.
(c) Die versam van die betrokke beambte om by die ondersteun teenwoordig te wees, hetsy persoonlik of deur 'n verteenwoordiger, maak die verrijtings nie ongeldig nie.

(5) Wanneer van die ondersteun moet die beambte of toegewees beambte wat dit instel, bevind of die betrokke beambte ongeskik is vir sy pligte of nie in staat is om hul op beloemde wyse uit te voer nie, die betrokke beambte van sy bevinding verwittig en om die instel van die ondersteun aan die Raadslid verslag doen.

(6) As die beambte of toegewees beambte wat die ondersteun ingestel het, bevind het dat die betrokke beambte ongeskik is vir sy pligte of nie in staat is om hul op beloemde wyse uit te voer nie, moet hy die note van die verrijtings by die ondersteun en alle dokumentêre getuëiens wat aanvaar toegelaat is, 'n skriftelike uiteenstelling van sy bevinding en sy redes daarvoer en enige opmerkingensoor die saak wat hy wens te maak aan die Kommissie stuur en as kennis van appéel opgeroepom om die bepaling van subartikel (6) gegaan is, moet hy daar met die note die kennisgewing en graag appéel aansluit en aan die betrokke beambte deur die afsluit van die reden vir sy bevinding verstrekt.

(7) As die beambte van die ondersteun beweert dat die beambte van sy pligte of nie in staat is om hul op beloemde wyse uit te voer nie, moet hy die note van die verrijtings by sy bevinding aan die ondersteun aanse het, en dan die Kommissie sodanige afskep aan hom verstrekt.

(8) Die betrokke beambte kan binne 14 dae na die datum waarop hy 'n afskep van die reden vir sy bevinding ontvang het, die Kommissie om 'n afskep van die note van die verrijtings by die ondersteun aanse het, en dan die Kommissie skriflike verslag, in vryvore, ter stawing van sy appéel voorlê.

(9) Die Kommissie stuur 'n afskep van die note en dokumente in subartikel (7) bedoe en 'n afskep van die verdiende in subartikel (9) bedoe aan die departementshoof.

(10) Die departementshoof kan binne 14 dae na die datum waarop hy die afskep van die verdiende in subartikel (10) bedoe, in vryvore, vertoe wat by wens voor te lê en te stawing van die bevinding wat die afskep aangeteken is, in vryvore tot die Kommissie rig en die Kommissie moet 'n afskep van sodanige vertoe aan die betrokke beambte verstrekt.

(5) Wanneer van die ondersteun moet die beambte of toegewees beambte wat dit instel, bevind of die betrokke beambte ongeskik is vir sy pligte of nie in staat is om hul op beloemde wyse uit te voer nie, die betrokke beambte van sy bevinding verwittig en om die instel van die ondersteun aan die Raadslid verslag doen.

(6) As die beambte of toegewees beambte wat die ondersteun ingestel het, bevind het dat die betrokke beambte ongeskik is vir sy pligte of nie in staat is om hul op beloemde wyse uit te voer nie, moet hy die note van die verrijtings by die ondersteun en alle dokumentêre getuëiens wat aanvaar toegelaat is, 'n skriftelike uiteenstelling van sy bevinding en sy redes daarvoer en enige opmerkingensoor die saak wat hy wens te maak aan die Kommissie stuur en as kennis van appéel opgeroepom om die bepaling van subartikel (6) gegaan is, moet hy daar met die note die kennisgewing en graag appéel aansluit en aan die betrokke beambte deur die afsluit van die reden vir sy bevinding verstrekt.

(7) As die beambte van die ondersteun beweert dat die beambte van sy pligte of nie in staat is om hul op beloemde wyse uit te voer nie, moet hy die note van die verrijtings by sy bevinding aan die ondersteun aanse het, en dan die Kommissie sodanige afskep aan hom verstrekt.

(8) Die betrokke beambte kan binne 14 dae na die datum waarop hy 'n afskep van die reden vir sy bevinding ontvang het, die Kommissie om 'n afskep van die note van die verrijtings by die ondersteun aanse het, en dan die Kommissie skriflike verslag, in vryvore, ter stawing van sy appéel voorlê.

(9) Die Kommissie stuur 'n afskep van die note en dokumente in subartikel (7) bedoe en 'n afskep van die verdiende in subartikel (9) bedoe aan die departementshoof.

(10) Die departementshoof kan binne 14 dae na die datum waarop hy die afskep van die verdiende in subartikel (10) bedoe, in vryvore, vertoe wat by wens voor te lê en te stawing van die bevinding wat die afskep aangeteken is, in vryvore tot die Kommissie rig en die Kommissie moet 'n afskep van sodanige vertoe aan die betrokke beambte verstrekt.

(4) (a) At the inquiry the officer concerned shall have the right to be present and to be heard either personally or through a representative, to cross-examine any person called as a witness in support of the allegations referred to in subsection (2), to inspect any documents produced in evidence, to give evidence himself and to call any other person as a witness.

(b) The officer or allocated officer holding the inquiry shall keep a record of the proceedings at the inquiry and of all evidence given thereat.

(c) The failure of the officer concerned to attend the inquiry, either personally or by a representative, shall not invalidate the proceedings.

(5) At the conclusion of the inquiry the officer or allocated officer holding it shall find whether or not the officer concerned is unfit for his duties or incapable of carrying them out efficiently, shall inform the officer concerned of his finding and shall report the result of the inquiry to the Councillor.

(6) If the officer or allocated officer who held the inquiry has found that the officer concerned is unfit for his duties or incapable of carrying them out efficiently, the officer concerned, may within 14 days of the date upon which he was informed of the finding appeal thereupon to the Commission by giving to the officer or allocated officer who held the inquiry a written notice of appeal wherein he shall set forth fully the grounds upon which the appeal is based.

(7) If the officer or allocated officer who held the inquiry has found that the officer concerned is unfit for his duties or incapable of carrying them out efficiently, he shall forward to the Commission the record of the proceedings at the inquiry and any documentary evidence adduced therein, a written statement of his finding and his reasons therefor and any observations on the case which he may desire to make and if notice of appeal has been given in accordance with the provisions of subsection (6), he shall forward with the record the notice and grounds of appeal, and shall furnish the officer concerned with a copy of the reasons for his findings.

(8) If the officer concerned applies to the Commission for a copy of the record of the proceedings at the inquiry within seven days of the date upon which he received a copy of the reasons for the finding, the Commission shall furnish him with such copy.

(9) The officer concerned may within 14 days of the date upon which he received the copy of the record of the proceedings, or if he did not apply for a copy of the record, within 21 days of the date upon which he received the copy of the reasons for the finding, submit to the Commission written representations, in quadruplicate, in support of his appeal.

(10) The Commission shall forward to the head of department a copy of the record and documents referred to in subsection (7) and a copy of the representations referred to in subsection (9).

(11) The head of department may, within 14 days of the date upon which he received the copies referred to in subsection (10), submit to the Commission, in quadruplicate any representations which he desires to make in support of the finding against which the appeal is brought, and the Commission shall furnish the officer concerned with a copy of such representations.
(12) (a) Die betrokke beampte kan binne 14 dae na die datum waarop hy 'n afskrif van die vertoë in sub-artikel (11) bedoel, ontvang het, enige skriftelike repliek wat hy op enige vertoë wil lewer, in viertuig aan die Kommissie voerê.

(b) Die Kommissie verstrekk 'n afskrif van bedoelde repliek aan die departementshoof.

(c) Die departementshoof het nie die reg om verdere vertoë in antwoord op bedoelde repliek voor te lé nie, behalwe met verlof van die Kommissie.

(13) Na oorewening van bedoelde notule en dokumente kan die kommissie die appel in sy geheel of gedeeltelik handhaef en die bevinding terslye stel of wyse of die appel van die hand wys en die bevinding in sy geheel of gedeeltelik bekrang, of kan die Kommissie, voordat hy tot 'n finale beslissing oor die appel geraak, enige vraag in verband met die ondersoek na die beampte of toegewe beampte wat dit ingestel het, terugverwys, en hom gelas om verslag daaroor te doen of om 'n verdere ondersoek in te stel en tot 'n bevinding daaroor te geraak.

(14) As die Kommissie gelas dat 'n verdere ondersoek ingestel moet word, is die bepaling van subartikels (3) en (4) van toepassing.

(15) Wanneer die Kommissie tot 'n finale beslissing oor 'n appel geraak het, deel hy daardie beslissing skriftelik aan die appellant en aan die Raadslid mee.

(16) As die beampte of toegewe beampte wat die ondersoek ingestel het, bevind het dat die beampte ongeskil is vir sy pligte of nie in staat is om hulle op bekawe wyse uit te voer nie en die beampte nie teen die bevinding sou hierbo bepaal, geappeller het nie of as hy aldus geappelleer het en sy appel van die hand gewys is, stuur die Kommissie die notule en alle ander dokumente wat op die ondersoek betrekking het, aan die Raadslid en beveel hy aan-

(a) dat geen verdere stappe in die saak gedoen word nie;

(b) dat die betrokke beampte na 'n ander pos oorgeplaas of in diens gehou word bykomend tot die vaste diensstaat;

(c) dat sy salaris of graad of sy salaris sowel as sy graad verlaag word in die mate wat aanbeveel word; of

(d) dat hy uit die Regieringsdiens ontslaan word met ingang van 'n datum deur die Raadslid bepaal.

As die Kommissie 'n aanbeveling ingevolge paragraaf (b) doen, kan hy ook 'n aanbeveling ingevolge paragraaf (c) doen.

(17) Die Raadslid kan die gedragslyn volg wat die Kommissie aanbeveel bet of behoort om die bepaling van artikel 7 (1), enige ander gedragslyn wat die Kommissie wettiglik ingevolge subartikel (16) kon aanbeveel het.

Onbekwame departementshoofde

17. (1) As daar na mening van die Raadslid redelike gronde bestaan om te vermoed dat 'n departementshoof wat 'n beampte is, ongeskil is vir sy pligte of nie in staat is om hulle op bekawe wyse uit te voer nie, doen die Raadslid dienovereenkomstig verslag aan die Uitvoerende Raad en die Uitvoerende Raad kan 'n persoon of persone aanstel om ondersoek na die inhoud van daardie verslag in te stel.

(12) (a) The officer concerned may within 14 days of the date upon which he received a copy of the representations referred to in subsection (11), submit to the Commission, in quadruplicate, any reply in writing he may wish to make to such representations.

(b) The Commission shall furnish the head of department with a copy of such reply.

(c) The head of department shall have no right to submit further representations in answer to such reply, except by leave of the Commission.

(13) After consideration of the aforesaid record and documents, the Commission may allow the appeal wholly or in part and set aside or alter the finding, or dismiss the appeal and confirm the finding wholly or in part, or the Commission may, before arriving at a final decision on the appeal, remit any question in connection with the inquiry to the officer or allocated officer who held it and direct him to report thereon or to hold a further inquiry and arrive at a finding thereon.

(14) If the Commission directs the holding of a further inquiry, the provisions of subsections (3) and (4) shall apply.

(15) When the Commission has arrived at a final decision on an appeal, it shall convey that decision in writing to the appellant and to the Councillor.

(16) If the officer or allocated officer who held the inquiry has found that the officer is unfit for his duties or incapable of carrying them out efficiently and the officer has not appealed against the finding as hereinbefore provided, or if he has so appealed and his appeal has been dismissed, the Commission shall forward the record and all documents relating to the inquiry to the Councillor and recommend—

(a) that no further action be taken in the matter;

(b) that the officer concerned be transferred to another post or be employed additional to the fixed establishment;

(c) that his salary or grade or both his salary and grade be reduced to an extent recommended; or

(d) that he be discharged from the Public Service from a date to be specified by the Councillor.

If the Commission makes a recommendation in terms of paragraph (b), it may also make a recommendation in terms of paragraph (c).

(17) The Councillor may adopt the course recommended by the Commission or, subject to the provisions of section 7 (1) any other course which the Commission could lawfully have recommended under subsection (16).

Inefficient heads of departments

17. (1) If in the opinion of the Councillor there are reasonable grounds for believing that a head of department, who is an officer, is unfit for his duties or incapable of carrying them out efficiently the Councillor reports accordingly to the Executive Council and the Executive Council may appoint a person or persons to inquire into the subject matter of that report.
Uitvoering van waangebragt

[...]
(m) in geldelike moeilikheid geraak, tansy daar bewys word dat sy geldelike moeilikheid nie die gevolg is van onversigtigheid of ander laakbare oor- saak nie en nie nooddelig is vir die getroue uitvoering van sy pligte nie;

(n) sonder dat hy eers die toestemming van sy departementshoof verkry het, inligting wat hy ingewin of waaraan hy gekom het as gevolg van sy werk in die Regeringsdiens, openbaar maak anders as in die vervulling van sy amptsplichte of sodanige inligting gebruik vir ’n ander doel as vir die vervulling van sy amptsplichte, hetsy hy sodanige inligting openbaar maak of nie;

(o) sonder die toestemming van die Raadslid (ver- leen op aanbeveling van die Kommissie in die geval van ’n beamtjie wat ’n voorgestelde pos op die vaste dienstaat beklee) enige kommissie, geld of beloning, geldelik of anders (wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie) aanneem of dit eis ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of versuim om aan sy departementshoof of, as hy die departementshoof is, wat ’n beamtjie is, aan die Raadslid, die aanspreek van sodanige kommissie, geld of beloning te rapporteer;

(p) hom ciendom van die Regering wederregtelik toekien of onbehoorlike gebruik daarvan maak onder sodanige omstandighede dat sy daad nie ’n kriminele misdryf uitmaak nie;

(q) ’n kriminele misdryf begun;

(r) sonder verlof of geldige rede van sy kantoor of diens wegbly; of

(s) met die oog op die verkryging van enige voor- reg of voordeel met betrekking tot sy amptelike posisie of sy pligte, of met die oog op die veroor- saking van enige nadel of skade aan die Regering of ’n departement of die Regeringsdiens of ’n lid van die Regeringsdiens, ’n valse of onjuiste verklinking doen wetende dat dit vals of onjuis is.

Procedure in gevalle van wangedrag

19. (1) Wanneer ’n beamtjie (uitgesonderd ’n departe- mentshoof) van wangedrag beskuldig word, kan sy departementshoof of ’n beamtjie of toegewese beamtjie in daardie departement wat deur die departements- hoof daartoe geneem is, behoudens die bepalinge van subartikels (22) en (30) hom skriftelik onder sy hand- tekening van daardie wangedrag aanknal.

(2) Die beamtjie of toegewese beamtjie wat die aan- klag onderteken het, moet aan die aangeklaagde beamtjie laat beteken.

(3) Die aanklager moet ’n aansoek bevat of van ’n aansoek vergelyk, waarin die aangeklaagde beamtjie aangegaan word om binne ’n redelike tydperk van minstens 14 werksdae wat in die aansoek ver- meld word, aan ’n persoon wat ook daarin vermeld word, ’n skriftelike erkenning of ontkening van die aanklager en, as hy dit verlang, ’n skriftelike verklinking van die wangedrag waarvan hy aangelaag word te stuur, of hy af te lewer.

(4) Die Raadslid of die departementshoof of, indien daartoe geneem is, die beamtjie of toegewese beamtjie in die departe- ment, kan te enig tyd voor of nadat daar met die beamtjie ooreenkomstig die bepalinge van hierdie artikel gehandel is, die beamtjie in sy diens skors.

(m) becomes pecuniarily embarrassed, unless it is shown that his pecuniary embarrassment has not been occasioned by imprudence or other reprehensible cause and is not prejudicial to the faithful performance of his duties;

(n) without first having obtained the permission of his head of department discloses, otherwise than in the discharge of his official duties, information gained by or conveyed to him through his employment in the Public Service, or uses such information, for any purpose other than for the discharge of his official duties, whether or not he discloses such information;

(o) without the permission of the Councillor (granted on the recommendation of the Commission in the case of an officer holding a prescribed post on the fixed establishment) accepts or demands in respect of the carrying out of or the failure to carry out his duties, any commission, fee, or reward, pecuniary or otherwise (not being the emoluments payable to him in respect of his duties), or fails to report to his head of department or if he is the head of a department who is an officer, to the Councillor, the offer of any such commission, fee, or reward;

(p) misappropriates or improperly uses any property of the Government under such circumstances that this act does not constitute a criminal offence;

(q) commits a criminal offence;

(r) absents himself from his office or duty without leave or valid cause; or

(s) with a view to obtaining any privilege or advantage in relation to his official position or his duties, or to causing prejudice or injury to the Government or a department or the Public Service, or a member of the Public Service, makes a false or incorrect statement knowing it to be false or incorrect.

Procedure in cases of misconduct

19. (1) When an officer (other than a head of depart- ment) is accused of misconduct, his head of depart- ment or any officer or allocated officer in that depart- ment who has been authorised thereto by the head of department may, subject to the provisions of subpar- ticles (22) and (30) charge him in writing under his hand with that misconduct.

(2) The officer or allocated officer who signed the charge shall cause it to be served upon the officer charged.

(3) The charge shall contain or shall be accompanied by a direction calling upon the officer charged to appear at any time and place fixed by the officer charged, or to be in delivery, within a reasonable period specified in the direction, which shall not be less than 14 working days, to a person likewise specified, a written admission or denial of the charge and, if he so desires, a written explanation of the misconduct with which he is charged.

(4) The Councillor or the head of department or, if authorised thereto by the head of department, any other officer or allocated officer in the department may at any time before or after the officer has been dealt with under this section suspend him from duty.
(1) 'n Beampte wat ingevolge subartikel (4) in sy argaans geskeur is, is nie op enige emolumente van die tydperk van sy skorsing gereguur nie. Met dien verstaande dat die Raadslid na goeddrukt kan pelas dat die outjie in die gedeelte van sy emolumente van die tydperk van sy skorsing betaal word.

(2) As geen aanlewing van wangedrag teen 'n beampte wat in sy diens geskors is, ingebring word of hangende is nie, word hy toegelaat om weer diens te aanvaar en word sy volle emolumente vir die tydperk van sy skorsing aan hom betaal.

(3) Die Raadslid of die departementshoof of ander beampte of toegewe beampte wat die beampte geskors het, kan die skorsing te eindig tyd intrek, maar ondanks die intrekking van die skorsing kan die veroordelinge in verband met die aanlewing van wangedrag voortgezet word.

(4) As die aangeklaagde beampte die aanlewing ontken, kan die Raadslid, indien daar in sy oordeel volwoonde groot vir verdere stappe bestaan, 'n beampte of toegewe beampte aanstel om onderzoek na die aanlewing te deed.

(5) Die beampte of toegewe beampte wat die onderzoek moet instel, moet in ooreenstemming met die beampte of toegewe beampte wat die aanlewing onderteken het, die tyd en plek van die onderzoek vasstel en die beampte of toegewe beampte wat die aanlewing onderteken het, moet aan die aangeklaagde beampte redelike skriftlike kennis gee van die tyd en plek aldaar vasgestel word.

(6) Die beampte of toegewe beampte wat die aanlewing onderteken het, kan enige persoon magsig oor die onderzoek toevoegbaar wees en om getuie en argumeante ter stawing van die aanlewing aan te voer en om enige persoon wat as getuie vir die verower opgetree is, te kruisvra.

(7) (a) By die onderzoek het die aangeklaagde beampte die reg om teenwoordig te wees en om aanlewing te word, hy persoonlik of deur 'n verteenwoordiger om enige persoon wat ter stawing van die aanlewing opgeroep is, te kruisvra, om insa te hê in alle dokument wat as getuievoorgelo is, om self getuiewe af te le en ander persone as getuievoorsien op te reg.

(b) Die beampte of toegewe beampte wat die onderzoek instel, moet notule hou van die verstoring van die onderzoek en van alle getuievoorsien wat aldaar aangevra word.

(c) Die versien van die aangeklaagde beampte om persoonlik of deur 'n verteenwoordiger deur die onderzoek teenwoordig te wees, maak die verstoring nie ondraglik nie.

(8) Na afloop van die onderzoek moet die beampte of toegewe beampte wat die instel—

(a) bevind of die aangeklaagde beampte skuldig is of nie skuldig is nie aan die wangedrag waarvan hy aangekla is;

(b) die aangeklaagde beampte van sy bevinding vermeld:

(c) aan die Raadslid verslag doen oor die uitslag van die onderzoek.

(9) As die aangeklaagde beampte ingevolge subartikel (4) in sy diens geskors is en die beampte of toegewe beampte wat die onderzoek instel, bevind dit hy nie skuldig is aan die wangedrag waarvan hy aangekla is nie, moet genoemde beampte toegelaat word om weer diens in sy pos te aanvaar en moet sy volle emolumente vir die tydperk van sy skorsing betaal word.

(10) 'n Officer wat in buitenskuil van diens in term van subartikel (4) nie te eenheid deur diens instel nie, moet die onderzoek laten voltooi, maar moet die aangeklaagde beampte van sy bevinding verkondig.

(11) (a) By die onderzoek het die aangeklaagde beampte die reg om teenwoordig te wees en om aanlewing te word, kyk persoonlik of deur 'n verteenwoordiger om enige persoon wat ter stawing van die aanlewing opgeroep is, te kruisvra, om insa te hê in alle dokument wat as getuievoorgelo is, om self getuiewe af te le en ander persone as getuievoorsien op te reg.

(b) Die presentie van die aangeklaagde beampte om persoonlik of deur 'n verteenwoordiger deur die onderzoek teenwoordig te wees, maak die verstoring nie ondraglik nie.

(c) Na afloop van die onderzoek moet die beampte of toegewe beampte wat die instel—

(a) bevind of die aangeklaagde beampte skuldig is of nie skuldig is nie aan die wangedrag waarvan hy aangekla is;

(b) die aangeklaagde beampte van sy bevinding vermeld:

(c) aan dieRaadslid verslag doen oor die uitslag van die onderzoek.

(12) At the conclusion of the inquiry the officer or allocated officer holding the inquiry shall keep a record of the proceedings at the inquiry and of all evidence given thereat.

(b) The failure of the officer or allocated officer to attend the inquiry, either personally or by a representative, shall not invalidate the proceedings.

(13) If the officer charged is under suspension from duty under subsection (4) and the officer or allocated officer holding the inquiry finds that he is not guilty of the misconduct of which he has been charged, the said officer shall be allowed forthwith to resume duty in his post and be paid his full emoluments for the period of his suspension.
(14) If the officer or allocated officer holding the inquiry finds the officer charged guilty of the misconduct with which he has been charged, the provisions of section 16(6) shall mutatis mutandis apply.

(15) If the officer or allocated officer who held the inquiry has found the officer charged guilty of the misconduct with which he has been charged, he shall forward to the Commission the record of the proceedings of the inquiry and any documentary evidence admitted thereat, a statement of his finding and his reasons therefor and any observations on the case which he may desire to make: Provided that if the officer found guilty of misconduct holds a non-prescribed post and he has not given notice of appeal in accordance with the provisions of section 16(6), as applied by subsection (14) of this section, the officer or allocated officer who held the inquiry shall forward the said record and other documents not to the Commission but to the head of department in which the officer found guilty of misconduct is employed.

(16) If the officer found guilty of misconduct has given notice of appeal in accordance with the provisions aforesaid, as so applied, the officer or allocated officer, who held the inquiry shall forward to the Commission, with the record and other documents referred to in subsection (15), the appellant’s notice and grounds of appeal and shall furnish the appellant with a copy of the reasons for the finding against which the appeal is brought.

(17) If notice of appeal has been given in accordance with the provisions aforesaid, as so applied, the provisions of section 16(8) to (15), inclusive, shall mutatis mutandis apply.

(18) If the Commission allows the appeal of an appellant who was suspended from duty, he shall forthwith be allowed to resume his duties and be paid his full emoluments for the period of his suspension.

(19) If the record and documents referred to in subsection (15) have, in terms of that subsection been forwarded to the head of the department in which the officer found guilty of misconduct is employed or if the said record and documents have, in terms of that subsection been forwarded to the Commission and no appeal was noted against the finding, or if an appeal was so noted and the Commission has dismissed such appeal wholly or in part, the Commission or the head of the department, as the case may be, may recommend to the Councillor that—

(a) the said officer be cautioned or reprimanded;
(b) a fine not exceeding R400 be imposed upon him, which fine may be recovered by deduction from his emoluments in such instalments as may be determined by the Councillor;
(c) he be transferred to some other post or be employed additional to the fixed establishment;
(d) his salary or grade or both his salary and grade be reduced to an extent recommended; or
(e) he be discharged or be called upon to resign from the Public Service as from a date to be specified by the Councillor.

Provided that—

(i) except where a recommendation is made under paragraph (e), the Commission or the head of
hoof nie belet word om 'n aanbeveling kragtens meer as een van die voorgaande paragrafe te doen nie:

(ii) die Kommissie of die departementshoof die doen van 'n aanbeveling vir 'n tydperk van hoogstens 12 kalendermaande kan uitstel; en

(iii) as 'n beampte wat aangekla is om uit die Regeringsdiens te bedank, versuim om al dus te bedank, hy geeg word daaruit ontslaan te gewees het met ingang van 'n datum wat deur die Raadslid bepaal word.

(20) Die Raadslid kan die gedraglyn volg wat die Kommissie of departementshoof aanbeveel of enige ander gedraglyn wat die Kommissie of departementshoof wettiglik ingevolge subartikel (19) kon aanbeveel het, maar altyd onderworpe aan die bepaling van artikel 7 (1) in die geval van 'n aanbeveling van die Kommissie.

(21) Die Kommissie of departementshoof, na gelang van die geval, stuur saam met sy aanbeveling ingevolge subartikel (19) die note van die verrigtings by die onderwerp en alle dokumente in sy besit wat op die onderwerp of op die appèl betrekking het, aan die Raadslid.

(22) As die wangedrag nerkom op 'n misdrif waarvan die beampte deur 'n geregshof skuldig bevind is, is dit nie nodig om hom ingevolge subartikel (1) aan te kla nie, maar word dit afdoende geag dat hy skuldig is aan daardie wangedrag, teny die skuldigbevinding deur 'n hofte Hof ter syde gestel of ly ten volle begegnig is.

(23) Die vryskap van 'n beampte deur 'n geregshof op 'n aanklag van 'n kriminlike misdrif, belet nie dat stappe ingevolge hierdie Wet op 'n aanklag van wangedrag teen hom ingestel word nie, ondanks die feit dat die feite uiteenset in die aanklag van wangedrag, as dit bewys sou word, die misdrif sou uitmekaar wat uiteenset is in die kriminlike aanklag waarop hy vryskap is of 'n ander misdrif waaraan hy, by sy verhoor op genoemde kriminlike aanklag, skuldig bevind kon word.

(24) As die beampte wat ingevolge hierdie artikel aangelaag is, die aanklag erken, word hy geeg skuldig en word aan die wangedrag waarvan hy aangelaag is.

(25) As die beampte in subartikel (22), (24) of (30) bekleed, 'n voorgeskrewre pos bekleed stuur die departementshoof alle dokumente wat hy tot sy beskikking het en wat op die wangedrag betrekking het en enige opmerking daaroor wat hy wens te maak aan die Kommissie en die Kommissie doen 'n aanbeveling ingevolge subartikel (19) by die Raadslid.

(26) As die beampte in subartikel (22), (24) of (30) bekleed, 'n nie-voorgeskrewre pos bekleed, doen die departementshoof ingevolge subartikel (19) 'n aanbeveling by die Raadslid.

(27) Die bepaling van subartikel (20) is van toepassing op optrede van 'n aanbeveling ingevolge subartikel (25) of (26) asof die aanbeveling ingevolge subartikel (19) gedaan is.

(28) As daar met 'n beampte wat ingevolge subartikel (4) in sy diens geskors is, ooreenkomsig die bepalingen van subartikel (19) (a), (b) of (d) en van die tweede voorheidsbepaling van daardie subartikel gehand word, moet hy onverwyl toegelaat word om weer diens te aanvaar, en as daar met hom ooreenkomsig die bepaling van subartikel (19) (c) gehand word, moet hy by so gou doenlik toegelaat word om diens te aanvaar in die pos van pligte waarna hy department shall not be precluded from making a recommendation under more than one of the abovementioned paragraphs.

(ii) the Commission or the head of department may postpone, for a period not exceeding 12 calendar months, the making of a recommendation; and

(iii) if an officer, who has been called upon to resign from the Public Service, fails so to resign, he shall be deemed to have been discharged therefrom as from a date to be specified by the Councillor.

(20) The Councillor may adopt the course recommended by the Commission or head of department or any other course which the Commission or head of department could lawfully have recommended under subsection (19) but subject always to the provisions of section 7 (1) in the case of a recommendation of the Commission.

(21) The Commission or head of department, as the case may be, shall forward to the Councillor with its recommendation, in terms of subsection (19), the record of the proceedings at the inquiry and all documents in its possession which relate to the inquiry or to the appeal.

(22) If the misconduct amounts to an offence of which the officer has been convicted by a court of law, it shall not be necessary to charge him under subsection (1) but he shall be deemed conclusively to be guilty of that misconduct unless the conviction has been set aside by a superior court or he has been granted a free pardon.

(23) The acquittal of an officer by a court of law upon a charge of a criminal offence shall not be a bar to proceedings against him under this Act on a charge of misconduct notwithstanding the fact that the facts set forth in the charge of misconduct would, if proved, constitute the offence set forth in the criminal charge on which he was acquitted or some other offence of which he might have been convicted at his trial on the said criminal charge.

(24) If the officer charged in terms of this section admits the charge, he shall be deemed to be guilty of the misconduct with which he has been charged.

(25) If the officer referred to in subsection (22), (24) or (30) holds a prescribed post the head of department shall forward to the Commission all documents available to him which relate to the misconduct and any observations therewith which he may desire to make, and the Commission shall make a recommendation to the Councillor in terms of subsection (19).

(26) If the officer referred to in subsection (22), (24) or (30) holds a non-prescribed post the head of department shall make a recommendation to the Councillor in terms of subsection (19).

(27) The provisions of subsection (20) shall apply in respect of a recommendation under subsection (25) or (26) as if the recommendation had been made under subsection (19).

(28) If an officer who has been suspended from duty in terms of subsection (4) is dealt with in accordance with the provisions of subsection (19) (a), (b) or (d) or of the second proviso to that subsection, he shall forthwith be allowed to resume duty and, if he is dealt with in accordance with the provisions of subsection (19) (c), he shall as soon as practicable be allowed to assume duty in the post or duties in which he is
oorgeplaas word, en in sodanige geval moet sy volle emolumente vir die tydperk van sy skorsing aan hom betaal word: Met dien verstande dat as sy graad ingevoeg geneem het die tydperk van die ep andale graad aan te gaan, en moet aan hom vir die tydperk van sy skorsing die emolumente van daardie pos betaal word, maar as hoer emolumente as die emolumente van daardie pos aan hom gedurende die tydperk van sy skorsing ingevoeg subparagraaf (5) betaal is, is by nie verplig om die verskil terug te betaal nie.

(29) 'n Beampte wat ingevoeg subparagraaf (4) in sy diens geskors is, of teen wie 'n aanklag ingevoeg hierdie artikel ingebrey is, en wat uit die Regeringsdiens bedank of ander werk aanvaar voordat sodanige aanklag indien, inoordien die betrokkene van hierdie artikel afgedring is, word geen weens wangedrag ontslaan dan se deur die Radsleid bepaal word. Tenby hy wy die onthanding van sy kennis gewing van bedankning of die datum van sy aanvaarding van ander werk, in kennis gestel is dat geen aanklag teen hom ingebrey sal word nie of dat die aanklag teen hom ingebrey is, teruggetrek is.

(30) (a) 'n Hoof van 'n kantoor kan 'n beampte wat by ander werk verseker word nie, onverwacht volklik gedeel word of onemig gedeel word of gedeel word oor die invoeg van een van die paragraaf 18 (k) (i) of (ii), gelaas om—

(i) in die voorgeskrene apparaat uit te eem met die tydperk wat by mag bepaal; en
(ii) hom aan ondersoek deur 'n distriksgeneeskundige of ander mediese praksis te onderwerp, met inbegrip van enige bloedtest wat sodanige distriksgeneeskundige of ander mediese praksis nodig mag ag om die akcoholinhoud van die bloed van bedoelde beampte te bepaal of
(iii) in die voorgeskrene apparaat uit te eem en om hom aan die in subparagraaf (ii) bedoelde onderzoek te onderwerp.

(b) Indien—

(i) 'n beampte versuim of weier om in die voor- geskrewe apparaat uit te eem of hom aan 'n onderzoek te onderwerp nadat hy aldus kragtens paragraaf (a) gelaas is of
(ii) die voorgeskrene apparaat wys dat die akcohol inhoud van die bloed van 'n beampte 'n perk oorskyt wat, op aanbeveling van die Kommissie deur die Radsleid vir Ouwerbeke en Finansies by kennisgeving in die Staatskoerant met betrekking tot daardie besondere fabriek van voorgeskrene apparaat gespesifiseer is;

word bedoelde beampte onweerlegbaar geag skuldig te wees aan wangedrag soos in artikel 18 (k) (i) omskryf.

(31) (a) Die bepalings van artikel 212 (4) van die Strafproeswet, 1977 (Wet 51 van 1977), is mutatis mutandis van toepassing met betrekking tot 'n onderzoek na 'n aanklag van wangedrag soos omskryf in artikel 18 (k) (i) of (ii).
(b) Waar daar by enige ondersoek na 'n aanklag van wangedrag soos omskryf in artikel 18 (k) (i) of (ii) geneminis aangevoer word van 'n ontleiding van 'n monster van die bloed van enige persoon, word daar vermoed, totdat die teenedel bewys word, dat enige spuit wat gebruik is om sodanige monsters te neem en van die werk waarin sodanige monster geplaas is vir versending na 'n ontleder van enige soort konsternasie was wat die uitslag van sodanige ontleding kon geaffekteer het.

transferred and, in any such case, he shall be paid his full emolument for the period of his suspension: Provided that, if his grade is reduced in terms of the said subsection (19) (d), he shall as soon as practicable be allowed to assume duty in a post of the reduced grade and be paid, for the period of suspension, the emoluments of that post but, if emoluments in excess of the emoluments of that post were, subsection (5), he shall not be obliged to refund the excess.

(29) An officer who has been suspended from duty in terms of subsection (4) or against whom a charge has been preferred under this section and who resigns from the Public Service or assumes other employment before such charge has been dealt with to finality in accordance with the provisions of this section; shall be deemed to have been discharged on account of misconduct with effect from a date to be specified by the Councillor unless, prior to the receipt of his notification of resignation or the date of his assumption of other employment, he had been notified that no charge would be preferred against him or that the charge preferred against him had been withdrawn.

(30) (a) A head of office may require an officer whom he suspects on reasonable grounds to be guilty of misconduct as defined in section 18 (k) (i) or (ii)—

(i) to breathe into the prescribed apparatus for such period as he may direct;
(ii) to undergo examination by a district surgeon or other medical practitioner, including any blood test which such district surgeon or other medical practitioner may deem necessary in order to determine the alcohol content of the blood of such officer; or
(iii) to breathe into the prescribed apparatus and to undergo the examination referred to in subparagraph (ii).

(b) If—

(i) any officer fails or refused to breathe into the prescribed apparatus or to undergo any examination when so required under paragraph (a); or
(ii) the prescribed apparatus records that the alcohol content of the blood of an officer exceeds a limit specified, on the recommendation of the Commission, by the Executive Councillor for Authority Affairs and Finance by notice in the Government Gazette in respect of that particular make of prescribed apparatus;

such officer shall be deemed conclusively to be guilty of misconduct as defined in section 18 (k) (i).

(31) (a) The provisions of section 212 (4) of the Criminal Procedure Act, 1977 (Act 51 of 1977), apply mutatis mutandis in relation to any inquiry into a charge of misconduct as defined in section 18 (k) (i) or (ii).

(b) Where in any inquiry into a charge of misconduct as defined in section 18 (k) (i) or (ii), evidence is rendered of the analysis of a specimen of the blood of any person it shall be presumed until the contrary is proved, that any syringe used for obtaining such specimen and the receptacle in which such specimen was placed for dispatch to an analyst, were free of any substance or contamination which could have affected the result of such analysis.
Wangedrag van departementshoofde

19. (1) Wanneer 'n departementshoof wat 'n beampte is, van wangedrag beskuldig word, dan kan die Raadslid die aangeleentheid aan die Uitvoerende Raad rapporteer wat die Raadslid kan gegee word om hom of hulle wangedrag te kli, en as 'n ondersoek ingeval artikel 19 (8), soos toegepas deur subarticulê (2) van hierdie artikel, nodig word kan die Uitvoerende Raad 'n persoon of persone aansien om die ondersoek in te stel.

(2) Die bepaling van artikel 19 (2) tot en met (31) in mutatis mutandis van toepassing op verringtig wat op 'n lasgewig ingeval subarticulê (1) van hierdie artikel volg, en vir doeleindes van sodanige toepassing word die verwyysing in genoemde subarticule na die Raadslid uitgeê as 'n verwyysing na die Uitvoerende Raad, word die verwyysing in subarticulê (25) na departementshoof uitgeê as 'n verwyysing na die Raadslid en word elke verwyysing in genoemde subarticule na die beampte of toegeewe beampte wat die onderroek instel, uitgeê as ook 'n verwyysing na 'n persoon of persone wat ingeval subarticulê (1) van hierdie artikel aangeëstel is.

Wysie waarop kennis van verklaring gegee of verstrêk of dokument beteken word

21. Waar daar by artikel 16, 17, 19 of 20 bepaal word—

(a) dat enige kennis, verklaring of ander dokument aan 'n persoon gegee of verstrekt of beteken is met word of dat enige aangeleentheid skriftelik aan 'n persoon meegedeel moet of kan word, kan die kennisgeving, verklaring, dokument of geskrif per pos in 'n geregistreerde brief aan hom gestuur word of aan hom afgelever of by sy laaste bekende woonplek gelaat word; of

(b) dat 'n persoon van 'n beslissing of bevinding verwesig moet word, kan hy of hulle van geskrif per pos in 'n geregistreerde brief aan hom gestuur word of aan hom afgelever of by sy laaste bekende woonplek gelaat word, daarvan verwetig word.

HOOFSTUK 5
ALGEMEEN

Besluiting van beamptes en werknemers

22. (1) Behoudens die bepaling van artikel 7, word aan beamptes en werknemers salarisse, lonne en toelaes totaal ooreenkomsstig die skale wat by hulle grade pos, soos deur die Kommissie ingeval artikel 6 (2) (g) aangeboed.

(2) Op aanbeveling van die Kommissie, maar behoudens die bepaling van artikel 7—

(a) kan aan beamptes of werknemers of aan klasse beamptes of werknemers by aanstelling, ooropslag of bevordering salarisse of lonne teen hoër bedrage as die minimums van die toepaslike skale betaal word;

(b) kan aan beamptes of werknemers of aan klasse beamptes of werknemers spesiale vordering toegeëstaan word binne die skale wat op hulle van toepassing is en

(c) as 'n bepaalde of werknemer wat buitegewoon bekwaam is of wat speciale kwalifikasies het of wat verdienstelike diens gelewer het, en kan aan enige beampte of werknemer, as dit in die Regtelingsdiens se belang is, spesiale vordering toegeëstaan word binne die skale wat op hulle van toepassing is of kan aan hom 'n salaris of loon ooreenkomsstig in hoë skaal betaal of enige ander geskikte beloning toegeskan word.

Misconduct of heads of departments

20. (1) When a head of department who is an officer is accused of misconduct, the Councillor may report the matter to the Executive Council who may instruct the Councillor to charge him with that misconduct, and if an inquiry becomes necessary under section 19 (8) as applied by subsection (2) of this section, the Executive Council may appoint a person or persons to hold the inquiry.

(2) The provisions of section 19 (2) to (31), inclusive shall mutatis mutandis apply to any proceedings following upon a direction under subsection (1) of this section, and for the purposes of such application the reference in the said subsections to the Councillor shall be construed as a reference to the Executive Council, the reference in subsection (25) to head of department shall be construed as a reference to the Councillor and every reference in the said subsections to the officer or allocated officer holding the inquiry shall be construed as including a reference to a person or persons appointed under subsection (1) of this section.

Manner in which notice or statement may be given or furnished or document served

21. Whenever by section 16, 17, 19 or 20 it is provided—

(a) that any notice, statement or other document is to be given or furnished or to be served upon any person or that any matter is to be or may be conveyed to any person in writing the notice, statement, document or writing may be sent by post in a registered letter or be delivered to him or left at his last known place of residence; or

(b) that any person is to be informed of any decision or finding, he may be informed thereof orally or in writing sent by post in a registered letter or delivered to him or left at his last known place or residence.

CHAPTER 5
GENERAL

Remuneration of officers and employees

22. (1) Subject to the provisions of section 7 officers and employees shall be paid salaries, wages and allowances in accordance with the scales, appropriate to their grades, as recommended by the Commission in terms of section 6 (2) (g).

(2) On the recommendation of the Commission but subject to the provisions of section 7—

(a) officers or employees or classes of officers or employees may, on appointment, transfer or promotion be paid salaries or wages at higher rates than the minimum of the appropriate scales;

(b) officers or employees or classes of officers or employees may be specially advanced within the scale applicable to them; and

(c) an officer or employee of exceptional ability or possessing special qualifications or who has rendered meritorious service may, and any officer or employee may, if it is in the interests of the Public Service, be specially advanced within the scale applicable to him or may be paid a salary or wage in accordance with a higher scale, or may be granted any other fitting reward.
(3) Behoudens die bepalingen van artikel 7, kan aan geen beambte of werknemer ten opzichte van sy dienst als zodanig enige besoldiging, toelage, honorarium, toegevoeg of bonus van watter aard ook al betaal word nie, behalwe die wat deur die Kommissie aanbevel is.

Salaris van beambte mag nie verlaag word nie behalwe soos spesiaal bepaal.

23. 'n Beambte se salaris of salariaal mag nie sonder sy eie toestemming verlaag word nie, behalwe in ooreenstemming met die bepaling van Hoofstuk 4 of ingevolge 'n wet van die Wetgewende Vergadering.

Sessie van emolumente verhede

24. Geen beambte of werknemer mag sonder die skriftelike goedkeuring van die rekenpligte amptenaar die geheef of 'n gedeelte van eniges salaris of toelage wat aan hom betaalbaar is, seder nie.

Beambtes en werknemers moet al hulle tyd ter beskikking van die Regeering dien.

25. (1) Tensy anders in sy diensvoorwaardes bepaal word—

(a) moet elke beambte en werknemer al sy tyd ter beskikking van die Regering stel;
(b) mag geen beambte of werknemer besoldigde werk huile sy werk in die Regeering dien sonder die toestemming van die Raadslid verry of hom verbind om dit te verrig nie, en die toestemming word in die geval van die beambte of werknemer op aanvraag van die Kommissie verleen; en
c) kan geen beambte of werknemer regtens aanspraak maak op addisionele besoldiging vir die verriging van enige amptelike plig of werk wat by deur 'n bevoegde owerheid aangestel is om te verrig nie.

(2) Die Raadslid of die hoof van 'n departement, tak, kantoor of inrigting is bevug om 'n beambte of werknemer onder sy beheer aan te sê om tydelik ander pligte te verrig as die wat gewoonlik aan sodanige beambte opgedra word of wat by die graam, benaming of indeling van sy pos pas.

(3) Enige besoldiging of toelage van watter aard ook al wat 'n beambte of werknemer ontvang anders as ooreenkoms met die bepaling van hierdie Wet of 'n aanbeveling wat daag die Kommissie geneem het en ander wet gedoen is, moet deur sodanige beambte of werknemer in die Inkomstefonds gestort word en as hy dit nie doen nie moet dit deur die Direkteur van Overheidskade en Finansies deur middel van geregelde stippe of op sodanige ander wyse as wat die Direkteur van Overheidskade en Finansies goedgekeur oor die beambte of werknemer verhaal en die Inkomstefonds gestort word.

(4) Alle gelde wat 'n beambte of werknemer in sy amptelike hoedanigheid ontvang, moet in die Inkomstefonds gestort word, tensy die Kommissie aanbevel dat hy die geheef of 'n gedeelte van genoemde gelde as deel van sy besoldiging kan behou.

(5) Waar die dienste van 'n beambte of werknemer weens toelage of ander spesiale kwalifikasies tydelik ter beskikking van die Regering van die Republiek of van 'n inrigting of liggaam ingestel by of ingevolge 'n wet van die Wetgewende Vergadering of van die Republiek of 'n ander persoon of liggaam geplaa word moet enige salaris, toelage, geld, bonus of honorarium wat ten opsigte van sy dienste betaalbaar is, in die Inkomstefonds gestort word. Met die betrekking tot toelage en bonus moet die Kommissie aanbevel dat 'n besoldiging wat gelyk is aan genoemde salaris, toelage, geld, bonus of honorarium, of 'n gedeelte daarvan, aan die beambte of werknemer betaal word.

(3) Subject to the provisions of section 7, no officer or employee shall in respect of his employment as such receive any remuneration, allowance, honorarium, award or bonus of any kind whatsoever other than such as has been recommended by the Commission.

Salaries of officers not to be reduced except as specially provided

23. An officer’s salary or salary scale shall not be reduced without his own consent except in accordance with the provisions of Chapter 4 or in terms of an act of the Legislative Assembly.

Session of emolument prohibited

24. No officer or employee shall, without the written approval of the accounting officer, cede the whole or any part of any salary or allowance payable to him.

Whole time of officers to be at the disposal of the Public Service

25. (1) Unless it is otherwise provided in his conditions of service—

(a) every officer and employee shall place the whole of his time at the disposal of the Public Service;
(b) no officer or employee shall perform or engage himself to perform remunerative work outside his employment in the Public Service without the permission of the Commissioner, which in the case of an officer shall be granted only on the recommendation of the Commission; and
c) no officer or employee may claim as of right additional remuneration in respect of any official duty or work which he is required by competent authority to perform.

(2) It shall be competent for the Commissioner or the head of a department, branch, office or institution to require any officer or employee under his control to perform duties other than those ordinarily assigned to such officer or appropriate to the grade, designation or classification of his post.

(3) Any remuneration or allowance whatsoever received by an officer or employee other than in accordance with the provisions of this Act or a recommendation made by the Commission under the wise of this or any other law shall, be paid by such officer or employee into the Revenue Fund, and if he does not do so, shall be recovered from him by the Director of Authority Affairs and Finance by legal proceedings or in such other manner as the Director of Authority Affairs and Finance may think fit and be paid into the Revenue Fund.

(4) All fees received by an officer or employee in his official capacity shall be paid into the Revenue Fund unless the Commission has recommended that he may retain the whole or a portion of the said fees as part of his remuneration.

(5) Where on account of his professional, technical or other special qualifications the services of an officer or employee are placed temporarily at the disposal of the Government of the Republic or of an institution body established by or under any law of the Legislative Assembly or of the Republic, or of any other person or body, any salary, allowance, fee, bonus or honorarium which may be payable in respect of his services not paid into the Revenue Fund: Provided that in special circumstances the Commissioner may recommend the payment to the officer or employee of an amount equal to the said salary, allowance, fee, bonus or honorarium or a portion thereof.
Regulaties
26. (1) Schouwders die bepalingen van artikel 7 (2) van het Wetboek van Rechtsplichten van Bemagers, het Uitvoerende Raadshof van Overheidskundige en Financiële Zaken, in de komende jaren in aanbeveling zullen worden gesteld, regelregels met betrekking tot enigszins van de volgende aangegeven regels uitvaardigt:

(a) die bevordering, vooruitstrevend, discipline, gedrag, bevoegdheden en pligt, diensten en afwezigheid verlof van bemesters en werknemers en hulde ander dienstvervangers;

(b) die termijn van beslissing vir uitzonderlijke voorzieningen voor bemesters en werknemers en van Tedekosten en verblijf of ander toelaat wat aan bemesters en werknemers betrekking heeft, en de onbetaalde beuken en hulde ander dienstvervangers;

(c) die onbetaalde bemesters en werknemers van die Wet in twee delen van enige beslissing van hierdie Wet en de vorm van eendiigmaatige verklaring en certificering van ongesteldheid;

(d) die bepaalde klasse bemesters en werknemers van die Wet in twee delen van enige beslissing van eendiigmaatige verklaring en certificering van ongesteldheid;

(e) de procedure waar volgens moet worden door de underneemers en opdrachtgever in verband met bevoegdheid waarmaat bemesters hulde skuldig maak;

(f) de erkennings en bevoegdheden van personeelsmaatschappijen;

(g) alle aangegeven dat ingevolge hierdie Wet van eendiigmaatige moet of kan worden;

(h) de algemeenheid alle aangegeven dat hij nodig of dienstig is om voor te zijn ten einde de bevoegdheden van hierdie Wet te bereik;

(i) de onbetaalde bemesters en werknemers en van de Wet in twee delen van enige beslissing van eendiigmaatige verklaring en certificering van ongesteldheid;

(j) alle aangegeven dat ingevolge hierdie Wet van eendiigmaatige moet of kan worden;

(k) de algemeenheid alle aangegeven dat hij nodig of dienstig is om voor te zijn ten einde de bevoegdheden van hierdie Wet te bereik;

(l) de onbetaalde bemesters en werknemers en van de Wet in twee delen van enige beslissing van eendiigmaatige verklaring en certificering van ongesteldheid.

26. (1) Subject to the provisions of section 7 (2) of this Act, the Executive Councilor for Authority Affairs and Finance may, after the Commission has made a recommendation, make regulations with respect to any of the following matters:

(a) the promotion, transfer, discipline, conduct, powers and duties, hours of attendance and leave of absence of officers and employees and their other conditions of service;

(b) the rates of pay for exceptional overtime performed by officers and employees and of any travelling expenses and subsistence or other allowances to be paid to officers and employees and the circumstances under which such pay should be made;

(c) the circumstances in which medical examination shall be required for the purposes of any provision of this Act and the form of medical reports and certificates of indisposition;

(d) the particular classes of officers and employees who may be required to give security, and the amount and form thereof;

(e) the procedure to be observed in inquiring into and dealing with alleged misconduct committed by officers;

(f) the recognition of and powers of staff associations;

(g) all matters which under this Act are required or permitted to be prescribed; and

(h) generally, all matters which he considers necessary or expedient to prescribe in order that the purposes of this Act may be achieved, and such regulations may prescribe an authority or more than one authority and the powers of any such authority to deviate, in respect of any officer or employee or class of officers or employees, from the provisions thereof.

26. (2) Different regulations may be made in respect of officers holding prescribed or non-prescribed posts on the fixed establishment, or to suit the varying requirements of particular departments or branches of departments or of particular classes of officers or employees, or of particular kinds of employment in the Public Service.

26. (3) Every regulation made in terms of this Act shall be published in the Government Gazette and shall be laid upon the Table of the Legislative Assembly within seven days of such publication if the Legislative Assembly is in session, or if the Legislative Assembly is then not in session, within seven days of the commencement of its next ensuing session.

26. (4) Every regulation made under this Act shall be of force and effect unless and until, during the session in which it has been laid upon the Table of the Legislative Assembly as provided by subsection (3), the Legislative Assembly has by resolution disapproved of the regulation, in which event the regulation shall lapse as from the date to be specified in the resolution, but the lapsing of the regulation shall not affect the validity of anything done under the regulation before the date of the resolution, and nothing contained in this subsection shall affect the power of the Executive Councilor for Authority Affairs and Finance to make, on the recommendation of the Commission a new regulation as to the subject matter of that regulation.
DEPARTMENT OF CO-OPERATION AND DEVELOPMENT

No. 2481
9 November 1979

ESTABLISHMENT OF TOWNSHIP COUNCILS—KANGWANE

I, George de Villiers Morrison, Deputy Minister of Co-operation and Development, acting on behalf of the Minister of Co-operation and Development under and by virtue of the powers vested in him by regulation 1 (1) of Chapter 8 of the Regulations for the Administration and Control of Townships in Black Areas, published under Proclamation R. 293 of 1962, hereby establish township councils for the following townships, situate in KaNgwane, with effect from the first day of the month following the date of publication hereof:

(1) Kabokweni.
(2) KaNyamazane.
(3) Matsulu.

G. DE V. MORRISON, Deputy Minister of Co-operation and Development.

(FILE T8/6/12/7)

G. DE V. MORRISON, Adjunct-minister van Samewerking en Ontwikkeling.

(Lêr T8/6/12/7)

DATE

Thank you for sending in the requested information for our records.
Homeland

Swaziland - General

1980

May - July - August
The Urban Housing Shortage in the Black Community

Measures were introduced to give greater security of tenure to urban Africans and ameliorate their situation. These measures included, in 1978, a 49-year

Department of Co-operation and Development

Department of Co-operative and Development

Area of the康瓦内立法

Area of the Kangwane legislation

The Kangwane Legislation Assembly

VICTORIOUS VANG SANERIKINGEN

Department of Co-operative and Development
No. R. 73, 1980

Under and by virtue of the powers vested in me by section 2 of the Black States Constitution Act, 1971 (Act 21 of 1971), I hereby amend the KaNgwane Constitution Proclamation, 1977 (Proclamation R. 214 of 1977), in accordance with the accompanying Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Fourteenth day of April, One thousand Nine hundred and Eighty.

M. VILJOEN, State President.
By Order of the State President-in-Council:
P. G. J. KOORNHOF.

(R223/2/2).

SCHEDULE
Substitute the following subsections for subsections (1) and (2) of section 2:
"(1) The Legislative Assembly shall consist of 45 members as set out in subsection (2).
(2) (a) The 21 Chiefs representing the following Tribal Authorities:
(i) The Embuileni-Swazi Tribal Authority, the establishment of which was made known by Government Notice 1410, dated 25 July 1975;

No. R. 73, 1980
WYSIGING VAN DIE KANGWANE GRONDWETPROKLAMASIE, 1977 (PROKLAMASIE R. 214 VAN 1977)


Gegee onder my Hand en die Sêl van die Republiek van Suid-Afrika te Kaapstad, op hede die Veertiende dag van April Eenduisend Negehonderd-en-
tagtig.

M. VILJOEN, Staatspresident.
Op las van die Staatspresident-in-rade:
P. G. J. KOORNHOF.

(R223/2/2)

BYLAAS
Vervang subartikels (1) en (2) van artikel 2 deur die volgende subartikels:
"(1) Die Wetgewende Vergadering bestaan uit 45 lede soos uiteengezet in subartikel (2).
(2) (a) Die 21 Kaptcins wat die volgende Stamowerhede verteenwoordig:
(i) Die Embuileni-Swazi-stamowerheid, waarvan die instelling by Goeuwmentskennisgewing 1410 van 25 Julie 1975 bekendgemaak is;
Barberton may go to the Swazis

Lowveld Bureau

BARBERTON - Although officially opposed to incorporation in kaNgwane, Barberton could become part of the Swazi homeland.

The town clerk, Mr. Lourens Kotze, has confirmed that he and four councillors visited Mafeking last month to examine the results of Mafeking's incorporation into Bophuthatswana.

Mr. Kotze said their findings would be discussed by the Barberton town council and the MP, Mr. Casper Uys, and the MPC, Mr. Henk van Roonen.

A change in attitude could follow general agreement that Barberton has a better future in kaNgwane. The councillors discovered that Mafeking had "come to life" and was now "raring to go."

There had been an increase in sales of property and a tendency for people to settle rather than leave.

Mr. Kotze added that a recommendation had been made to the Van Der Walt Commission but was unable to reveal what it was.
Regional, not ethnic units, says SADF

By PATRICK LAURENCE
and CHRIS MARAIS

The four newly-formed black battalions were "regional units" and not ethnic units, a spokesman for the Defence Force said yesterday.

But he conceded that recruits in each unit were drawn predominantly from members of a single ethnic group because they were located in regions where that ethnic group was numerically dominant.

Thus the 121 Battalion, with its headquarters at Jozini in Northern Natal, was predominantly Zulu because it operated in an area of Zulu ascendancy.

It has been referred to in the Press as the Zulu Battalion.

The three remaining new black battalions operated from bases situated in the areas where: the Swazi, Shangani and Venda were the dominant ethnic group. They therefore consisted largely of recruits from these ethnic groups.

But, the spokesman said, there was no policy of specifically restricting recruits to one ethnic group in any of these battalions.

A Xhosa or Basotho who happened to live in the recruiting area of, say, Battalion 121, and who wished to be trained as a soldier in Battalion 121 would be free to do so, he added.

The four new battalions have their training headquarters near South Africa's borders with Mozambique, Swaziland and Zimbabwe and to "black homelands" within South Africa situated near those borders.

In the statement announcing the existence of these new battalions, the Prime Minister and Minister of Defence, Mr P W Botha, spoke of the need of everyone living within South Africa's borders to contribute to defence of the country.

In a speech in the Senate in March last year, the Deputy Minister of Defence and National, H J Coetsee, anticipated a rise of insurgent activities in rural areas.

"We shall find their depredations increasing in our border areas... Their aim is to influence people and to try to win their hearts, their minds and their consciences, whether by intimidation, whether by a display of force or by kidnappings..."

"We must therefore expect that this will spread in the rural areas. The black people of these regions will also become a target."

Mr Coetsee then referred to the "critical situation" of unoccupied farms and the exodus of whites from border rural areas.

He added: "The black people also have to look after themselves. They have to help us to spread a patriotic presence and to maintain it. In this connection we are developing a concept of regional companies for black soldiers in the South African Defence Force. They also fulfill the role of a military presence, the showing of the flag, in a specific region."

The four new black battalions are all concentrated in the north-eastern corner of South Africa, although the north-west corner is also demaded of white farmers and exposed to infiltration by insurgents operating from Botswana.

The absence of black battalions in the north-western regions may be explained by the presence in that region of the South African-trained Botswana Defence Force, which has already assisted in the interception of insurgents.

It may, however, also mean that the Defence Force needs infiltration into the south-east as a greater long-term danger.
KANGWANE WETGEWENDE VERGADERING
WET 3 VAN 1980
(BEGROTINGSWET)

Dit het die Staatspresident behaag om kragtens die bevoegdheid hom verleë by artikel 3 (2) van die Grondwet van die Swart Staat, 1971 (Wet 21 van 1971), sy goedkeuring te heg aan onderstaande Wet:

WET

Tot aanwending van 'n som geld vir die dienste van die gebied van die KANGwane Wetgewende Vergadering vir die boekjaar wat op die 31ste dag van Maart 1981 eindig.
KaNgwane groaning at the resettlement seams

"As far as we are concerned resettlement is a political bomb," the Chief Minister of the "Swazi homeland" of KaNgwane, Mr E J Mabaza, told an Ottawa delegation. One of the smallest of the "black homelands," KaNgwane has absorbed 150,000 people from "black spots" and white-owned areas in the past few years, according to Mr Mabaza and his lieutenant, Mr David Lishole.

"Some resettlement areas have no amenities whatsoever, no running water, no sewerage system, no schools and no clinics," added Mr Mabaza, a quietly-spoken man who measures his words carefully.

"Many people have no jobs. Some people have to drink dirty water. They think we are responsible. There is no message we can get across to them until their problems have been attended to."

Mr Mabaza listed some of the resettlement centres: Eersteheuwel, Dandenong, Petrie, Loechel, all situated in the Eastern Transvaal, near the border with South Africa.

Most of the resettled are, or to use a term preferred by some observers, relocated people who have been moved in accordance with the grand design of consolidating mini-ethnic states on theiphery of white-controlled South Africa.

The creation of these ethnic states has been interpreted as part of a calculated policy of divide-and-rule.

But the policy is not only inductive to tribal rivalries between the different ethnic states but also to divisions between their political rulers and the "resettled" people.

Data published in semi-official Renzo publications confirms both the extent of the relocation of people from white-designated areas to KaNgwane and the problems which it has posed for KaNgwane.

Renzo's latest statistical survey points to an increase in KaNgwane's black population from 83,000 in 1970 to 171,709 in 1978, an increase of more than 100%.

It notes in its detailed study of KaNgwane that the "resettlement of Swazi in KaNgwane has started in earnest" and that the "two proclaimed towns of [Est deputy] and Ezhardt could not nearly keep pace with resettlement."

The Rand Daily Mail visited Eersteheuwel, better known to the Swazi as Nhlazatsha, to interview Mr Mabaza.

Mr Peter Nhlazatsha, the leader of the KaNgwane Legislative Assembly, acted as guide.

In deference to Swazi tradition, however, the "Mali" first sought the permission of the local chief, Chief Johannes Dlamini, before going into Nhlazatsha.

Chief Dlamini, a former KaNgwane Chief Minister, lives on white-designated land just outside the boundary of KaNgwane.

He has refused to move, claiming that his house is situated on territory which belongs to the Swazi people by history and blood.

His kraal blends the old and the new, the traditional thatched House of Ancestors co-existing with his brick living house.

It is from here that he administers Nhlazatsha, more than a million people.

Nhlazatsha is hidden away in the rolling hills between Badplaas, a health resort in white-designated South Africa, and Mbabane, the capital of the Kingdom of Swaziland.

Suddenly it comes into focus, a concentration of self-built houses which centre on a small stream, the settlement's sole source of water.

A fence runs along the road. It is the boundary between South Africa and KaNgwane.

Mr Nhlazatsha pointed to the fence. "Mr Van Dyk wants to move part of the settlement. He says its too close to the border. He says there must be a buffer zone of 200 metres."

He added: "We don't recognise the border. We don't want the people to move, not one of them."

Apart from the resettlement centre, there is nothing in sight except the line of rolling hills.

The idea of moving the people to satisfy some bureaucratic requirement recommends itself as an exercise in the absurd.

Mr J C van Dyk, a seconded white civil servant, is the Director of Community Affairs in KaNgwane. He was not available for comment yesterday.

According to Mr Nhlazatsha, Nhlazatsha consists of three resettlement areas, which were settled in chronological order. "Before settlement three started last October, there were 1,000 people," he said.

As the car bumped down the road to the stream below it passed a line of pick-wielding women, cloth scarves drawn across their mouths as though they were Bedouins in the desert.

They were digging a canal for water. The plan was for it to be pumped up from the stream to the settlement three on the side of the hill.

The smell of burning vats in the air, but the scarves were worn to protect the women from the winter cold.

There is no irrigation system — only pits latrines, apparently dug by the people themselves.

The people come from various places, but mainly from KwaMzinye, near Mbabane, and Doornkop, a "black spot" near Middelburg. Doornkop was excited amidst controversy and black resistance in 1974.

There is an element of irony in Doornkop being a place of origin.

One of the arguments used to justify the Doornkop removal was that the people did not have proper water and sewerage facilities and that it was a health hazard.

Unlike Doornkop, Nhlazatsha is not near a white settlement. It is on the top of a hill, another ironic fact.

The nearest white town is Badplaas, whose mineral springs are reputed to have health-giving powers.

The car grinds up the hill on the border for the last time. There is nothing in sight except the line of rolling hills.

The idea of moving the people to satisfy some bureaucratic requirement recommends itself as an exercise in the absurd.

The settlement has three primary schools, all built from a tribal levy imposed by Chief Dlamini. Three of the five taps have been placed in the schools.

As the car negotiates its way along bumpy side roads, people come out and stare. They seldom see whites who are not official.

It is primarily a settlement of women and children. Most men are away, earning money from the United States, with their families left in these primeval hills where silence can be heard.
KANGWANE-WET OP ONTWIKKELINGS-BELASTING, 1980 (WET 4 VAN 1980)

Hierby word bekendgemaak dat die Staatspresident sy goedkeuring gehad het aan die volgende Wet wat deur die KaNgwane Weggewende Vergadering aangebied is en wat hierby vir algemene inligting gepubliseer word:

**GEBIED VAN DIE KANGWANE-WETGEBELENDE VERGADERING**

**WET**

Om 'n belasting op burgers van KaNgwane te het en om die KaNgwane-wet op Ontwikkelingsbelasting, 1979 te herop.

Daar word deur die KaNgwane-Weggewende Vergadering verordens:

**Woordomskrywing**

1. In hierdie Wet, teny uit die samehang anders blyk, beteken—

   "belasting" die KaNgwane Ontwikkelingsbelasting gehef by artikel 2;
   "belastingjaar"' n tydperk wat op die eerste dag van Januarie van 'n jaar begin en op die laaste dag van Desember van dieselfde jaar eindig;
   "belastingplichtige" 'n manlike burger wat die onderbreks van 18 jaar bereik het;
   "burger" 'n persoon wat in volgens die bepalings van die Wet op Burgerskap van Swart State, 1970 (Wet 26 van 1970) 'n burger van KaNgwane is;
   "Direkteur" die Direkteur van Owerheidsak en Finansies;
   "Inkomstefonds" die Inkomstefonds ingestel by artikel 6 van die Grondwet van die Swart State, 1971 (Wet 21 van 1971);
   "KaNgwane" die gebied waarvoor die KaNgwane-Weggewende Vergadering ingestel is en soos van tyd tot tyd gewysig;
   "magistraat"—

   (a) ten opsigte van 'n distrik binne KaNgwane, 'n magistraat, additionele magistraat en assistent-magistraat aangestel kragtens artikel 8 van die Wet op Landdroistwet, 1944 (Wet 32 van 1944);

2. It is hereby notified that the State President has approved the following Act which was passed by the KaNgwane Legislative Assembly and which is hereby published for general information:

**AREA OF THE KANGWANE LEGISLATIVE ASSEMBLY**

**ACT**

To levy a tax on citizens of KaNgwane and to repeal the KaNgwane Development Tax Act, 1979.

Be it enacted by the KaNgwane Legislative Assembly:

**Definitions**

1. In this Act, unless the context otherwise indicates—

   "citizen" means any person who is a citizen of KaNgwane in terms of the provisions of the Black States Citizenship Act, 1970 (Act 26 of 1970);
   "Councillor" means the Executive Councillor responsible for the department of Authority Affairs and Finance;
   "Director" means the Director of Authority Affairs and Finance;
   "KaNgwane" means the area for which the KaNgwane Legislative Assembly has been established as amended from time to time;
   "Magistrate" means—

   (a) in respect of any district in KaNgwane, a magistrate, additional magistrate and assistant magistrate appointed in terms of section 8 of the Magistrates’ Courts Act, 1944 (Act 32 of 1944);
   (b) in respect of a district outside KaNgwane, a Commissioner, Additional Commissioner and Assistant Commissioner appointed in terms of section 2 (2) of the Black Administration Act, 1927 (Act 38 of 1927) and where there is no such Commissioner, the magistrate, additional magistrate, and assistant magistrate;
   "receiver" means any magistrate and any person appointed under section 11 (1) (a) to collect tax;
TWEDE KANGWANE- WYSIGINGSWET OP DIE BETALING EN VOORREGTE VAN LEDE VAN DIE WETGEWENDE VERGADERING, 1980
(WET 7 VAN 1980)

Hierby word bekendgemaak dat die Staatspresident sy goedkeuring gelig het aan die volgende Wet wat deur die KaNgwane Wetgewende Vergadering aangeneem is en wat hierby vir algemene inligting gepubliseer word:

GEBIED VAN DIE KANGWANE- WETGEWENDE VERGADERING

WET

Tot wysiging van die KaNgwane-wet op die Betaling en Voorregte van Lede van die Wetgewende Vergadering, 1978, ten einde voorsiening te maak vir verhoogde salarisse en toehoorns aan Lede van die Uitvoerende Raad en Wetgewende Vergadering en aangeleentheid wat daarmee in verband staan.

Daar word deur die KaNgwane- Wetgewende Vergadering verorden:

Vervanging van artikel 1 van Wet 2 van 1978

1. Artikel 1 van die KaNgwane-wet op die Betaling en Voorregte van Lede van die Wetgewende Vergadering, 1978 (hieronder die Hoofwet genoem), word hierby deur die volgende artikel vervang:

DEPARTMENT OF CO-OPERATION AND
DEVELOPMENT

No. 1774
29 August 1980

SECOND KANGWANE PAYMENT AND PRIVILEGES OF MEMBERS OF THE LEGISLATIVE ASSEMBLY AMENDMENT ACT, 1980 (ACT 7 OF 1980)

It is hereby notified that the State President has approved of the following Act which was passed by the KaNgwane Legislative Assembly and which is hereby published for general information:

AREA OF THE KANGWANE LEGISLATIVE ASSEMBLY

ACT

To amend the KaNgwane Payment and Privileges of Members of the Legislative Assembly Act, 1978, in order to provide for increased salaries and allowances to members of the Executive Council and Legislative Assembly and for matters incidental thereto.

Be it enacted by the KaNgwane Legislative Assembly:

Substitution of section 1 of Act 2 of 1978

1. The following section is hereby substituted for section 1 of the KaNgwane Payment and Privileges of Members of the Legislative Assembly Act, 1978 (hereinafter referred to as the principal Act):
Flannel and

Swazil and - General

1981

Jan - May - June - July -
Aug - Sept - Oct - Nov - Dec
Leader's salvo in Swazi soldiers row

By PATRICK LAURENCE
Southern Africa Editor

The Chief Minister of KwaNdwane, Mr E J Mahuza, yesterday accused his former Minister of Internal Affairs, Mr David Lukhele, of "gross double standards" in their dispute over the South African-trained Swazi Battalion.

The quarrel, during which Mr Lukhele accused Mr Mahuza of reversing his original opposition to the battalion, culminated in Mr Lukhele's dismissal from the Cabinet at a special session of the KwaNdwane Legislative Assembly on Tuesday.

KwaNdwane is the designated homeland of South African-born Swazis. The Swazi Battalion, also known as Battalion 111, is one of four ethnic battalions recruited and trained by the South African Defence Force to help defend the border.

In a statement to the Rand Daily Mail, Mr Mahuza admitted visiting the Swazi Battalion at its Amsterdam headquarters in the Eastern Transvaal, but denied his visit signified approval of the battalion.

"I regard myself as the Chief Minister of all the Swazis in the Republic, including those whose views I do not share. I shall not, therefore, disown the young Swazi men in Battalion 111 just because I do not share their views."

Defining his government's policy as a non-violent search for liberation, Mr Mahuza recalled it had been approached by Defence Force officers about the recruitment of Swazi men to Battalion 111.

"We resolved that, while we would not encourage young men to join the said battalion nor be involved in their recruitment, we would not stand in the way of those who wanted to be recruited," he said.

While Mr Lukhele was still a member of the Cabinet, KwaNdwane had asked for assistance from national servicemen under the Defence Force's civic action programme.

"These officers rendered invaluable service to the people of KwaNdwane," Mr Mahuza said.

Their assistance included supplying water during periods of drought, initiation and supervision of agricultural and engineering programmes and medical help, Mr Mahuza said.

"Surely, while we do not approve of warfare and bloodshed, we do welcome their humanitarian assistance to our people and shall welcome it whether it be from the Devil himself."

Mr Mahuza noted that in September 1978 Mr Lukhele accompanied the KwaNdwane Cabinet to the Pretoria base of Northern Command, having earlier visited the operational area on his own as a guest of the Defence Force.

"It is, therefore, a gross display of double standards by Mr Lukhele to try and discredit me because of my visit to the young Swazi men in Amsterdam."

"How does he reconcile his visit to the battalion of young white men in Pretoria to the operational area in South West Africa with his abhorrence of the young Swazi men in Amsterdam?"

"Are white soldiers more respectable than Swazi soldiers?"

"My honorable colleague (was) a Swazi Cabinet Minister in a Swazi government in the Swazi homeland. What logic does he apply when he disowns a Swazi Battalion?"

Mr Lukhele has insisted he cannot agree to blacks serving on the border until they have the same status as whites.
No. R. 20, 1981

Under and by virtue of the powers vested in me by section 2 (3) of the National States Constitution Act, 1971 (Act 21 of 1971), I hereby amend the KaNgwane Constitution Proclamation, 1977 (Proclamation R. 214 of 1977), by the substitution for the word “five” where it appears in section 11 (1) of the word “six”.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Nineteenth day of January, One thousand Nine hundred and Eighty-one.

M. VILJOEN, State President.
By Order of the State President-in-Council:

P. G. J. KOORNHOF.
Lowveld leader's genteel stance

By Wilf Nussey

Spoken with the gentility of a diplomat, his words refresh the hopes of South African whites, dimmed by the sudden pace of political change and the huge loom of black power.

"The majority of black people are still prepared to negotiate," he says. "I think that as long as there are black leaders who are prepared to fight for peaceful change relentlessly among the black people, there is still hope for South Africa." But in his next breath he brings the chill right back into the future.

on a similar basis to an American state — but which must remain part of South Africa.

"We want a negotiated political settlement in which all the people of South Africa can have a say," he says.

"It is an historical fact. We are South Africans too. Ethnicity is just an accident of history. I don't believe in the rigid application of ethnicity — the superficiality of that policy when it comes to whites, or its application to blacks."

He adds with irony: "I am much closer to the Zulus than the Afrikaners are to the Portuguese."
"It all depends on the white leadership and how far they drive the black people into a corner. I do not discount moderate leaders from finding themselves with no other school but violence. The black people have been endowed with patience— the white people should not abuse that."

The speaker is Mr. Enos J. Mabuza (52), respectable in a dark suit, unconsciously sitting on a borrowed typist's stool in a borrowed office, despite his status as Chief Councillor of the Swazi homeland of kMgwane, here in the Lowveld.

As leader of the third smallest of South Africa's clutch of ethnic territories (it holds some 350,000 of the country's 750,000 Swazis), he is seldom in the limelight and still far from the public image of the Mangosuthu and Buthelezi and Phatudi.

But that could change very soon. The report of the Van der Walt Commission on homeland consolidation is due to be out within the next two months, and Lowvelders of all political persuasions are confident that it will add chunks of white farmland to kMgwane, and possibly a white town or two.

That is as far as Mr. Mabuza is likely to go with present government policy. He is dead set against full independence for kMgwane and determined to keep his people firmly within the South African fold. In this, his policy runs virtually parallel to that of his close friend and ally, Chief Gatshe Buthelezi, whose Inkatha movement and Zulu nation are respectively the biggest political party and ethnic group in South Africa.

kMgwane, he says, is not and never can be an independent, economically viable state. It is a region within which the Swazi people can administer themselves, roughly.

The Swazi, says Mr. Mabuza, envisages a unitary South Africa, with one man, one vote, in which kMgwane will be but one region.

"But we are prepared to negotiate. That is not the be all and end all. It is not a question of all or nothing."

The South African Black Alliance, of which kMgwane is a member, is committed to negotiation as the best route to a South African solution, Mr. Mabuza says, and is now waiting to see what the Prime Minister does, following his general election victory.

But there is little optimism among blacks. They have seen little come from Mr. P. W. Botha's promise of reforms and Mr. Mabuza doubts very much that Mr. Botha would today get the tumultuous welcome he received when he visited kMgwane in 1978.

What immediate steps could Mr. Botha start upon to restore that optimism? Mr. Mabuza answers:

- Dismantle all discriminatory laws.
- "We don't view the President's Council as the ideal situation, but the inclusion of black people in that body would augur well for the future. It could be a forum."
- That, in turn, would create better understanding and a better climate for negotiation, and the common acceptance of a common destiny in South Africa.

The endurance of present, moderation among black leaders, is not unlimited, he warns.

"Much will depend on how receptive and perceptive white leadership will be."

Whites should adjust their views. Many of the so-called black militants are regarded as moderates, by blacks and young black people are being driven into the corner of conflict. "My own children cannot tolerate what I still tolerate."
"As well. These include the U.S.; 631,000 laborers, mainly from Mexico. Green carders are holders of the bracero system, although this was formally terminated at the end of 1964. The green carders are intent on making as much money as they can during the harvest, and are popular with employers as they are eminently not 'trouble-makers.' For the same reason their presence is resented by agricultural labor organizers, who see them as an obstacle to unions. Growers and contractors like migrant laborers because 'they come in, do the work, earn their money and go away--it's a beautiful system and everyone is happy.' Well, not quite everyone. As we shall see later, most growers intensely resent having to accept responsibility for services such as health, housing and education for laborers and their families.

"In 1974, 200,000 'wetbacks,' or illegal migrants from Mexico, were arrested in California, one quarter of the national total. Federal immigration officials estimate that there are two wetbacks at large for each one arrested. Others estimate the total of illegal aliens as high as 6.7 million (Los Angeles Times, 3 July 1975). From the growers' viewpoint, wetbacks form an admirable source of labor, as they are even more hardworking and more docile than the green carders. Several growers and contractors openly admitted that they turned a blind eye to wetbacks--as one said, defiantly, 'as long as a man gives me a social security number,
Barberton fears a homeland takeover

From Page 1

In the eyes of a woman of the 1980s, who noted with a cross the presence of the town's first woman.
**Barberton next to go black?**

By Wilf Nussey

Barberton — In this town of countless ghosts the biggest spectre is black. It looms over the community like the mountains they live under — casting a long shadow of insecurity.

Not since the fading of its great gold rush of a century ago has Barberton been so suddenly awakened from its rural slumber.

The shock is coming from the Department of Transport, who are designing the face of the future for the next six weeks. The development plan is being prepared by the Department of Transport and the Department of Housing.

The plan is to reclaim the land from the black community and incorporate it into the white community.

First there was Mafeking. In danger of being commercialised, the Mafeking council is looking for new homes for the black community.

Barberton is the next town in line.

Then there was King William's Town. It went from being a prosperous community to a depressed one. The residents were forced to move to other areas to find work.

Now Barberton faces a similar fate. The Government is planning to incorporate the black community into the white community.

The Cabinet was obliged to decide on the eve of an election that King William's Town would stay white and outside the city limits.

Next is Barberton, and the fate of this beautiful and historic town nestled in the bowl of the Klipfontein and the Urquhart valley is the major topic in much of the Eastern Transvaal electorate.

Right next door is the Swazi homeland of kaNgwane, where there is no natural boundary. The Government is planning to incorporate this area into the white community.

Will Barberton be incorporated or not? Mr Enos J Mabuza, Chief Minister of kaNgwane, says that the Government is considering the option. But he adds that there are areas adjacent to kaNgwane which are already part of the white community.

If the Government decides on incorporation, the future would be very difficult to predict, he says. Barberton could continue to serve as an economic centre, but the community would lose its identity.

It's a difficult decision to make, he says. The community has been part of Barberton for many years and has its own identity. But the Government is considering the needs of the wider community.

Inside Back Page

Map published by the Africa Institute showing the Swazi homeland of kaNgwane and consolidation proposals (striped area) south of Barberton.
In our relationship with our patients, this is in turn leads to the report of the patient's concerns, acceptances, complaints, and quality of care. However, the doctor-patient relationship remains a significant aspect of patient care. It is this relationship that forms the basis of the doctor-patient relationship.

The term 'patient' refers to an individual who is being treated by a doctor. The term 'doctor' refers to an individual who is providing medical care. The term 'relationship' refers to the bond between the doctor and patient.

In the context of the doctor-patient relationship, the doctor is responsible for ensuring the patient's health and well-being. This includes providing medical care, as well as addressing the patient's emotional and social needs.

The doctor-patient relationship is a delicate balance between the doctor's professional duties and the patient's rights and expectations. It is important for both parties to understand their roles and responsibilities in this relationship.

The doctor's role includes providing medical care, as well as addressing the patient's emotional and social needs. The patient's role includes providing accurate information about their health and well-being.

The doctor's responsibility includes maintaining confidentiality and protecting the patient's privacy. The patient's responsibility includes providing accurate information about their health and well-being.

The doctor-patient relationship is a unique and important aspect of healthcare. It is essential for both parties to understand their roles and responsibilities in this relationship.
kaNgwane riches listed

Lowveld Bureau
KANYAMAZANE — Developments of the mining industry in kaNgwane has a promising future but it will take time, money and patience. Dr. A. A. von Maltitz, chairman of the Mining Corporation, said in Kanyamazane.

Dr. von Maltitz was speaking at the Spotlight on kaNgwane Conference, jointly by the National Development and Management Foundation of South Africa, kaNgwane Government, kaNgwane Economic Development Corporation, and the Corporation for Economic Development.

Dr. von Maltitz said that a wide variety of minerals are known to occur in 87 locations in kaNgwane. Gold, by far, the most prolific, accounts for 53 occurrences. Others include asbestos, ball-clay, verditte, antracite, barytes, tin, tungsten, copper, zinc and nickel.
Messina aims to export Kangwane anthracite

By JOHN HULCARY

MESSINA (Transvaal) Development Company is hoping for an anthracite export allocation in the next phase of Richards Bay development.

A Messina spokesman said it was hoped that representations to the Minister of Mineral and Energy Affairs would be favourably considered "along with other producers independent of the Transvaal Coal Owners Association".

Messina has formed a subsidiary, N'Komazi Anthracite (Pty), to exploit anthracite reserves in the homeland of Kangwane. The Mining Corporation will have 40% of the company and Messina 60%.

The mine is expected to build up production to 500,000 tons of anthracite a year in the next three years, and it is hoped that most will be exported.

The cost of the project to develop the mine is estimated at R36 million, most of which will be funded by Messina.

Significantly better prices for anthracite are received on overseas markets, but the anthracite in the central Kangwane field is believed to be low in sulphur, and suitable for the South African market.

The Messina spokesman said its early tests on what proportion of the anthracite should be exported, but the SA market was a useful beginning and favourable to stockpiling the product.

Experts would also depend on handling efficiency at ports and availability of rolling stock.

Messina geologists would carry out further exploration, the spokesman said, and details of the methods of mining are expected to be released later this year.

There will be little, if any, open-cast mining, and although the seam is underground, it is believed to be shallow.

Assurances have been given by the South African Government that a railway line will be built from the Kangwane area through Swaziland to Richards Bay, and there is the alternative of shipping the coal through Maputo.

In either case a permit is required from the Minister of Mineral and Energy Affairs, but shipping through Richards Bay will probably be cheaper, in spite of the greater distance, because of the high handling charges at the Mozambican port.

The benefit to Messina of the coal development will only be apparent in the years to come, but it does indicate the company's renewed commitment to mining.

Besides the coal venture Messina plans to revive the East Dugganbouth gold mine, and has also bought a small diamond mine near Barkly West in the Cape.

The company will spend about R11 million on developing the new mining interests in the next two to three years.

Still listed in the copper sector of the Johannesburg Stock Exchange, income from copper is expected to account for only 15% of Messina's earnings in the year to September. Last year, 24% of profits were derived from copper, and most of the rest from Datinum.

The share has been tipped by London brokers James Capel because of its potential to benefit from a sharp upturn in copper price, with earnings protected by diversification in the meantime.

The old Messina copper mine is not a great contributor to profit, and last year profit was only R10,000. Most copper earnings are from the Zimbabwean holdings, Mangula and Lomagundi Smelting.

The results of the foreign subsidiaries are no longer consolidated, and the only income reflected in Messina's accounts from these sources is dividends.

Working costs in Zimbabwe have risen substantially over the past year, and it is doubtful whether Mangula can still be regarded as a low-cost copper producer.

In addition to continually rising working costs, the recent budget measure in Zimbabwe on capital expenditure allowances is expected to affect all mining companies adversely.

According to some industry sources the allowance of only 30% of capital expenditure for tax in a single year will render 50% of new investment in mining unprofitable.

Although there has been no additional emphasis recently on the distribution of profits outside Zimbabwe, there are fears that in future foreign-controlled subsidiaries will experience difficulty in remitting dividends, which casts a serious shadow over Messina's potential copper earnings.

The Datinum franchise cannot be expected to maintain the same growth in the year to September 1982 as it will in the current year, but commercial vehicles are expected to take up some of the slack, and overall growth in Messina's earnings should continue at a fairly rapid pace.

Messina has been well bid on the JSE recently, but this is a reflection of industrial growth, and cannot be ascribed to copper considerations.

Capel's estimate is earnings of 15c a share in the second half of this year to make 30c for the year, and a final dividend of 7.5c a share to make 80c for the year.

At yesterday's 50c, Messina is on a prospective yield of 10%.
the proposal is likely to be met with resistance from KwaZulu Chief Minister Gatsha Buthelezi's government. Buthelezi has strenuously deplored past suggestions that the area should be ceded to Swaziland.

Pretoria is also said to be considering handing the KaNgwane homeland to Swaziland. The inhabitants are ethnically Swazi and probably not averse to such an idea.

In this context Eglin found it "significant" that the proposals surfaced only two weeks after the well-publicised announcement of a major ambassadorial link up with export potential of £500m a year in KaNgwane. The link could make the area economically attractive to the Swazi government.

**Verwoerd's legacy**

Such a deal could have major attractions for Pretoria - attractions going back to Verwoerd who, as both Eglin and Barmett pointed out, had wanted to hand all the Shangaan areas to Mozambique, all the Swazi areas to Swaziland, all the Tsonga areas to Transvaal, and all the Sotho areas to Lesotho. At the time, he received a flat rejections all round.

If the deal went through Pretoria could expect to get a reduction in the number of black South Africans, a Swazi "buffer" between Mozambique and Natal, and a possible de facto adherence of Swaziland to the Constellation of States.

Eglin agreed that of all the neighbouring states Swaziland was probably the most susceptible to a deal, but felt it would have to be sweetened with economic advantages. The sweeteners could be offered through Constellation institutions - particularly the Regional Development Bank.

However, problems are legion. One is the reaction of KwaZulu which is bitterly opposed to handing part of its territory to Swaziland. It would presumably be compensated elsewhere, possibly even by gaining Richards Bay, but whether that would be sufficient to overcome objections is doubtful.

**Inclusion favoured**

KwaZulu government sources tell the FM that the majority of people living in the area wish to remain in the homeland. There are signs, however, that many SA Swazi favour inclusion in Swaziland. Indeed, Swazi chiefs in SA have for a long time retained friendly relations with the Swazi government.

Any deal along these lines could create enormous difficulties for Swaziland. The OAU, apart from its aversion to any deal with SA, is flaky opposed to alteration of "colonial" borders.

And a border adjustment deal with Swaziland could create problems in other areas. As a result of the reports, Lesotho can be expected to press its claims to large areas of the Orange Free State, while Kaizer VaNzimba will hardly lose the opportunity to again demand a greatly enlarged Transkei.
Mr. P. A. Myburgh asked the Minister of Co-operation and Development:

(1) How many citizens of South Africa are employed (a) within and (b) outside its borders;

(2) What is the (a) gross domestic product and (b) per capita income of South Africa?

The Minister of Co-operation and Development:

(1) (a) 7,767.

<table>
<thead>
<tr>
<th>Function</th>
<th>Figures</th>
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</thead>
<tbody>
<tr>
<td>Migrant Workers</td>
<td>35 000</td>
</tr>
<tr>
<td>Commuters</td>
<td>33 100</td>
</tr>
</tbody>
</table>

(2) (a) Gross Domestic Product: R13,711,000.  
Gross National Product: R58,395,000.

(b) Gross Domestic Income per capita: R95.  

The above-mentioned figures have been furnished by BEINSO.
What is the estimated number of unemployed (a) male and (b) female KaNgwane citizens between the ages of 16 and 60 (i) within and (ii) outside the borders of this national state?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

The required information is not being kept in the form of a special register. The particulars in respect of workseekers within KaNgwane have been supplied by the KaNgwane Government and the figures reflect the registered number of workseekers.

<table>
<thead>
<tr>
<th>Workseekers</th>
<th>Males</th>
<th>Females</th>
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<tr>
<td>Workseekers within</td>
<td></td>
<td></td>
</tr>
<tr>
<td>KaNgwane</td>
<td>14 840</td>
<td>9 741</td>
</tr>
<tr>
<td>Workseekers outside</td>
<td>4 027</td>
<td>2 038</td>
</tr>
</tbody>
</table>

*Hans 10 KaNgwane 6/10/81 3 C 6/00*
(1) (a) How many persons were resettled in kaNgwane during each of the past five years and (b) from what places were they moved;

(2) what was the total population of kaNgwane (a) in 1975, (b) in 1979 and (c) at the latest specified date for which figures are available;

(3) (a) how many resettlement areas are there in kaNgwane and (b) how many persons are living in each such area;

(4) how many persons remain to be moved to kaNgwane in terms of the Government's resettlement programme?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) (a) Only the total figure is available, namely, 35 000 people. Particulars in respect of each respective year, are not readily available.

(b) From the Black spot Kromkrans and farms in the White area.

(2)(a), (b) and (c) No official census figures are available in respect of kaNgwane for the respective years as requested.

(3)(a) and (b) There are townships in kaNgwane where resettlement could take place on a limited scale. There are also compensatory land available for, Black spots still to be removed. This land is still situated outside kaNgwane and it will be included in the judicial area of kaNgwane after the resettlement actions have been finalised.

(4) The required information is not readily available and surveys to determine the exact number of people involved will only be conducted before the resettlement actions take place.
(1) (a) How many houses were built in kaNgwane during each of the past five years by (i) his Department, (ii) the national state government and (iii) private builders and (b) what (i) school, (ii) clinic and (iii) shop facilities were provided during this period;

(2) whether running water is being supplied to all the resettlement camps in kaNgwane; if not, why not;

(3) how many (a) hospitals, (b) clinics, (c) doctors and (d) nurses are there in kaNgwane?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) (a) (i) 1976—92
1977—236
1978—955
1979—506
1980—42

(ii) Nil.

(iii) The required particulars are not readily available.

(b) (i) 11.

(ii) 1.

(iii) The required information is not readily available.

(2) There are no resettlement camps in kaNgwane. All the townships are, however, provided with suitable water systems.

(3) (a) 2.
(b) 1.
(c) 21.
(d) 379.

kaNgwane

365. Mr. P. A. MYBURGH asked the Minister of Co-operation and Development:

(1) What is the present size, in hectares, of the kaNgwane national state:

719 FRIDAY, 9 O

(2) (a) how many hectares of land were added to kaNgwane (i) from 1975 to 1979 and (ii) subsequent to 1979 and (b) what was the total cost;

(3) whether it is the intention to add more land to this national state; if so, what is the projected cost of such future additions of land?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) 372,000 hectares.

(2) (a) (i) 111,000 hectares.

(ii) None.

(b) The required information is not readily available. No special record in the form of a register is kept in this connection and the required information cannot be ascertained without performing a considerable volume of work, which is deemed to be unjustified.

(3) Due to the fact that the investigation of the Commission for Co-operation and Development in connection with the consolidation of kaNgwane has not yet been completed, it is not possible to furnish the required information.
REDEFINITION OF KABOKWENI TOWNSHIP,
KANGWANE

J. Wilhelm Laubscher Vosloo, Deputy Minister of
Plural Relations and Development, acting on behalf of
the Minister of Plural Relations and Development under
and by virtue of the powers vested in him by regulation
4 (1) (b) of Chapter 1 of the Regulations for the
Administration and Control of Townships in Black
Areas, published under Proclamation R. 293 of 1962,
hereby redefine the Kabokwene Township by amending
Government Notice 3098 of 1969 by the substitution for
the Schedule thereto of the Schedule hereeto.

W. L. VOSLOO, Deputy Minister of Plural Relations
and Development.

(File T60/4/1779/1)

SCHEDULE

Unit 1 consisting of the following pieces of land
situate in KaNgwane in the District of White River,
indicated on the undermentioned diagrams and plans
approved by the Secretary for Plural Relations and
Development and filed in his office, copies of which
are available at the office of the Township Super-
intendent:

(1) A portion, in extent 198,299.9 hectares, indicated
on Diagram BA 41/1968;

(2) A portion, in extent 1,086.9 hectares, indicated on
Diagram BA 74/1972;

(3) A portion, in extent 3,999 square metres, indicated
on Diagram BA 179/1976;

(4) Site 1388, in extent 3,296 square metres, indicated
on General Plan BA 203/1974;

(5) Site 1389, in extent 3,433 square metres, indicated
on General Plan BA 195/1975; and

(6) A portion, in extent 1,824 square metres, indicated
on Diagram BA 140/1976.

DEPARTEMENT VAN PLURALE BETREKKINGE EN ONTWIKKELING

No. R. 2283 17 November 1978

HEROMSKRYWING VAN DIE DORP
KABOKWENI, KANGWANE

Ek, Wilhelm Laubscher Vosloo, Adjunk-minister van
Plurale Betrekkinge en Ontwikkeling, handelende
nans die Minister van Plurale Betrekkinge en Ont-
wikkeling kragtens die bevoegdheid hom verleen by
regulasie 4 (1) (b) van Hoofstuk 1 van die Regulasies
vir die Administrasie en Bestuur van Dorpe in Swart
Gebiede, afgekondig by Proklamasie R. 293 van 1962,
heromskryf hierby die dorp Kabokwene deur Goe-
tementskennisgewing 3098 van 1969 te wysig deur die
Bylae daarvan deur die Bylae hiervan te vervang.

W. L. VOSLOO, Adjunk-minister van Plurale
Betrekkinge en Ontwikkeling.

(Lêr T60/4/1779/1)

BYLAE

Eenheid 1, bestaande uit die volgende stukke grond,
gelei in KaNgwane in die distrik Witrivier, soos aan-
gediui op ondergenoemde kaarte en plame wat deur die
Secretaris van Plurale Betrekkinge en Ontwikkeling
goedgekeur is en in sy kantoor bewaar word en waarvan
afskrifte beskikbaar is in die kantoor van die Dorp-
superintendent:

(1) 'n Gedeelte, groot 198,299.9 hektaar, aangedui op
Kaart BA 41/1968;

(2) 'n gedeelte, groot 1,086.9 hektaar, aangedui op
Kaart BA 74/1972;

(3) 'n gedeelte, groot 3,999 vierkante meter, aangedui
op Kaart BA 179/1976;

(4) Perceel 1388, groot 3,296 vierkante meter, aangedui
op Algemene Plan BA 203/1974;

(5) Perceel 1389, groot 3,433 vierkante meter, aangedui
op Algemene Plan BA 195/1975; en

(6) 'n gedeelte, groot 1,824 vierkante meter, aangedui
op Kaart BA 140/1976;
Swazi unity plan attacked

By PATRICK LAURENCE

PRETORIA: Pressing for the incorporation of the Swazi homeland of KaNgwane into Swaziland as a "subterfuge" to deprive South Africans-born Swazis of their SA citizenship, KaNgwane's Chief Minister, Mr Enos Mabuza, has told the Rand Daily Mail.

In a letter to the Mail, Mr Mabuza quotes correspondence between South Africa, KaNgwane and Swaziland — and summaries of South African Cabinet decisions — to substantiate his statement.

Mr Mabuza also refers to reports in the Mail on August 29 and 30, which disclosed that there had been "boundary adjustment" talks between South Africa and Swaziland as part of wider bargaining between the two states.

In his letter Mr Mabuza says South Africa's Minister of Cooperation and Development, Dr Pik Botha, had "repeatedly informed us that the South African Government is not prepared to negotiate self-governing status with us and that priority must be given to the possible unification of KaNgwane and Swaziland.

He accused Pretoria of exploiting the reverence of SA-born Swazis for King Sobhuza of Swaziland to whip up pro-unification fervour and to obscure its "real intentions".

He said among some of Pretoria's "real" aims were to strip South Africa's 700 000 Swazis of SA citizenship and denying them access to South Africa's wealth and prosperity which they helped to achieve.

Mr Mabuza gave details of KaNgwane's futile attempts to negotiate "self-governing" status with Pretoria over the past eight months.

On June 12 Dr Koornhof gave the KaNgwane Executive Council a summary of the SA Cabinet's attitude on KaNgwane as decided by the Cabinet on June 4.

The summary said: "The RSA Government was positively disposed toward unification of KaNgwane and Swaziland and (unification) had to be taken up by KaNgwane with the Kingdom of Swaziland.

On July 28 the Foreign Ministers of South Africa and Swaziland, Mr Pik Botha and Mr R V Dlamini, met in Cape Town for discussions on "boundary adjustments".

On November 10 Dr Koornhof referred to King Sobhuza's representations for boundary adjustments in a letter to the KaNgwane Executive Council.

"In making the representations His Majesty was guided by aspirations of Swazi unity and a pursuit of the interests and ideals of a unified Swazi people," Dr Koornhof said in his letter.

"The SA Government could not but respond positively to these objectives and a commitment has since developed to seek realistic resolution of the border issue....

"It is in this spirit Mr Chief Councillor that I urge you to view the SA Government's in-ability to accede to your request for self-government." Dr Koornhof could not be contacted for comment yesterday.
DEPARTMENT OF PLURAL RELATIONS AND DEVELOPMENT

No. R. 2409 22 December 1978

KANGWANE CITIZENSHIP REGULATIONS

The State President has been pleased, under and by virtue of the powers vested in him by section 11 (1) and (3) of the Black States Citizenship Act, 1970 (Act 26 of 1970). to make the regulations contained in the Annexure hereto, which shall be applicable in respect of citizens of the area for which the KaNgwane Legislative Assembly has been established.

DEPARTEMENT VAN PLURALE BETREK-KINGE EN ONTWIKKELING

No. R. 2409 8 Desember 1978

KANGWANE-BURGERSKAPREGULASIES

Dit het die Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel 11 (1) en (3) van die Wet op Burgerskap van Swart State, 1970 (Wet 26 van 1970), die regulasies vervat in die Aanhangsel hiervan uit te vaardig, wat van toepassing is ten opsigte van burgers van die gebied waarvoor die KaNgwane- Wetgewende Vergadering ingestel is.
SA plan to excise KwaNgwane condemned

Own Correspondent

PRETORIA. — The South African Government wants the incorporation of the KwaNgwane homeland into Swaziland as a "subterfuge" to deprive South Africa-born Swazi of their citizenship, KwaNgwane's Chief Minister, Mr Enos Mabuza, said in a letter to this correspondent yesterday.

Enclosed with Mr Mabuza's letter was a recent address, in which he quoted correspondence between South Africa, KwaNgwane and Swaziland — and summaries of South African cabinet decisions — to substantiate his statement.

Mr Mabuza also referred to newspaper reports published on August 19 and 20 disclosing that there had been "boundary adjustment" talks between South Africa and Swaziland as part of wider bargaining between the two countries.

Priority

In his letter Mr Mabuza said the Minister of Co-operation and Development, Dr Piet Koornhof, had "repeatedly informed us that the South African Government is not prepared to negotiate self-governing status with us and that priority must be given to the possible unification of KwaNgwane and Swaziland".

He accused Pretoria of exploiting the reverence of SA-born Swazi for King Sobhuza II of Swaziland to obscure its "real intentions".

He identified Pretoria's "real" aims as being:

- To strip South Africa's 750,000 Swazi subjects of South African citizenship;
- To deny them access to South Africa's wealth, which they helped achieve, and
- To reduce the total number of black South Africans.

Cabinet attitude

Mr Mabuza gave details of KwaNgwane's futile attempt to negotiate "self-governing" status with Pretoria over the past eight months.

On June 12 Dr Koornhof gave the KwaNgwane Executive Council a summary of his cabinet's attitude.

The summary said: "The RSA Government was positively disposed toward unification of KwaNgwane and Swaziland ... and (unification) had to be taken up by KwaNgwane with the Government of Swaziland."

According to Mr Mabuza's version of the account given to KwaNgwane by Dr Koornhof, before the South African cabinet meeting of June 4, the Prime Minister, Mr P W Botha, "received a letter from the Kingdom of Swaziland, objecting to, or expressing misgivings about, KwaNgwane being granted self-governing status before the question of boundaries between SA and Swaziland had been settled".

On November 10 Dr Koornhof referred to King Sobhuza's representations for boundary adjustments in a letter to the KwaNgwane Executive Council.

Swazi unity

"In making the representations His Majesty was guided by aspirations of Swazi unity and a pursuit of the interests and ideals of a unified Swazi people," Dr Koornhof said in his letter.
Future of 750 000 Swazis in balance

By Anthony Duigan

A question-mark hangs over the future of about 750 000 South African Swazis because of Government moves to incorporate the tiny KaNgwane homeland into Swaziland.

The KaNgwane Legislative Assembly has bitterly opposed the moves which will deprive the homeland and South African-born Swazis of sharing in the wealth and development of South Africa.

At a special meeting of the Legislative Assembly earlier this month it was decided unanimously to use every means possible to convince the South African Government to grant full self-governing status to KaNgwane.

PROSPERITY

"We have been asking for self-government for nine months but against its own policy of granting self-rule to ethnic groups, the South African Government has refused," said Mr Enos Mahuna, chief executive councillor of KaNgwane, in an interview.

"In spite of this, we intend doing everything we can to bring about self-governing status."

"It is clear that the real intentions of Pretoria are to strip the Swazis of the Republic of their South African citizenship and deny them the right and access to the wealth and prosperity which they have helped to build in this country."

Earlier this year, the South African Government informed Swaziland that it was "positively disposed" towards the unification of KaNgwane and Swaziland.

FINALITY

Dr Koornhof, the Minister of Co-operation and Development, declined to comment on the possibility of KaNgwane being incorporated into Swaziland.

But the Deputy Minister of Development, Mr J J Wentzel, told the special session of the KaNgwane Assembly that finality concerning the possible incorporation of the homeland into Swaziland would be reached "in the not too distant future."
Alliance digs in over Swazi land issue

By PATRICK LAURENCE

LEADERS of the South African Black Alliance gave notice yesterday that it will spearhead resistance in 1982 against further attempts by Pretoria to facilitate incorporation of South Africa's Swazi "homeland" of KwaNgwane into Swaziland.

Mr E J Mabuza, Chief Executive Councillor of KwaNgwane and leader of one of the three parties in the Alliance, said yesterday: "We will raise the issue at the Black Alliance meeting in February. We see it as crucial not only to us but to the whole of South Africa."

In a separate interview, Chief Gatsha Buthelezi, Chief Minister of KwaZulu and chairman of the Alliance, made it clear that he would back Mr Mabuza fully at the February meeting.

The central committee of Chief Buthelezi's Inkatha movement - another party to the Alliance - has already expressed opposition to the incorporation of KwaNgwane into Swaziland.

Mr Mabuza, a staunch opponent of incorporation, recently released detailed evidence of Pretoria's pro-incorporation stance, including summaries of South African Cabinet decisions on the issue released to the KwaNgwane Executive Council by the Minister of Co-operation and Development, Dr Piet Kooorphoe.

He accused Pretoria of favouring incorporation as a "strategy" for stripping 756 000 South African-born Swazis of their South African citizenship by making them citizens of Swaziland.

Regional

KwaNgwane's requests for self-government - a form of regional autonomy which stops short of the loss of SA citizenship which accompanies independence - have been thwarted thus far because, in Dr Kooorphoe's words, "preference had to be given to the possible unification of KwaNgwane with Swaziland."

In declaring South Africa's sympathy to requests from Swaziland's King Sobhuza II for "border adjustments", Dr Kooorphoe told the KwaNgwane Council: "His Majesty was guided by aspirations of Swazi unity and the interests and ideals of a unified Swazi people."

Chief Buthelezi commented yesterday: "If Pretoria is so concerned about ethnic consolidation it should have given Bophuthatswana to Botswana, and the whole of the Free State to Lesotho and not allowed the Xhosas people to be divided between Transkei and Ciskei."

Last August Pretoria was reported to have been considering a "frontier adjustment" with Swaziland, which would have chopped off part of KwaZulu and given Swaziland access to the Indian Ocean.

The territory of issue has long been claimed by Swaziland. The loyalty of its people, the Ngunimba, are divided, with some acknowledging the sovereignty of King Sobhuza and some giving their allegiance to KwaZulu.

Chief Buthelezi said yesterday he had since been assured by South Africa's Commissioner General to KwaZulu that KwaZulu territory had not figured in last year's "border adjustments" talks between South Africa and Swaziland.

But, he added, he remained sceptical because Swaziland leaders - among them Swaziland's present Foreign Minister, Mr R V Dlamini - had once come to KwaZulu to present their case for the disputed land.
**Former Swazi politico calls for ‘reunification’**

A FORMER member of the KaNgwane Executive Council spoke out strongly yesterday in favour of incorporation of KaNgwane into Swaziland, claiming that there was broad-based support among South African Swazis for unification between the two territories.

Labelling the proposed merger as the “reunification of Swaziland”, Mr David Lukhele, former Councillor of Community Affairs, said: “Reunification has been the desire of all Swazis for many years.”

The fate of KaNgwane, the designated “homeland” of South Africa’s 750,000 Swazis, is the subject of a dispute between Pretoria and the KaNgwane Executive Council.

Pretoria has made known its pro-unification stance through the Minister of Co-operation and Development, Dr Piet Koornhof, but its stand has evoked fierce resistance from Chief Minister E

**By: PATRICK LAURENCE**

J Mabuza and his Executive Council—which has accused Pretoria of using unification as a “strategy” to strip SA-born Swazis of South African nationality.

In a statement to the Rand Daily Mail, Mr Lukhele, deputy leader in KaNgwane, said he was dismissed from the Executive Council about a year ago, saying:

**● Many SA-based Swazi chiefs had made representations to Pretoria to allow them free access to Swaziland and to abolish present requirements for special travel documents:**

**● Some Swazi chiefs resident in South Africa had tribesmen and kinmen on both sides of the border:**

**● Most Swazi chiefs in South Africa had first to be formally appointed by King Sobhuza II of Swaziland before their tribes would recognise them.**

Mr Lukhele challenged reports that Mr Mabuza had received unanimous support for a motion calling for the granting of self-government to KaNgwane, a status which is likely to further establish KaNgwane’s identity as a separate polity from Swaziland.

He alleged that the anti-unification majority in the KaNgwane Legislative Assembly were “non-Swazis”, naming them as “Shanganzas, Sothos and Pulusas”. Mr Mabuza, he said, was opposed to unification because he feared he might not be able to secure a position in the Cabinet of a unified Swaziland.

“On several occasions Mr Mabuza and his Cabinet have had discussions with King Sobhuza on the question of border adjustments and self-rule,” Mr Lukhele said.

“It was not the Pretoria Government that initiated the discussions, but Mr Mabuza, who did not disclose that he had discussions with His Majesty, King Sobhuza, in the people of KaNgwane.”

Mr Mabuza declined to comment in detail yesterday, except to recall that Mr Lukhele had once been an “arch-opponent of incorporation and to characterise him as a ‘frustrated man’ who had abandoned his principles.”
Homeland

Swaziland - Cenral

1983

Jan - Feb - March - July -
Aug - Sept - Oct
LAND DEAL

Now up to Rumpff

An indication of just how wedded Pretoria remains to the idea of ceding SA territory to Swaziland may be given by Internal Affairs Minister, F W de Klerk, when he opens a special session of the KaNgwane Legislative Assembly (KLA) in a fortnight’s time.

Given the intense opposition engendered by the proposed land-deal and the death of King Sobhuza, whose authority was expected to ease transfer, many suspect that the issue will be left languishing. This is despite Mbabane’s visible moves to please SA by rounding up ANC-supporting refugees. In any event, a land transfer of whatever magnitude would now seem possible only through statutory fiat.

The KLA under chief minister Enos Mabuza resumed administrative control of the homeland a month ago after Pretoria had tried to abolish the assembly by proclamation — ostensibly with a view to transferring KaNgwane to Mbabane. This followed the out-of-court settlement between Mabuza and Co-operation and Development Minister, Piet Koornhof (Current Affairs, December 3 1982). In what appeared to be a kind of defusing measure, it was decided that the KaNgwane issue should be considered by the Rumpff Commission of Inquiry into “conflicting claims” to Ingwavuma.

The Commission “expects” to commence hearings on the Kwazulu area — also apparently earmarked to cession to Swaziland — sometime in February, according to its secretary, Koot Myburgh. He tells the FM that “background information” on, for example, exact territorial bor-
Government sends jobless Mozambicans back

Recession hits 'illegals'

HUNDREDS OF WORK-SEEKING Mozambicans were being repatriated in large numbers to their country after entering South Africa illegally, senior KaNgwane officials disclosed this week.

And, according to the officials, South African-born blacks are also falling victim to the Government's crackdown on "illegals" along the SA-Mozambique border. Most are prosecuted and ferried in trucks to the former Portuguese territory, a country they have never seen or have no connections with.

This tough action by the Government should be seen against the background of deteriorating relations between the two countries. At the core of the trouble is the Government's accusations that Mozambique was being used as a springboard by the African National Congress to launch attacks on South Africa.

Lawyers handling cases of Mozambican immigrants expressed concern at the number of people being repatriated to the country. An average of five Mozambican "illegals" were sent away a week, they said.

One lawyer, commenting: "Most of the South African-born blacks sent to Mozambique find themselves stateless at the end. Mozambique authorities conduct their own investigations to check whether the people handed over to them are truly Mozambican.

If no proof is found, the persons involved are sent back to South Africa, immediately finding themselves stateless."

A KaNgwane garage owner recently found himself without six of his employees after police raided his business. The police, after interviewing the six employees, took them away and they have not been seen in the area since.

Police, in their search for "illegals", are said to interrogate suspects about their background. In some cases, police test their knowledge of Swazi — the language generally spoken by locals. Mozambicans mainly speak Shangaan.

Pass offenders in KaNgwane also face the risk of being repatriated, according to sources.

One senior KaNgwane official commented: "This tough action against pass offenders puts them in a difficult position. Many people along the border have never possessed passes in their lives. Most of these people are afraid to carry passes because, they believe, reference books bring a lot of problems."
KANGWANE CELEBRATES

JOY AT VICTORY OVER SA LAND DEAL PLAN

Loud cries of 'one people, one nation'

IT WAS "all's well that ends well" at the weekend when the KaNgwane population celebrated their homeland's release from inclusion into Swaziland.

Dignitaries from all over the country were part of the 5,000 crowd that flocked to the local Kanumapapane Stadium in Nelspruit, to share their happiness over the victory against the controversial land deal.

Beasts were slaughtered and traditional dances marked the day-long celebrations. There was jubilation from Swazi women when a motorcade led by the KaNgwane chief executive councillor, Mr Emos Mabuza, entered the stadium.

The tension which prevailed in KaNgwane after the Government announced its plans to cede the homeland and Ingwana area to Swaziland is now a thing of the past, and this has been replaced by an atmosphere of relief, with the locals hoping that the South African Government has given up its plans completely. Addressing the crowd, Mr Mabuza said: "It would be expected if the majority of the black people of this country were reduced to a status of the human suffering they have had to endure for generations in the land of their birth."

But because our belief in God is central to our religious outlook as a people, we have managed to retain our dignity when degraded, and to stretch a hand of love and friendship to our fellow-people when told that we have to be deprived of the heritage of the land of our birth."

During the past 18 months, he added, the KaNgwane population of 160,600 had had a traumatic experience. He thanked local and international organisations which had joined the homeland in protest against the land deal.

A senior official of the South African Council of Churches, the Reverend Dr Sydney Patzke, said the present drought period was a sign that there was no justice in this country. "It is time to make ourselves humble before the eyes of God because he can withhold rain from bad and good people," he said.

At the end of the meeting, the crowd was treated to a lavish luncheon. There were cries of "one people, one nation. Together we shall conquer" as the crowd danced around the stadium.

CHANTING: Members of KaNgwane's ruling party, Inyandiza, carry the party's banner.

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LUNCHION: Some of the people who attended the occasion were (from left) local attorneys Mr Phineas Moje- pula and Mathew Phosa. In the middle is Mr Phosa's wife, Phoebe.

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KaNgwane rules again

By PATRICK LAURENCE
Political Editor

THE KaNgwane Legislative Assembly was formally reopened by the Minister of Internal Affairs, Mr F W de Klerk, yesterday.

The assembly was dissolved by decree last June by the Minister of Co-operation and Development, Dr Plaat Koorhof.

Mr De Klerk referred to the period of direct rule of KaNgwane by Pretoria from June 8 to December 8 last year as "an exceptionally difficult time".

Dissolution of the Legislative Assembly and direct rule by a specially appointed Commissioner for Swazi Affairs was meant to serve as a prelude to the creation of KaNgwane to Swaziland.

Both moves were bitterly disputed by the Legislative Assembly.

The controversy was defused on November 25 when Dr Koorhof agreed to withdraw the decree.

Both parties further agreed to refer Swaziland's claims to KaNgwane to the Rumpff Commission.

Ironically Mr De Klerk yesterday had to request the KaNgwane Legislative Assembly to retrospectively legalise the period of direct rule.

He asked the assembly to adopt the Appropriation Bill and the KaNgwane Validation and Special Withdrawals Bill "to validate for the period 18 June 1982 to 8 December 1982" the exercises by Pretoria's officials of rights and powers in KaNgwane and the withdrawal of money from the KaNgwane Revenue Fund.

The Chief Executive Councillor of KaNgwane, Mr Emos Mabuza, was generally conciliatory in his reply.

But, he added, it would be a "serious omission" if he did not ask Mr De Klerk to convey to his colleagues in the Cabinet the feeling of the people of KaNgwane that they were regarded by Pretoria as an "unwanted step-child".

He was not referring directly to last year's proposed move to cede KaNgwane to Swaziland, but to the fate of a proposed national development plan which had been sent to the Department of Co-operation and Development for approval and completion.

He alleged that the urban representative of another territory had been given a "pash residence", whereas none of KaNgwane's representatives had been given "even a bowl in which to live and carry out their duties".

Since the shelving of plans to cede KaNgwane to Swaziland, 10 members of the Legislative Assembly were reported to have resigned in protest and to have accused Mr Mabuza of rejecting the Swazi language and culture.

On this issue, too, Mr Mabuza adopted a conciliatory tone, emphasising that eight and not 10 members had resigned.
Rumpff hopes Swazis will co-operate

Mercury Reporter

OFFICIAL inquiries into the Ingwavuma controversy could begin only once the Swaziland Government had made submissions regarding its claim to the territory, the Rumpff Commission chairman, Mr Frans Rumpff, said yesterday.

He announced that 'two experts' of the Africa Institute were compiling a historical outline of the region as a first step in the investigation.

This memorandum was expected to be completed within two weeks and would at once be forwarded to the Swaziland Government to give it the chance to reply.

Common ground

The memorandum, with Swaziland's reply, would be put to the South African Government, the KwaZulu Government and the Natal Provincial Administration for comment — and these submissions, too, would be sent to the Swaziland Government 'for another chance to reply'.

Only then — 'once we have established common ground' — could the first meeting of the commission take place, Mr Rumpff said.

And only then could the commission consider such matters as which witnesses to call, and where and how often to meet.

'Ve need and hope for Swaziland's co-operation in this matter. It is in that country's own interests to co-operate.'
WEDNESDAY, 2 FEBRUARY 1983

(2) whether any of these court cases were settled out of court; if so, what are the particulars of each settlement?

The MINISTER OF CO-OPERATION AND DEVELOPMENT (Reply laid upon the Table with leave of House):

(1) (a) Three court cases: One in connection with the validity of Proclamation R.108/1982 which deals with the disestablishment of the KaNgwane Legislative Assembly.

One in connection with the validity of Proclamation R.109/1982 which deals with the excision from KwaZulu of the Black areas in the District of Ingwavuma and the amendment of the composition of the Legislative Assembly.

One in connection with the validity of Proclamation R.121/1982 which repeals Proclamation R.109/1982 which has the same purpose in view as Proclamation R.109/1982.

(b) (i) In the case which deals with the validity of Proclamation R.108/1982 the Government of KaNgwane and Mr. E. J. Mabusa were the litigants. In the two other court cases the Government of KwaZulu and Mr. M. E. Ngubane were the litigants.

(ii) The case in connection with Proclamation R.108/1982 has been settled on the basis that the applicants withdraw their application and that the Respondents pay the cost of suit.

The case in connection with Proclamation R.121/1982 has been decided in favour of the Applicants with costs. Appeal was lodged against the decision but the Appellate Division turned down the appeal with costs.

(c) The final calculation of costs has not yet been received from the respective State Attorneys.

(2) Yes. Particulars have already been submitted under (b)(ii). Full particulars of the court cases are obtainable from the court records which are public documents.
Mabuza power

KaNgwane leader wants detention

KaNgwane executive councillor Enos Mabuza wants Pretoria to grant him detention powers, but is being opposed by the Swazi homelands chiefs, according to reports.

The split in the tiny homeland bordering Swaziland is the latest in a series of clashes between those traditionally-minded chiefs who support the proposed incorporation of KaNgwane in Swaziland and Mr Mabuza who is fighting the move.

The Times of Swaziland says Mr Mabuza tabled a motion asking for detention powers in the KaNgwane Legislative Council last week.

Mr ENOS MABUZA: Chief Minister of KaNgwane.

He reportedly also wants to be allowed to set up a KaNgwane police force.

The homelands' Council of Chiefs met last weekend and reportedly denounced the proposal as a step towards self-government in KaNgwane "and the birth of another banana republic in the midst of South Africa."

The chiefs apparently resolved to petition Pretoria that Mr Mabuza's policies run against the aspirations of the majority of KaNgwane people. They claim Mr Mabuza is discouraging the teaching of Siswati (the Swazi language) in favour of Sotho and Shangaan.
OLD AND OBSTINATE ... but what of their future in a foreign land?

A dorp under sei

By JOHN KANE-BERMAN

KANGWARE.

For Driftefontein is what the official social engineers call a "black spot" on the face of "white" South Africa. It must therefore be obliterated to further territorial apartheid.

Unless they can stop the removal, its people will join about half a million Africans already swept off "black spots" into the "homelands".

AND they, in turn, represent only about 25% of the Africans uprooted or displaced from the "white" areas ... some of them into dumping grounds, including parts of Kangware, where the absence of water supplies and sewerage has led to outbreaks of cholera, to say nothing of malnutrition.

Drieteenfontein is fighting removal.

Says Mr. Mqele, who is now too old and blind to plough: "If the Government says I must move, they can just shoot me and let me die here. I do not even want to go and see that (other) place. Who will build me a house there?"

The Department of Cooperation and Development has promised that three days' rations will be supplied during the move and that "vans or prefabricated houses" will also be provided temporarily.

But a statement - headed "Voice of the Drieteenfontein People" - says: "Here we have widows, old men and women, who have spent all their lives raising their families, educating them, building (their) houses, looking after them, while they still had the strength and the vigour to do so.

"What can they do now? ... the old, the weak, the infirm and the crippled. Must they just curl up and die? How can they live in tents for six months and then build lasting homes without money and without the vigour of youth, which they no longer have, how can they start all over again?"

Two years ago the Drieteenfontein Community Board was spearheading resistance. But it detected signs of "weakness" among its opponents, notably tenants who had nothing to lose.

The board was also worried that "the security is infiltrating the community", while its chairman, Stephen Mabu, was allegedly being "watched very carefully by the Big Eye".

MR Mabu, nevertheless, wrote to the Minister of Co-operation and Development, Dr. Piet Koornekoh, to remind him that he was understood to have once said that the Government would not force anyone to be resettled.

Back came a reply from the Deputy Minister of Development and Land Affairs, Greyling Wentzel, that it was sometimes necessary for people to move from "black spots" for their own good and that a "dorn of national importance" would inundate some of their properties.

Although the Government respected Drieteenfontein's feelings, Mr. Wentzel said, everyone had to make sacrifices for peace and prosperity and
...a happy rural farming community where "the health is beautiful!"

**Sentence of Death**

the removal would go ahead.

According to the Department of Water Affairs, the 460,000 m³ cubic metre Hartebeespoort Dam (about 2.5 times the capacity of the Hartebeespoort Dam) being built in the district will start storing water in 1984.

But it is some distance from Driefontein, and it is not clear how much farmland it will actually flood. In any event, Mr. Matsi's board suspected that the dam was "a changing technique of forcing people out" in view of their resistance.

Whether because of "changing techniques" or other factors, Mr. Matsi last year changed his mind. Most of the Driefontein people agreed to the removals, he said, and more than 100 standowners had signed an affidavit to this effect before the Waakstroom magistrate. Subsequently, however, Mr. Matsi said the affidavit had been signed out of fear.

Mr. Matsi has now been deported...at least as far as dealing with the removal issue goes. In November last year, Saul Mkhize, who owns four plots in Driefontein, presented Geoff Budleider, of the Legal Resources Centre in Johannesburg, with a statement signed by 307 people who said they were plotowners.

They declared that they did not consent to the removal and withdrew any statements some of them had made in the affidavits before the magistrate, who gave permission for a meeting on December 26 to elect representatives to negotiate with Dr. Koornhof's department.

At this meeting, which he said was attended by 3,000 people, Mr. Mkhize was chosen as chairperson of a new board which was instructed to prevent the removal. But the magistrate wrote back to Mr. Budleider saying that his clients' new board was not recognized.

Dr. Koornhof had earlier written to Mr. Mkhize telling him bluntly: "The position regarding the future of Driefontein 365 IT is as follows: (a) The dam in the Assegaaiv Riv-

No more than 15% of its residents are economically active (compared with 46% of blacks in the "white" areas). Its physical infrastructure is "very limited", says Benso.

Indeed, outbreaks of cholera in some of its densely-populated dumping grounds in 1986 showed that it could not cope with the never-ending influx of people displaced from the "white" areas.

Partly because they are a particular target of the Government's mass removal schemes, Kangwane...like other "homelands"...has a relatively high proportion of old people, whose need for pensions and social services is an abnormally large burden on official revenues (which, in the 1981/82 financial year, amounted to R67,466,000).

Sweeping black people out of "white" into "homeland" areas enables Pretoria to devote itself of responsibility for them, which is one of the least publicized but most insidious forms of apartheid.

Asks Mr. Mkhize: "Is the Kangwane Government going to look after us, ensure our personal and permanent funds and, most of all, take care of our welfare? Schools, readjusted as "white" hospitals...will all these be there when and if we have to move? This is a big responsibility they take on. Are they prepared for these costs? I think not."

Oscar Dhloomo, Minister of Education and Culture in KwaZulu...where the other part of the Driefontein community is destined for ultimate consignment...has noted that the tin huts and tents provided temporarily by Pretoria in resettlement areas offer little protection against winter, so that young children and old people often die of respiratory infections.

And most of the resettled people...who previously were able to get casual jobs, had land available to grow maize or other hard-won livestock...were forced to get rid of their animals when they were resettled and were given no land to farm.

"Thus," says Dr. Dhloomo, "they have no alternative but to join the ranks of the unemployed awaiting recruitment as migrant labourers."

Apparently, neither the KwaZulu nor the Kangwane authorities have been asked whether the Driefontein people should be dumped on their doorsteps.

A spokesman for Dr. Koornhof's department told me that the removal would take place on land controlled by the South African Development Trust in Pretoria. Only after the removal was complete, he said, would this land be consolidated into the two "homelands."

The trick appears to be to give the "homelands" the additional land they want, but only after having packed it with people Pretoria does not want.

Of course, if the Driefontein people are unable to prevent their removal...and if the plans to hand Kangwane over to Swaziland are not finally blocked...the people of Driefontein consigned to Kangwane would have been swept not only out of the "white" area but also into a foreign country.

When he became a trap of the Bantu Administration empire built by people like Dr. Dhloomo and M.T. Buthelezi, Dr. Koornhof declared that his philosophy would be one of "living in fear, wage..."
Casino rights: Van der Walt is facing the Opposition’s ire

BY VIRIL WILKINS: Political Correspondent

A COHRENSIVE report probing the granting of multi-million rand casino rights in the black national states is expected to be be before the Cabinet on Tuesday and could spell trouble for the Deputy Minister of Development and Land Affairs, Mr. Hennie van der Walt.

The Opposition has already tabled questions about the report and, if speculation that Mr. van der Walt has been heavily criticised is correct, calls for his resignation are likely to follow.

The investigation into the granting of casino rights followed revelations in the Sunday Times that Mr. van der Walt, who was then chairman of the Commission for Cooperation and Development, had attended a meeting between members of the KwaNdebele Legislative Assembly and two white entrepreneurs who were seeking casino rights in the homeland.

Mr. van der Walt initially denied the allegations, but later confirmed he had attended such a meeting, but not on the date originally reported.

In the event, KwaNdebele turned down the application, for casino rights.

In the uproar over the allegations, the Minister of Cooperation and Development, Dr. Piet Koornhof, appointed two retired senior civil servants to conduct an inquiry into the granting of casino rights in all the national states.

The inquiry was under the chairmanship of Mr. W. A. Schickerling, the former Auditor General, and Mr. H. F. Funt, former Secretary of Indian Affairs.

Mr. Schickerling has confirmed to the Sunday Times that he flew to Cape Town to hand the report to Dr. Koornhof, but has declined to discuss its contents.

Dr. Koornhof this week said he had "no comment" about the report.

So did Mr. van der Walt, who said: "I have said all I want to say to the commission."

Informed speculation suggests, however, that Dr. Koornhof is exonerated of any irregula-

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Deputy Minister denies talks about casino

A Sunday Times headline on September 19 last year raised questions about the validity of casino rights, while Mr. van der Walt was less fortunate.

He is said to come under heavy fire for his role in the KwaNdebele meeting.

Mr. Ray Swart, the Progressive Federal Party MP for Berea who has monitored the casino affair, has placed a question on the order paper for this week asking Dr. Koornhof whether Mr. Schickerling’s report will be made public, and whether the Minister will make a statement on the matter.

If Mr. van der Walt's role is found to have been irregular, he may get off with a rap on the knuckles, but political sources were speculating that if the matter is more serious than that, he could be a victim of the extensive rationalisation that is earmarked for the Department of Cooperation and Development.

The rationalisation programme, which is expected to begin during this session of Parliament, is likely to see the department reduce in size and function as some of its tasks are restructured to other departments.

Any dishonesty would result in automatic disqualification and to possible exclusion from the University.
THURSDAY, 17 FEBRUARY 1983

†Indicates translated version.

For written reply:

Q. Col. 172 - 173

KaNgwane: amount spent on salaries/administration 17/3/83

11. Dr. F. HARTZENBERG asked the Minister of Co-operation and Development:

(1) What amounts were paid in salaries to the (a) Commissioner-General, (b)

(2) Chief Minister and (ii) members of the Executive, (c) members of the Legislature and (d) officials employed by KaNgwane, from the date of the termination of the authority of the Government of KaNgwane up to the date of the restoration of such authority;

what amount was spent during the abovementioned period in respect of the administration of this national state?
HOUSE INVESTIGATES

The proposal that the involvement of Deputy Minister of Co-operation and Land Affairs Hennie van der Walt in casino negotiations in KaNgwane be investigated by a Parliamentary select committee went through without debate.

This seems a little strange. Van der Walt's role has already formed part of the investigation carried out by two retired senior civil servants who have reported to Minister of Co-operation and Development Piet Koornhof. One would have expected the opposition parties to query the need for a further investigation — at least until they were informed what the departmental inquiry had unearthed.

Instead there will be further delay while the select committee deliberates. Of course the facts should come out eventually — and the report of the original investigation will probably form part of the evidence before the select committee.

Only a cynic would suggest that the decision to appoint the select committee could have anything to do with anticipated by-elections — and the possibility of homeland casino negotiations becoming election propaganda fodder.
KaNgwane angered by S A Govt action

The South African Government appointed the chairman and three standing members and we had no power whatsoever to veto their appointment.

"We were consulted only on, and satisfied with the nomination by the South African Government of their two nominees from the Transvaal," Mr Mabuza said.

"Given these limitations on the constitution of the commission, we seriously considered withdrawing from it altogether and not participating in the nomination of KaNgwane's potential commissioners.

"We, however, weighed this consideration against the disadvantages we would face if we had no representation on the commission at all and decided that our people's interests would be better served if certain of the commissioners were our nominees," Mr Mabuza said.

"We, however, record our dissatisfaction at the fact that two of our nominees were respectively rejected by the South African Government and accordingly have not been appointed as commissioners," he said.
Land issue could bring down the Swazi Govt

By RICHARD WILLIAMS in Mbabane

The map of Africa could be changed as a result of the dismissal of Swazi Prime Minister, Prince Mahandla Dlamini, an appointee and nephew of the late King Sobhuza, and his replacement by a more traditionalist prince.

King Sobhuza, who for over 60 years dominated the politics of this small country wedged between South Africa and Marxist Mozambique, died last August and his senior widow, the Ndlovukazi — the Great Elephant — now rules in his place.

The late King maintained a skilful balancing act throughout his reign between traditionalists and modernisers in Africa's last semi-feudal monarchy.

"But since his death, political observers here say there has been persistent squabbling between Chief Mahandla's supporters and the Lopogo, a strongly traditional inner circle of royal elders and tribal chiefs."

What part the Queen — an elusive figure who is rarely seen in public — played in Prince Mahandla's dismissal is unknown. But diplomatic sources point to his replacement as proof that the conservative faction is now firmly in control of the Lopogo.

The South African Minister of Foreign Affairs, Mr Pik Botha, confirmed this week that the dismissed Prime Minister had arrived unexpectedly with his family in South Africa. Mr Botha said he had told the Swazi Government of Prince Mahandla's arrival.

Prince Bhekizile Dlamini, the new Prime Minister, is known chiefly as a staunch supporter of the monarchy, which has an almost mystical aura to the rural peasants who make up more than 70% of Swaziland's 500,000 population.

He is also a strong advocate of regaining lands that once formed part of the traditional realm of the Swazi monarchs but were lost to South Africa at the end of the last century.

The Republic attempted to hand over two areas adjoining Swaziland that King Sobhuza had laid claim to for many decades. The two areas are Kangwane, a crescent-shaped sliver of land on Swaziland's western border which is the homeland for the Republic's 750,000 blacks of Swazi origin, and Ingwuvuma, a coastal region near the Mozambique border.

But a public outcry by the Zulu people, who occupy Ingwuvuma, leaders of the white opposition and court action by the tribal homeland leaders involved, have temporarily stopped the transfer of land while a Government commission investigates the issue.

Prince Mahandla was known to be an opponent of the land deal, which would more than double the size of the kingdom and its population while bringing few tangible benefits.

Kangwane is underdeveloped and overpopulated. Despite its beautiful and rugged mountain scenery, most people manage only to eke a living from the overgrazed infertile soil, in contrast to Swaziland, whose annual per capita income of R593 is one of the highest in Black Africa.

It seems Pretoria will not rush to re-enter negotiations with Swaziland until the Government commission charged with investigating the issue has made its final report.

Sources say that most of the inhabitants of the disputed territories oppose the deal, which would strip them of their South African citizenship and work opportunities in the Republic, while Swaziland's mainly agricultural economy could offer them few opportunities for employment.

The recovery of Ingwuvuma and Kangwane was one of King Sobhuza's greatest ambitions and in a society where the monarch's word is still regarded as law, the Lopogo and Government appear dedicated to fulfilling his wishes.

However, the incorporation of a hostile population, bitterly opposed to the deal and no longer sympathetic to the traditional Swazi way of life, would present one of Africa's few surviving monarchies with problems which would bring about its downfall.
SA vetoes Kangwane nominees

Own Correspondent

Johannesburg. — The Government has vetoed the nomination by Kangwane of Professor John Dugard and Senator George Botha to serve on the Rumpff Commission.

The Rumpff Commission was originally appointed to investigate the dispute between Swaziland and KwaZulu over ownership of Ingwavuma, but later its terms of reference were extended to include the conflict over possession of Kangwane between Swaziland and South African-born blacks living in Kangwane.

Invitation

In accordance with an agreement reached between Pretoria and Kangwane in November last year, Kangwane was invited to appoint three representatives to the Rumpff Commission.

In a statement yesterday, Mr Enos Mabuza, the Chief Executive Councillor of Kangwane, said that Kangwane had nominated Professor Dugard, director of the Centre for Applied Legal Studies, and Senator Botha, immediate past Commissioner-General to Kangwane.

“we record our dissatisfaction that two of our nominees were rejected by the South African Government,” he said.

Kangwane had considered withdrawing from the Rumpff Commission altogether, but decided that the interests of its people would be better served if they appointed alternative nominees.

Mr Mabuza did not say who had been nominated to replace Professor Dugard and Senator Botha, but it is understood that an educationalist and a lawyer have been nominated.

The statement on the agreement reached between Pretoria and Kangwane did not specifically reserve veto powers for South Africa over Kangwane’s nominees. South Africa appointed three nominees which, as Mr Mabuza noted yesterday, were accepted by Kangwane.

“Nationality”

Legal observers noted yesterday that the Rumpff Commission was concerned with questions of international law, including “the demarcation of boundaries and the deprivation of nationality on grounds of race”, and that Professor Dugard, who is a doctor of law of Cambridge and expert in international law, was eminently qualified in that area.

Professor Dugard said yesterday: “In my view I am qualified… and could have made a useful contribution.”

“I can only assume Pretoria wishes to exclude international lawyers, not associated with the government, from the commission and that this is the reason for vetoing my nomination.”
Application made against Kangwane

An urgent application to declare the third session of the Kangwane Legislative Assembly null and void was brought in the Pretoria Supreme Court yesterday.

The applicant was the chairman of the Mawati Regional Authority, Chief Johannes Mokolohish Dlamini.

The respondents include the South African Government and Mr. Enos Mabuza, the Chief Executive Councillor of Kangwane.

The application was postponed indefinitely by agreement so that papers could be served on the 41 respondents.
MBABANE. — KaNgwane chiefs in favour of a border "adjustment" with Swaziland have submitted urgent applications to the South African Supreme Court to have the recently-elected KaNgwane Legislative Assembly declared null and void.

KaNgwane pro-unification leader Mr David Lukhele said in Mbabane yesterday that the KaNgwane Legislative Assembly's chief councillor, Mr Enoq Mabuza, had created a political scandal in attempting to restrict membership of the new Legislative Assembly to his supporters only.

Mr Lukhele said 12 KaNgwane pro-unification chiefs who resigned from the previous Legislative Assembly — which expired on June 1 — had done so because they strongly disagreed with Mr Mabuza's policies.

Despite their resignations, Mr Lukhele said, they remained ex-officio members because of their status as chiefs, and were therefore eligible for nomination as members in the new Assembly.

However, Mr Lukhele claimed that Mr Mabuza had deliberately instructed magistrates in KaNgwane not to notify those who were known to be opposed to his views. These included the pro-unification chiefs in KaNgwane.

"In view of Mr Mabuza's illegal and unconstitutional behaviour in denying people their legal rights, the Legislative Assembly which is now in office is unconstitutional and should be declared null and void," Mr Lukhele said.

He questioned how Mr Mabuza could "aspire to become a leader when he is unprepared to accommodate anyone opposed to his own views."

— Sapa.
KaNgwane claim challenged

By HARRY MASHABELA

A MAN who seeks to incorporate KaNgwane into Swaziland was yesterday challenged to name 12 chiefs, who, he says, have appealed to the Supreme Court to have the homeland's legislative assembly declared null and void.

He is Mr David Lukhele, whose claim, Mr Isaac Masilela, KaNgwane executive councilor for community affairs, said were untrue: Mr Masilela said that only one chief, Chief J M Dlamini, was contesting the actions of the newly-elected assembly.

Mr Masilela said it was also not true to say, as Mr Lukhele has claimed, that Mr Emos Mahlaza, KaNgwane's chief councillor, had instructed local magistrates not to notify people, including chiefs, known to be opposed to his views, about assembly meetings.

"To our knowledge, and this can be supported by all tribal authorities of KaNgwane, all chiefs were invited to the legislative assembly. However, Mr Lukhele apparently told Chief Dlamini that proceedings would not go on without him and that he should stay away," Mr Masilela said.

"And Chief Dlamini stayed away but proceedings went on and now that he realises the blunders of Mr Lukhele, he now challenges our actions."
MR PIK Botha, Minister of Foreign Affairs, despite a number of denials, has been blamed in evidence before a select committee of Parliament as being the main instigator of the controversial plans to hand KaNgwane and Ingwavuma to Swaziland.

And in the evidence Deputy Minister of Development Mr Hennie van der Walt, claimed that a decision was made by the Government a year before the plans to cede the land were made public in June 1982.

The evidence is contained in the report of the select committee appointed to investigate allegations that Mr Van der Walt was involved in irregular granting of concessions in the homelands.

And it was as a direct result of the controversial attempt by the Government to hand the land to Swaziland that brought the allegations against Mr Van der Walt to light.

The evidence contradicts claim made, when the controversy broke in June last year, by the Prime Minister, Mr PW Botha and Dr Koornhof that no final decision had been made.

During the period the Department of Foreign Affairs also issued statements denying claims that the issue was being negotiated with Swaziland.

Dr Koornhof said publicly when he first informed the KwaZulu Cabinet he was only laying on the table "plans for discussion".

But Mr Van der Walt told the Committee that Dr Koornhof had told him in November 1981 "that the Government had already decided on June 8, 1981."

Mr Van der Walt, however, continued to investigate the consolidation of KaNgwane without knowing of the decision for five months.

Mr Van der Walt also expressed confusion about what had happened.

"Sometimes I do not really understand how these things work — this rationalisation — because at that stage the Minister concerned who talked to KaNgwane was Mr Pik Botha and not our minister, Dr Koornhof."

"I do not know whether Dr Koornhof also had talks with KaNgwane on the whole question of amalgamation, but most of the time Mr Pik Botha was the man who handled the thing." — Own Correspondent.
Report of the Committee of Inquiry into the Possible Involvement of Persons in the Obtaining of Concessions in KwaNdebele and KaNgwane

MR. R. A. F. SWART asked the Minister of Co-operation and Development:

(1) Whether the Report of the Committee of Inquiry into the Possible Involvement of Persons in the Obtaining of Concessions in KwaNdebele and KaNgwane is to be made public; if not, why not;

(2) whether any steps will be taken in regard to matters reported on by this committee; if not, why not; if so, what steps?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) No. The Report is a Departmental Report and in view of the fact that the Department made full disclosure thereof to the Select Committee of Parliament and the Select Committee did not recommend its disclosure to the public it is not considered necessary to make it public.

(2) Yes. Steps have been taken. Mr. Van Wyk was transferred from the staff of the Commission for Co-operation and Development to the Directorate Agriculture of the Department on 31 January 1983 and the Department launched an investigation during April 1983. If necessary disciplinary steps will be taken against Mr. Van Wyk in terms of the provisions of the Public Service Act, 1957 (Act 54/1957).

Mr. R. A. F. SWART: Mr. Speaker, arising out of the hon. the Minister's reply, could he indicate whether he would be prepared to refer aspects of this report to the Advocate-General?

The MINISTER: Mr. Speaker, each and every aspect of the report will be dealt with, and if at any stage it should be deemed advisable to refer any aspect to the Advocate-General, that will be done.

Committee of Inquiry into the Possible Involvement of Persons in the Obtaining of Concessions in KwaNdebele and KaNgwane

*39. Mr. R. A. F. SWART asked the Minister of Co-operation and Development:

(1) Whether the former secretary of the Commission for Co-operation and Development is in the employ of his Department at present; if so, what position does he hold;

(2) whether, in consequence of the findings of the Committee of Inquiry into the Possible Involvement of Persons in the Obtaining of Concessions in KwaNdebele and kaNgwane, an investigation has been or is to be held into the activities of this person while he was the secretary of the said Commission; if not, why not;

(3) whether he will make a statement on the matter?

The MINISTER OF CO-OPERATION AND DEVELOPMENT:

(1) Yes. Control Administrative Officer.

(2) No. The former Secretary of the Commission was not involved in the matters investigated by the Committee.

(3) No.

NOTE: From the contents of the question it would appear that the information wanted is in respect of another official who is at present still in the employ of the Department of Co-operation and Development and holds the post of Deputy Director: Agriculture. In respect of this official an investigation had been undertaken and the matter is still under consideration. Depending on the outcome suitable steps will be taken.
1871

WEBNESDAY, 17 AUGUST 1893

1873

WEBNESDAY, 17 AUGUST 1893

[Image of legal document with texts and signatures]
Swaziland to return memos on land deal

African Affairs Correspondent

The Swaziland Government intends to return memoranda drawn up for the Rumpff Commission of Inquiry into the Ingwavuma land controversy by the end of the month.

This was confirmed yesterday by a spokesman for the Swaziland Department of Foreign Affairs.

The Minister of Co-Operation and Development, Dr Piet Koornhof, told Parliament this week that the first sitting of the Rumpff Commission had been set for September 8.

The Progressive Federal Party MP for Pine-lands, Dr Alex Boraine, was of the view that the commission was 'dragging its feet' on the issue.

The chairman of the commission, Mr Justice Rumpff, told the Mercury in April that all the historical evidence unearthed by experts of the Historical Law Society and the Africa Institute had been sent to the Swaziland Government for its comments.

Four commissioners each have been appointed to represent the South African and KwaZulu Governments.

The Government nominees are: Prof P Niewenhuizen, Dr Andre Schultz, Prof Hendrik Thom and Prof Nic Wiehahn.

The KwaZulu members are: Mr Hyacinth Bhengu, Dr Anson Lloyd, Dr C I S Nyembezi and Mr Donald Sinclair.
A POWER struggle between top government officials over homeland casino rights ended suddenly this week with the resignation of a deputy Minister — just 24 hours after Southern Sun captured the rival casino interests of Hqidey Inns.

Behind these two events lies a shadowy story of political intrigue, of concession-hunting, and of secret government inquiries into the handling of homeland financial interests.

The struggle involved Deputy Minister of Co-operation and Development Mr Hennie van der Walt's powerful land consolidation commission — the agency that fixes homelands borders — against other officials of Dr Piet Koornhof's department.

By Martin Welz

The bitterness behind the scenes was revealed when Mr van der Walt told a parliamentary select committee: "I will go as far as saying that the department hates the commission."

At the heart of the row was a concession granted to Holiday Inns to build a casino in KwaNdebele, almost on the outskirts of Pretoria, where it might pose a mortal threat to Sun City.

Mr van der Walt told the Sunday Express as long ago as last year that there was "a much bigger story" at stake in casino negotiations.

He refused to elaborate, except to say that it involved politicians taking sides in the contest between Southern Sun and Holiday Inns and that he believed powerful interests were out to wreck his career.

Concern about the clash seems to have reverberated through the government. The Prime Minister, Mr P.W. Botha, this week confirmed that the National Intelligence Service had obtained information about the granting of casino concessions in the course of "gathering security intelligence on the political terrain."

The NIS report and other matters given to the select committee have been suppressed. Mr van der Walt, his career in ruins, dropped out of sight this weekend after the announcement of his resignation on the grounds of ill health, but there were indications that the clash in government was continuing.

Mr Dawie de Villiers, Minister of Industries, Commerce and Tourism, has ordered an inquiry into the fact that Safmarine, which is partly government-owned, ended up with almost 10% of the shares of Newco, Mr Kerzner's casino controlling company.

Dr de Villiers said yesterday he was "definitely not happy" with Safmarine's stake in the gambling business.

"I have urgently asked for further details of the transaction and will give it my immediate attention," he said.

• Full report — Page 6
Bounty Hunting

How the Hotel Giants
Struggled for Power

The battle for casino rights
De Beer.
"Dr Beer had earlier been
with casino concessions grant-
ndebile.
behaviour was quite out of
the not what one would expect
likely to develop in state."
Mr.珲 said his suspicions increased
their first meeting with
commissioners; the two men spoke
amounts such as R30-million
million for development pro-
jects being willing to commit
and to anything specific.
Mr. Bowen's suspicions were
the type of concessions they
which besides casinos includ-
ing, horse racing, airlines, and
radio and television stations.
Mr.珲 said that at about that time
he had been warned to be wary of con-
cession hunters by a senior official from his
head office in Pretoria.
Mr.珲 was therefore particularly
surprised when Mr.珲 van der Walt and a senior
official of the land consolidation commis-
sion, Mr.珲 Sif van Wyk, arrived with the
concession hunters and — as it appeared
to him — proceeded to promote the
granting of such concessions, contrary to
government policy.
Mr.珲 van Wyk had accompanied the con-
cession hunters to two such meetings.
At one meeting Mr.珲 van der Walt had
given the impression of being extremely
nervous.
"He was perspiring freely and not
speaking clearly," Mr.珲 Bowen said. The
thought had occurred to him: "Have these
people got something over him that he
should be here involved in this type of
meeting?"
Mr.珲 had no information, however,
to indicate that Mr.珲 van der Walt had an
improper motive for trying to promote the
concessions.
After the meetings, Mr.珲 Bowen said, he
sent copies of the minutes to the depart-
ment in Pretoria, together with a letter in
which he asked for confirmation of the
department's attitude.
"I know they received them, because at
a later meeting with the department's
chief director of development, Mr.珲 Greg-
ory, I mentioned, tongue in cheek, that I
had not received a reply yet. Mr.珲 Gregory
replied that I was not likely to get one
either," Mr.珲 Bowen said.
Mr.珲 Bowen said he discovered that an
investigation had already been launched.
The director general of the Co-operation and Devel-
operment had taken a copy of the
minutes to Cape Town and after the second meeting Mr.
珲 Bowen was visited by a
member of the National In-
telligence Service.
In his evidence to the se-
tee committee Mr.珲 van der Walt said he was asked to
attend a meeting in Louis-
ville by Mr.珲 van Wyk, a sen-
or member of his staff. The
reason for the meeting, he
was told, was that business-
men attending a k/aNgwane
promotion, 'Spotlight on ka-
Ngwane', had been told by
k/aNgwane councillors that
South Africa was dragging
its feet on consolidating and
fixing the homelands' bound-
aries.
Mr.珲 van der Walt con-
firmed that he had been
called by one of the business-
men, Mr.珲 Bosch, who had
wished to confirm a date for the
meeting. He had agreed to
it, but at no stage had he
known that concessions were
to be discussed until the
morning shortly before the
meeting.
When the subject of con-
cessions arose, Mr.珲 van der Walt said, his attitude had
been that the k/aNgwane
municipal councillors should consider
the matter, not reject it out
of hand. Casinos had brought
benefits for their homelands.
They should not be "shy" to
approach the South African
government if they wished
to grant such concessions.

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Recession holding up Kangwane coal mines

By BRENDAN RYAN
Mining Editor

The RECESSION in the world coal markets is delaying development of two coal mines in Kangwane, according to the annual report of the Mining Corporation. The Corporation plays the role of a government “mining house” with the aim of finding and developing mineral deposits in the National States.

Once it has located economically exploitable orebodies, the Mining Corporation aims at developing them through joint ventures with private sector mining companies. The two coal mines are on the northern and central sectors of the anthracite field in the Nkomazi area of Kangwane.

The field has total estimated reserves of about 300 million tons of anthracite coal. One coal mine is to be developed by Messina, while the other is to be developed by a joint venture involving two South African construction companies and Metallgesellschaft.

Mining Corporation chairman Dr A H Taute says in his annual review there was a substantial drop in exploration expenditure by private sector mining companies in the National States during the year to end-March. The Corporation has been in existence for 14 years but yesterday’s annual report will probably be its last. It is to be absorbed into the South African Development Bank.

The Development Bank, which is to start operations this month, was formed in 1982 to be a major part of Government decentralisation strategy for the growth of economically underdeveloped areas.

Mining Corporation staff will be placed, where possible, in the Development Bank or else transferred to other government departments.

Apart from the Kangwane coal deposits, other major orebodies which could be developed, depending on market demand, are a 40-million ton anthracite coal find in KwaZulu and a 55-million ton platinum-bearing ore body in Lebowa.

This is the Maandaagshoek find, which the Mining Corporation has formed a joint venture with JCI’s Rustenburg Platinum (Ruplat) to develop.

Ruplat has been sinking exploratory incline shafts since the beginning of 1983 to determine the economic viability of the project.

“The investigation is expected to be completed within three to four years, after which a final decision will be taken on whether to proceed with exploitation,” Dr Taute commented.

Other mineral finds are a 260-million ton vanadium/iron ore deposit in Lebowa, a 52-million ton nickel/copper/platinum ore body also in Lebowa, 85-million tons of blend coal in Venda, 100,000 tons of magnetite ore in Gazankulu, and 138,000 tons of uranium bearing ore in Qwa-Qwa.
Summons for 'illegal' boss of KaNgwane

By ZB MOLEFE

THE bitter battle for power in KaNgwane will move into high gear this week when Chief Minister Enos Mabuza will be served with a summons by several Chiefs declaring his Legislative Assembly illegal.

A spokesman for the Chiefs told City Press that Mr Mabuza's Assembly had no authority over the homeland because its five-year term of office had expired last Friday.

Mr Mabuza is already involved in another court battle with four chiefs who were ditched by him, allegedly because they were in favour of incorporation into Swaziland. The battle commences in court in 10 days time.

Mr David Lukhele, former KaNgwane Minister of Community Affairs told City Press that the chiefs wanted the Department of Co-Operation and Development to run the homeland until the legal wrangle is sorted out.
Homeland

Swaziland - General

1984
March - May - June - July

Aug
Page 10

The Minister of Co-operation

AND DEVELOPMENT

MARCH 1984

FRIDAY, 16

698
kaNgwane: SA urged to explain

Pretoria Correspondent

The South African Government must give reasons why kaNgwane cannot be granted self-governing status, Mr Justice F. H. Rumpf has said.

The Rumpf Commission met in Pretoria today to hear evidence for the first time since it was appointed 18 months ago. It was established after an outcry over attempts by the Government to cede kaNgwane to Swaziland.

The commission will try to determine "the free will of the people of kaNgwane" on the issue, Mr Justice Rumpf said today.

The territory's past requests for self-governing status were stalled because Swaziland claimed to have ancestral rights to the territory.

In a memorandum to the commission, the kaNgwane Legislative Assembly says there is "widespread and angry" opposition to incorporation.

The Government has rejected calls for a referendum to gauge opinion, saying the kaNgwane people are vulnerable to intimidation.

The former Commissioner-General of kaNgwane, Mr George Botha, told the commission today that the issue was a sensitive one and political meetings in kaNgwane in the past had had to be broken up by police "to avoid bloodshed".

He said that during his term of office he had received reports of intimidation by Swaziland agents.

Mr Justice Rumpf said he believed the Government for kaNgwane would "allow the dust to settle" and pave the way for a settlement.

Murder of wife's ex-husband alleged

A man was shot and killed in his car after he had assaulted his former wife during an argument. It was alleged in the Rand Supreme Court yesterday.

Mr Neville Roy Hyde (40), address given as Randburg, Alberton, pleaded not guilty before Mr Justice L. L. Esselen to a charge of murdering Mr Christian Mauritz van den Heever on October 28 last year.

Mrs A M van den Heever has since married Mr Hyde.

According to the indictment Mr van den Heever divorced his wife on June 14, 1982. At the time of the incident she lived with Mr Hyde.

On October 28 Mrs van den Heever was assaulted by her former husband during an argument outside Mr Hyde's house. Mr Hyde intervened and Mr van den Heever went and sat in his car, the indictment alleges.

Mr Hyde went into the house, fetched his revolver and allegedly fired two shots at Mr van den Heever, who died in hospital of a bullet wound in the brain.

The hearing continues today.

Matie 'parliament' votes to support PW

STELLENSBOSCH — The student parliament (studentenparlement) of the University of Stellenbosch last night accepted a motion giving its unqualified support to the Prime Minister, Mr P. W. Botha, as the new chancellor of the university.

In the same motion, the student parliament expressed its appreciation to Miss Corinne Oosthuizen, editor of Die Matie, for her "responsible and restrained" conduct during the investigation at the weekend.

Miss Oosthuizen was temporarily suspended from her position after a leading article appeared in the latest issue of the student newspaper deploring the fact that the new chancellor was a political figure.

After the investigation, Miss Oosthuizen was reinstated as editor on Sunday night by the Rector and Vice-Chancellor of the University, Professor Mike de Vries.

The student parliament, in the same motion, instructed the SRC to publish the reasons for its statement at the weekend in the next issue of Die Matie.

The student parliament also recommended that emphasis should be placed on the extension of the existing good relations between Die Matie and the SRC.

In a further motion, Mr Botha was congratulated on his appointment as chancellor and also on the Nkomati Accord.

The motion supported the Prime Minister's actions as promoting good neighbourliness. — Sapa.
Mabuza: give kaNgwane the choice

By Sue Leeman, Pretoria Bureau

The South African Government was honour-bound by its own laws to grant kaNgwane self-governing status — and therefore greater autonomy to settle the controversy over incorporation of the territory into Swaziland, kaNgwane's Chief Executive Officer, Mr Elias Mabuza, said today.

Mr Mabuza told the Rumpff Commission of inquiry in Pretoria today that outside did not have the right to decide "that the destiny of kaNgwane lies in incorporation into Swaziland, a country with which kaNgwane has only cultural ties".

In 1982, the South African Government dissolved the kaNgwane Legislative Assembly as a prelude to ending the territory to Swaziland; a move which sparked an international outcry and led to the appointment of the Rumpff Commission.

The commission is meeting for the first time in the 15 months of its existence to "ascertain the free will of kaNgwane".

"kaNgwane is the official homeland of South Africa's 850,000-strong Swazi population. Mr Mabuza told the commission he believed that kaNgwane citizens felt they would be further impoverished by incorporation into Swaziland.

However, he said, a properly organised referendum could provide a reliable gauge of opinion.

He conceded that the South African Government's fears that voters could be intimidated were not without grounds. He alleged that in the past chiefs in the territory had been abduced by representatives of the Swazi Government and taken into Swaziland at night "for meetings with the king".

Mr Mabuza added that he could not guarantee that his followers would avoid using coercive tactics, but said he had impressed on them the need to respect other people's views.

Mr Mabuza said support for the anti-incorporation lobby had grown considerably in the last two years.

More than 80 percent of members of the Legislative Assembly, if asked to vote now, would opt for self-government.
kaNgwane: plea made for self-rule

By Sue Leeman, Pretoria Bureau

A strong plea for self-government for kaNgwane was delivered during a hearing yesterday of the Rumpff Commission by the homeland's chief executive official, Mr Enos Mabuza.

Mr Mabuza told the commission a self-governing authority elected by the citizens of kaNgwane would be best able to represent the views of the ordinary man in the controversy over possible incorporation of the territory into Swaziland.

The Rumpff Commission is currently hearing evidence to help it determine "the free will of the people of kaNgwane" on the matter.

Chaired by Mr Justice F.H. Rempff, the commission was established at the end of 1982 after an outcry over the South African Government's attempts to cede Dangwane — official homeland of South Africa's 850,000 Swazis — to Swaziland.

Mr Mabuza told the commission he believed kaNgwane citizens to be overwhelmingly against incorporation.

He said 80 percent of members of the kaNgwane Legislative Assembly, if canvassed now, would opt for self-government.

The South African Government was honour-bound, in terms of its own laws, to grant self-governing status to the territory but the South African authorities had so far given no firm answers to repeated requests by the legislative assembly for self-government.

Mr Mabuza said he did not deny there was support for incorporation among the people of kaNgwane.

He was emphatic that a referendum could succeed, despite the possibility of voters being intimidated.

He accused the Government of Swaziland of using coercion tactics on the citizens of kaNgwane.

Proceeding.
Double challenge for Govt on kaNgwane

By Sue Leeman, Pretoria Bureau

The Rumpff Commission's first public hearing ended in Pretoria yesterday with the issuing of a double-edged challenge to the South African Government by commission chairman Mr Justice P. L. H. Rumpff.

He repeated an earlier call on the Government to show why kaNgwane could not be given self-governing status as a prelude to the concluding of a tri-partite agreement between kaNgwane, South Africa and Swaziland on the issue of incorporating the homeland into Swaziland.

Alternatively, he said, the South African Government should inform the 850,000 citizens of kaNgwane of all the implications of incorporation.

"It is only that these people should know what they are in for before they decide about incorporation. They must be told how it would affect them personally."

Mr Justice Rumpff said information should be set out "in black and white" in a pamphlet printed both in Swazi and English and distributed to all those who would be affected by a border adjustment.

Commission member Professor Lawrence Baxter asked counsel for the South African Government to provide evidence that the majority of people in kaNgwane were in favour of incorporation.

The commission will meet again when Mr J. M. C. Smit, appearing for the South African Government, has compiled responses to these questions.

The commission was established late in 1982 after a dispute over the South African Government's attempts to cede kaNgwane to Swaziland.

This week it heard lengthy evidence on the possibility of holding a referendum to gauge opinion on the incorporation issue.

It also heard testimony that intimidation was common practice in the region and could affect the accuracy of any referendum result.
SOS over SA’s suspected deal with Swaziland

ULUNDI — International assistance is being sought because of a belief that the South African Government might already have concluded an agreement with Swaziland over the transfer of kaNgwane and Ingwavuma.

SAW RIFKIND

Commenting in the kwaZulu Legislative Assembly last night on reports that Mr. Enoch Mapaza, kaNgwane’s Chief Executive Councillor, recently went to Europe to see the International Commission of Jurists in Geneva, Chief Gatsha Butholezi said he had also discussed the matter on his recent visit to Britain.

Prime Minister Mr. P.W. Botha is received, they should raise the issue of handing over nearly a million Zulu and kaNgwane residents to Swaziland.”

Chief Butholezi said that the Assembly should not be surprised if an agreement had already been made on Ingwavuma.

“It would be naïve to think, with the recent high-powered Swazi delegation to Cape Town, that these issues were not discussed.”

He pointed to the recent violent clashes with the African National Congress in Swaziland and said that this had to be seen in the context of the secretly concluded treat
THE SOUTH African Government may have already concluded an agreement with Swaziland to give it Ingwavuma and Kangwane.

It was this fear, said Kangwane Chief Minister Enos Mabuza, which sent him dashing to Europe earlier this month to consult the International Commission of Jurists in Geneva and a British millionaire with mining interests in Kangwane.

On his return Mr Mabuza attacked Swaziland in the Kangwane Legislative Assembly and accused it of collaborating with South Africa "to balkanize the Republic".

And KwaZulu Chief Minister Gatsha Buthelezi told the KwaZulu Legislative Assembly this week that he shared Mr Mabuza's suspicions.

He said he had taken the opportunity during his own recent visit to Britain to raise the land transfer issue with Foreign and Commonwealth Office secretary Malcolm Rifkind.

He said he had also asked some local embassies to ensure that the issue is raised when Prime Minister P W Botha is in Europe.

Chief Buthelezi said it would not be surprising if an agreement had already been concluded because of the following factors:

- A new bill drafted by Co-operation and Development Minister Piet Koornhof, which would block any future court action on the "border realignment issue."
- It would be naive to think the land transfer had not been discussed at the recent meeting in Cape Town between a high-powered Swaziland delegation and the SA Government.
- The secret pact between Swaziland and South Africa was only revealed after the Nkomati Accord.

Chief Buthelezi said this was the context in which the violent clashes between Swaziland forces and African National Congress guerillas should be seen.

"The actions of the Swaziland Government against the ANC have produced consternation in the black community," Chief Buthelezi said.

He criticized Swaziland's use of arms to "flush out" the ANC and the fact that "some ANC members were handed over to the South African Police by Swaziland police."

Chief Buthelezi warned Mr Botha that he should not "test our patience beyond endurance."
Govt does not want Kangwane feelings known

Weekend Post Correspondent

PRETORIA — The Government does not want to establish the feelings of the local people on the possible incorporation of the Kangwane area in the Eastern Transvaal into Swaziland.

This is evident from the release yesterday of a confidential letter written to members of the Rumpff Commission of Inquiry into Ingwavuma — the KwaZulu area in which the Government tried to cede to Swaziland, only to have its efforts thwarted by court actions. The commission was later extended to probe the Kangwane area as well.

Publication of the letter has also led to speculation that the commission is likely to be dissolved and that the Government will renew its bid to transfer the areas to Swaziland.

In its statement yesterday, the Rumpff Commission said that because a member of the commission had disclosed the contents of a confidential letter to the Chief Minister of KwaZulu, Chief Gatsha Buthelezi, the chairman, Mr Justice F. L. H. Rumpff, had decided to make it public.

The letter, dated May 18, was written by Mr G. J. C. Myburgh, secretary of the commission.

It said that the chairman has asked him to inform the members that he did not intend to call a further meeting of the commission in the near future.

Members would have noticed, the letter said, that as far as Kangwane was concerned, the South African Government was not keen to have ascertained the free will of the people concerned.

The reason for this was that in its opinion, there would be intimidation or interference. The same situation might arise regarding the inhabitants of Ingwavuma, the letter said.

Recently there had been talks between representatives of the South African and Swaziland governments.

The chairman was inclined to expect some important statement from the South African Government regarding its attitude on the Ingwavuma and Kangwane commissions.

If this did not happen, the chairman would try to have the commissions complete their tasks without further delay, irrespective of the delaying tactics of some of the parties concerned, the letter concluded.

In 1982 KwaZulu successfully blocked plans for the transfer of Ingwavuma when its application contesting a proclamation excluding it from KwaZulu was upheld by the Appeal Court.

The Rumpff Commission was appointed late last year after the Appeal Court decision. It was asked to investigate and make recommendations on the dispute.

In Parliament this week, the Opposition said that a clause in the Laws on Co-operation and Development Amendment Bill was a direct result of the Ingwavuma debacle.

The clause would give the Government power to retrospectively regularise any irregular proclamation that had been issued in terms of the National States Constitution Act.

Mr Ray Swart, the Opposition's Chief spokesman on Co-operation and Development, said the clause was "a vague and cynical provision to cover the Government in the event of it having issued proclamations without due compliance with the law."

• The people who would rather die than move — Page 15
Border plans: Buthelezi ire

JOHANNESBURG. — The South African Government is drafting legislation to hand over the border territories of Ingwavuma and Kangwane to Swaziland and to place its action beyond the jurisdiction of the courts. Chief Cetshwayo Buthelezi of KwaZulu has told the governments of Britain, West Germany and Italy.

Chief Buthelezi's statement was contained in a memorandum sent to London, Bonn and Rome in time for the visit of the Prime Minister, Mr. P. W. Botha, but embargoed for publication until yesterday.

Chief Buthelezi spearheaded resistance in 1982 to Mr. Botha's plans to transfer Ingwavuma, which is part of KwaZulu, to Swaziland.

The temporary block to the proposed transfer was lifted when the Appeal Court upheld KwaZulu's contention that a proclamation excluding Ingwavuma from KwaZulu was invalid. Exclusion of Ingwavuma was the first step in creating a homelands.

But if the law, instead of a proclamation, is passed providing for the expropriation and transfer of Ingwavuma to Swaziland, there can be no appeal against it to the courts — because Parliament is supreme in terms of South African law.

The Ingwavuma-Kangwane issue is still on the South African Government's agenda. Chief Buthelezi told the three Western governments: "Western heads of state should know that the government of South Africa has in the past limited the jurisdiction of the courts in order to pursue party political goals.

"Mr. P. W. Botha should be asked whether he and the National Party again intend to manipulate the courts to suit apartheid ideology." Chief Buthelezi warned in his memorandum that South Africa's internal policies would "necessarily lead to disaster" and were therefore of concern to the West.

Focusing on exclusion of blacks from the new tricameral parliament, he said: "The new constitution is based on repugnant racism and gives whites a constitutionally-entrenched right to rule over blacks in perpetuity."
New plan likely for Ingwavuma

Political Staff

THE wrangle over Government attempts to code Kangwane and Ingwavuma to Swaziland may be discussed at today's Cabinet meeting, with the choice of angering either Swaziland or KwaZulu.

After weeks of refusing to comment the Government has finally announced that it is to scrap the Rumpff commission of inquiry, appointed to resolve the issue.

By referring it to the commission under former Chief Justice Rumpff the Government had hoped to get an objective solution to a problem that had sent emotions soaring in Natal and Kwazulu.

COMPROMISE

The Government is obviously still searching for a compromise, but there was no clear indication today of what the final decision would be.

Swaziland believes the decision to scrap the commission is an indication that the deal will not go ahead, while Chief Justice Buthelezi, Chief Minister of KwaZulu, was despondent about the future.

The Government's decision was announced yesterday to Chief Buthelezi and Chief Enos Mabhaza, the Chief Minister of Kangwane, by Dr Piet Koorneuf, Minister of Co-operation and Development.

Chief Buthelezi said in a statement issued after the meeting: "I am fearful for the future."

He accused the Government of dealing behind the back of the electorate and the people of South Africa.

"I have a foreboding that the South African Government still intends to hand over Kangwane and Ingwavuma to Swaziland as a pay-off to Swaziland for having entered into the pact with South Africa in secret."

Mr Ray Swart, the FFP's spokesman on black affairs, demanded immediate clarification from the Government.

Dr Koorneuf was not available for comment, while the Prime Minister's office referred inquiries to Dr Koorneuf's department.

"DANGEROUS"

"There is a highly dangerous situation being created by this mysterious Government secrecy on the issue," said Mr Swart.

Mr Swart could not understand why the two chief ministers should be told that the commission was to be scrapped without being given any indication of future Government plans.

The confusion over what was happening started three weeks ago when Mr Justice Rumpff indicated in a letter to his fellow-commissioners that all was not well in the commission and the Government was blocking moves he wanted to make.

Chief Buthelezi revealed the contents of the confidential letter in the KwaZulu Legislative Assembly, claiming it was an indication the commission was to be disbanded.

Judge Rumpff, however, denied this.

"NOT THE TIME"

The issue was taken up in Parliament by the FFP during the second reading of the Bill amending the laws on co-operation and development.

But Mr George Morrison, Deputy-Minister of Co-operation, refused to respond, saying it was not the time or place to do so.

On top of this the Government has repeatedly avoided stating whether the issue was discussed with Swaziland at the time of last month's visit to Cape Town by Swazi Prime Minister Prince Bheki.
Buthelezi warns of SA-Swazi land deal

By CHRIS FREIMOND
Political Correspondent

The government's plans to hand over Ingwavuma and Kangwane to Swaziland appeared to be going ahead last night after two homeland leaders had been informed officially that the Rumpff Commission had been disbanded.

In a statement in Cape Town, the KwaZulu leader, Chief Gatsha Buthelezi, said the Minister of Co-operation and Development, Dr Piet Koornhof, had summoned him to a meeting in Cape Town to inform him of the move.

The Chief Minister of Kangwane, Mr Enos Mabuza, also met Dr Koornhof in Cape Town yesterday.

Mr Mabuza said last night that he had undertaken not to comment on the talks until after a final decision on the matter at a cabinet meeting in Cape Town today.

Dr Koornhof said last night that a statement would be issued in due course.

The chairman of the Rumpff Commission, Mr Justice F.L.H. Rumpff, is on holiday and could not be contacted.

The Progressive Federal Party's chief spokesman on Co-operation and Development, Mr Ray Swart, last night demanded an immediate statement from Dr Koornhof to clarify the position.

Although it seemed that Dr Koornhof did not inform Chief Buthelezi or Mr Mabuza of the government's intentions, fears were immediately expressed that the land deal was on the cards.

In his statement, Chief Buthelezi said: "I have a foreboding fear that the South African Government still intends to hand over Kangwane and Ingwavuma to Swaziland as a pay-off to Swaziland for having entered into a pact with South Africa in secret."

"I fear that the South African Government will continue to bludgeon black South Africa in common." Chief Buthelezi said he feared for the future of South Africa under the National Party.

He said the government "wheels and deals" behind the backs of the electorate and the whole of South Africa and he feared that the price the government was prepared to pay for Swaziland's membership of a South African confederation of states was the cession of Kangwane and Ingwavuma.

The government's initial attempt in 1982 to excuse Ingwavuma from KwaZulu by proclamation as a first step to handing it to Swaziland was thwarted by a court ruling that the action was ultra vires. Among other reasons advanced for the judgment was that there had not been the prior consultation with the KwaZulu Government required by law.

The Rumpff Commission was appointed late in 1982 to investigate the Ingwavuma issue. It was later asked to investigate the Kangwane question as well.

Letter

Earlier this month Mr Justice Rumpff released a letter he had written to members of the commission informing them that he did not intend calling another meeting of the commission in the near future.

He said he was inclined to expect some important statement from the government in regard to its attitude to the commission.

In a parliamentary debate last week, the Deputy Minister of Co-operation, Dr George Morrison, declined to answer opposition demands that the government clarify matters relating to the future of Ingwavuma and Kangwane.

"Tribal" quarrel four years old, page 6

Buthelezi: Situation shows stand is correct, page 6

See leading article, page 10
The Minister of Cooperation and Development

The Minister of Cooperation and Development is responsible for the coordination and management of the activities of the various departments and agencies involved in the field of cooperation and development. This includes the promotion of economic and social development in partner countries, the provision of technical assistance and advisory services, and the facilitation of investment and trade relations between Canada and its partners.

The Minister is also responsible for the implementation of Canada's foreign aid policies and programs, which aim to reduce poverty and inequality, promote sustainable development, and support the achievement of the United Nations Sustainable Development Goals. This involves the provision of financial assistance, technical expertise, and capacity building to partner countries, as well as the monitoring and evaluation of the impact of these programs.

In addition to these policy responsibilities, the Minister is also involved in the negotiation of preferential trade agreements and other bilateral and multilateral arrangements that support economic development. This includes the negotiation of agreements on trade, investment, and other economic issues with partner countries and international organizations.

Overall, the Minister of Cooperation and Development plays a crucial role in promoting Canada's commitment to international cooperation and development, and in supporting the achievement of global goals that benefit people around the world.
Govt backs down on land deal

Political Staff

THERE will be no unilateral incorporation of Ingwavuma and Kangwane into Swaziland by the South African Government.

This was announced yesterday by the Minister of Co-operation and Development, Dr Piet Koornhof.

The announcement, however, has met with guarded reaction by the Chief Executive Councillor of Kangwane, Mr Enos Mabuza, who said the minister's statement did not "eliminate the air of uncertainty remaining amongst the people who are directly affected by this South African-Swaziland land deal".

Dr Koornhof said that after consultation with all interested parties, including Swaziland, the government had concluded that the leaders of Swaziland, KwaZulu and Kangwane "should deliberate amongst themselves".

Any proposals "made jointly and unanimously" would be considered "sympathetically" by the South African Government, he added.

The minister's statement comes in the wake of fears expressed by the Chief Minister of KwaZulu, Chief Gatsha Buthelezi, and Mr Mabuza that the government was planning to go ahead with handing over the controversial territories to Swaziland.

Dr Koornhof said the government had been informed by the chairman of the Commission of Inquiry into the advisability of incorporating the areas into Swaziland, Mr Justice Rumpuff, that the commission's task had become impossible.

This, he said, was because it was not possible to determine "the freely expressed will" of the inhabitants of the areas under present circumstances without the probability of intimidation of some sort or another having a decisive influence on the result.

As a result, he added, it had been decided, with the concurrence of the chairman, to dissolve the commission.

In his statement, Mr Mabuza said the crux of the South African decision was that it deferred but did not resolve "the vexed and volatile issue of the proposed cessions of Kangwane and Ingwavuma into Swaziland".

Reservations:

Welcoming the assurance that other means of solving the problem would now be sought, Mr Mabuza said this would not remove the air of uncertainty.

He said the Kangwane Government would make its "serious reservations on this decision" known to the South African Government at a later stage.

In the meantime, he appealed to the government not only to disband the Rumpuff Commission but also to...
THE Government's decision to drop its controversial plans to incorporate Ingwavuma into Swaziland has opened the way for a new round of resettlements. Statements by Cabinet Ministers yesterday showed the Government had decided to back off its intentions to force the cession of Kangwane and Ingwavuma to Swaziland.

However, the possibility still exists that Kangwane and Swaziland could come to an agreement with the encouragement of South Africa.

In the meantime the Government has agreed to grant Kangwane second-phase independence, sought two years ago by Chief Minister Enos Mabusa.

Not disclosing

The on-off Ingwavuma deal with Swaziland has been the Government's excuse for the past two years for not disclosing final consolidation plans for KwaZulu.

These plans will inevitably demand resettlement. The surplus peoples project estimated the number at 622,000 in terms of the 1974 proposals.

These proposals reduced KwaZulu from 48 parts to 10.

In Parliament last week Government speakers made it clear that resettlements would go ahead, although no numbers were specified.

The Government backdown on the Swazi land deal is seen as a major victory for Chief Minister of KwaZulu, Chief Gataha Buthelezi, who fought it through the courts and from public platforms.

He united black and white opposition in Natal, finally forcing the Government to appoint a commission to scrap it and back down.

The Minister of Co-operation and Development, Dr Piet Koornhof, said yesterday that following "consultations" with all interested parties, including Swaziland, the South African Government had concluded that the leaders of Swaziland, KwaZulu and Kangwane should "deliberate amongst themselves".

No land deal — but possible resettlements
Mabuza denies being in favour of land deal

By Clyde Johnson, Lowvelder Bureau

A rumour that the chief executive councillor of kaNgwane, Mr Enos Mabuza, has always supported incorporation into Swaziland but has refused to confirm it publicly has been described as "absolutely not true".

During an interview at kaNgwane's government offices at Louisville yesterday, Mr Mabuza, obviously taken aback, said: "I do not know who the person or persons are perhaps it could be a stone thrown in the bush — but whatever, I want to emphasise that there is no truth in it."

Mr Mabuza recalled having been a pamphlet in 1992, distributed by the Department of Foreign Affairs, declaring his support for kaNgwane's incorporation into Swaziland.

"It was, he said, distributed after the kaNgwane Legislative Assembly had been dissolved."

"Had I been pro-incorporation, surely that would have been the right time to press for it, rather than have to go through the agony and humiliation I was subjected to?"

Mr Mabuza said it had been "a long, drawn-out battle which, much to his relief, was over."

CULTURAL TIES

"I say relieved because the South African Government has undertaken not to force the people of kaNgwane and Ingwavuma into incorporation against their will."

"What concerns me, however, is that they have not definitively said the deal is off."

"It is now up to us, the people affected, to prepare for the "funeral service and bury the matter once and for all," he said.

"Mr Mabuza pointed out that he was in favour of good relations with Swaziland."

"We respect them, we have the same cultural ties — they are in fact our blood brothers — but we cannot allow them to turn our cultural relationship into a political or constitutional matter."

"Reliable sources in Swaziland" stated that Mr Mabuza said he had been informed that a large section of the population was opposed to incorporation. It is a 'reasonable act to speak against the land deal in Swaziland and names therefore cannot be mentioned.

However, educated people in the middle class, economists, university lecturers and others agree that incorporation cannot work for two reasons:

- Swaziland cannot absorb one million additional people and support them economically.
- The introduction of one million foreign workers will create political turmoil overnight.

UPLIFTMENT

Should the Rumpff Commission have gone ahead, Mr Mabuza said, there were several points kaNgwane would have been able to prove.

But with the land deal now off, the region could look forward to a bright and prosperous future.

Among the plans envisaged were "the general upliftment of the Swazi people, intensive investment canvassing to create jobs and maximum exploitation of kaNgwane's agricultural potential."

Mr Mabuza stressed that in no way was he interested in independence for kaNgwane.

"This is not our priority. Even if it were, it would be madness to opt for independence deep in the bush or on the mountaintops."

"What we would like to strive for, through peaceful means, is a say in the decision-making process of South Africa and to have unhindered access to the economy of the country which we have helped to build," he said.

Mr Mabuza said there was no possibility of kaNgwane would contact Swaziland for talks on the proposed incorporation.
Way open for new round of relocation

CAPE TOWN — The Government's decision to drop its controversial plans to incorporate Ingwavuma into Swaziland has opened the way for a new round of resettlemens.

Statements by Cabinet Ministers yesterday showed the Government had decided to back off its intentions to force the cession of kaNgwane and Ingwavuma to Swaziland.

The possibility still exists that kaNgwane and Swaziland could come to an agreement with the active encouragement of South Africa.

The Government has agreed to grant kaNgwane second phase independence, sought two years ago by Chief Minister Enos Mabuza.

DEMAND

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These plans will inevitably demand resettlement.

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The Government backdown on the Swazi land deal is seen as a major victory for the Chief Minister of kwaZulu, Chief Gatsha Buthelezi, who fought it through the courts and from public platforms.

See Page 6, World section.
(1) No.

(2) The Defere Minister of Co-op.

(3) K. R. A.ewater (Secretary).

(4) 17th March 1969.

(5) 16-1-69.

(6) 4/964.

(7) Amsterdam.

(8) 23 June 1969 (Exemption & Extension).

(9) 8/964.

(10) 23 June 1969 (president).

(11) 13/964.

(12) 29 June 1969 (president).

(13) 4/964A.

(14) 4/964A.

(15) 16-1-69.

(16) 17-3-69.

(17) 8/964.

(18) 4/964.

(19) 23 June 1969 (Exemption & Extension).

(20) 14/964.

(21) 8/964.

(22) 16-1-69.

(23) 17-3-69.

(24) 4/964A.

(25) 8/964.

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(27) 23 June 1969 (Exemption & Extension).

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(34) 4/964.

(35) 23 June 1969 (Exemption & Extension).

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(114) 4/964.
Pik tells Swazis of land deal 'conflict'

The Star's Foreign News Service

MBABANE — South African Foreign Minister Mr Pik Botha has warned Swaziland that it is "heading for conflict" if it refuses to consult kwaZulu over the kaNgwane- Ingwavuma land issues.

He was speaking at a Press conference.

Mr Botha's hectic day-long talks with the kingdom's rulers came as Swaziland faced claims that some top officials have defrauded the Southern African Customs Union.

Mr Botha confirmed that this had been the main topic of meetings with Queen Regent Ntombi, the Supreme Council and Ministers.

The Swazi Government had given its reasons for sacking his friend and Swazi counterpart, Mr R V Dlamini, and Finance Minister Dr Sishayi Nkuxumalo.

The Swazi Government had "expressed its misgivings" about Pretoria's decision to shelve the land issue until all parties, including kwaZulu, agree on it.

Mr Botha denied that South Africa was trying to force Swaziland to talk to kwaZulu despite its known opposition to the homelands policy.
into Swazi Incorporations
Call to endprobe
Rumphi Explains
The commissions should be dissolved in the interests of peace in Southern Africa.

The commission's report has shown the failure to provide regular information about the commission's activities and has called for a more transparent approach.
The day we gave back our two foster children

true story. The Children's Act prevents us from identifying the people involved. But this pathetic tale of woe tells of the shattering effects of the current depression.

Report by LESLEY LAMBERT

Ferrying

Often, after ferrying people around the city or waiting day and night for them to call, Mr Fischer would bring home as little as R2 or R3 to feed his family.

"There have been times when Carl and I have gone hungry to feed the five children bread and soup," said Mrs Fischer.

Other times they have argued about whether to buy coal or food with the R2 Mr Fischer brought home, or walked 8km to the nearest store to buy the day's meagre supplies because they could not afford the petrol to drive there.

"So often I wonder if the children are still hungry — they'd never say so.

"But it hurts so much when I can't give them the things they need and would like," she said.

Growing hunger pains and separation threats were heavy burdens.

"It probably sounds unreal. This sort of thing just does not happen to ordinary middle-class people, especially when they are living comfortably in a rented house on the northern outskirts of Johannesburg," said Mrs Fischer.

"The thought of going back overseas appalled me. But as difficult as the choice was we knew we could not survive very much longer without a regular income.

"We were destitute," she said.

"The worst part of it all has been the uncertainty. Getting rid of material possessions hardly meant a thing compared to the threat of splitting the family to survive."

The Fischers have compared Britain's cost of living with South Africa's — and found it to be about a 10 per cent lower.

"Basic foodstuffs were actually cheaper because there was no general sales tax on them or on necessary household equipment. And compared to other countries, we found them to be up to 15 per cent cheaper. Meat and fruit were also cheaper and to an extent," said Mr Fischer.

"Also, the majority of British people pay about 25 per cent of their salaries for accommodation whereas here the average seems to be closer to about 50 per cent."

The Fischer family sold up and emigrated from England eight years ago. They rented a house in Kempton Park and began setting down to a comfortable lifestyle.

Mr Fischer had a good job as manager of a swimming pool company and life seemed too good to be true until a more lucrative job offer came up.

"I took the job as a sub-contractor and co-director for another pool company and from that day our luck began to wane."

"First, I injured myself very seriously by falling off a service ladder and was out of work for months."

Repair work

"As a sub-contractor I had to buy my own tools from the company and pay my own staff. The first truck was written off by a driver and the next two needed repair work which added up to thousands.

"These and other problems were costing me more than I was earning," he said.

Finally, the company was dissolved and Mr Fischer's two co-directors left the country leaving him responsible for the repayment of R5 000 worth of petrol and company goods which had been bought on credit.

"Now I've got a job we can start sorting our lives out again. But I'll tell you this much — I'm a changed man since the experience. I know I'll never now with criminals who steal to feed their loved ones. And if ever save as much as R10 000 — the first thing I'll invest it in will be food," said Mr Fischer.

Seligson mystery

Leonard Cowan — who had worked in partnership with Mr Seligson — that he had left South Africa the previous night.

In the circumstances I fear for the safety of the trust funds as no reasonable explanation has been given to me by any of the relevant parties for their absence," said Mr Shane.

Mr Ronald Katsenellenbo- gen, who is acting for Mr Seligson, said his client was in London and was expected in South Africa on Thursday.

And what do you do?

LONDON — It was a splendid riposte to the Queen by Keith Robertson, the Scottish rugby centre.

At a garden party at Holyrood House in Edinburgh recently, the Queen inquired of Robertson, 29: "And what do you do?"

The Terry Scottian replied: "I am one of Mrs Thatcher's 3.5 million unemployed."

The Queen expressed suitable sorrow and sped off as if to another Royal appointment.

MRABANE — A man who called Swaziland's Queen Regent Ntombi "a dog" was fined R60 (or six months in jail) by a Swazi traditional court at Lobamba this week.

A model security guard, Vincent Vusi Khanyile, pleaded not guilty to contravening the King's Order when he appeared before the Lobamba court president, Prince Mangosha.

The court was told that on June 3 the guard and a customer at the Happy Valley Motel had an argument.

In evidence, Constable Pad Matshebula said he told them to stop.

"Told him that as a police officer, I was working for the state and that I do, do for the state and the head of the state," Const Matshebula said.

He said Khanyile had replied: "Your Queen Regent Ntombi is not a Queen Regent, but a dog. So you can't tell me that you are working for a dog. — Sapa.

Swazi guard fined for insulting regent
A HEARTBROKEN middle-class couple this week returned their two foster children to an institution because they could no longer afford to feed them.

For months of unemployment had left Mr Carl Fischer, a qualified builder and TV electrician, and his wife and two children on the brink of starvation.

They had no choice but to give up the two little boys, aged two and four, whom they had rescued from abusive parents a year ago and come to love as their own.

Mrs Anne Fischer said: "How do you explain to your foster children who have been battered by their parents and rejected twice before, that they can no longer stay in the home they've come to love and trust?"

Fischer is not the family's real name. Their children could not face the indignity of their circumstances being known to their friends and the Children's Act forbids identification of the foster children.

But their story has been checked in meticulous detail by the Sunday Express, and it is true an account of the devastating effect of the economic slump on one family.

**Favourite**

Late on Wednesday night, Mrs Fischer packed two little bags at her home in Breede River. She left out only the children's favourite toys to comfort them at the moment of parting.

First came the agony of the formal separations in the magistrate's court. The magistrate studied social workers' reports and ruled that the children could be returned to the institution.

Mrs Fischer, white and strained, said: "The children clung to us anxiously in court on Thursday morning. I think the older one, who understood a little of what was happening, thought they would be separated from us in the courtroom.

"When we left he was overjoyed, obviously thinking we were on our way back home. It almost made him cry. He realised he had been wrong when we reached the children's home in Beiburg.

The next day — after five months of futile job applications, dwindling savings and hunger pangs — came a job offer.

Mr Fischer was told he would begin working as a supervisor for a local manufacturing company on August 1. But the offer came too late.

"We can't get the children back. It will take at least a year for us to pull through this experience and now that they have been through the trauma of separation I would hate to collect them and then find we were still battling to take proper care of them. Also there's a chance that someone else will adopt them," Mr Fischer said.

Plans for Mr and Mrs Fischer and two of their own children to fly back to their family in England, if Mr Fischer didn't get a job, have been temporarily shelved. And this week the family will move into cheaper accommodation.

They had planned to use their last rands — from the sale of the few possessions they had left — on deposits for the three air tickets.

The Fischer's dilemma is a grim sign of the times when an ordinary, one-income family finds itself falling apart.

The first blow came in February when the swimming pool company in which Mr Fischer was a partner was dissolved when the co-partners left the country.

The family's savings ran out two months ago and since then they gave been eking out a hand-to-mouth existence on the few rand the Mr Fischer brought in daily as a taxi-driver.

He was still paying off the R200 deposit for the taxi he drove. The company he worked for demanded 90% of his daily takings and he had to pay his own petrol costs.

**Ferrying**

Often, after ferrying people around the city or waiting day and night for them to call, Mr Fischer would bring home as little as R2 or R3 to feed his family.

"There have been times when Carl and I have gone hungry to feed the few children bread and soup," said Mrs Fischer.

Other times they have argued about whether to buy coal or food with the R2.

Mr Fischer brought 8km to the nearest day's magare supplies could not afford the there.

"So often I wonder if still hungry — they'd "But it hurts so give them the things

Growing hunger ration threats were

"It probably sounds thing just does not of middle class

Fischer: when they appear to be ably in a remote house outskirts of

The thought of going

"We were destitute."

"The worst part of it: uncertainty. Getting no one...

And what do you do?

LONDON — It was a splendid reprieve to the Queen by the South African team at the Scotch rugby centre.

A garden party at the Palace of Holyrood House in Edinburg recently the Queen inquired of Robertson, 25: And what do you do?

The British rugby player replied: "I am one of Mrs Thatcher's 1.5 million unemployed."

The Queen expressed surprise and offered a large sum to another Royal appetizer.

**New creditor in Seligson mystery**

A FOURTH creditor has emerged in the mystery of big diamond probe. Johannesburg attorney Mr Leon Seligson, who left South Africa ahead of an investigation, is said to have his estate sequestered this week.

On Thursday Playtime Properties (PTY) applied a second time for the sequestration of Mr Seligson's estate after it was learnt that the attorney and his wife had signed deeds in which he waived all rights to his property. The hearing was postponed until Tuesday.

Johannesburg attorney Mr Paul Shon submitted a supporting affidavit. He said that he had shared into the trust account of Seligson Pollack and Company could not be traced.

In the affidavit before the Rand Supreme Court he said he had been asked on July 24 by Mr. C. Seligson, a director of Seligson Pollack and Company, to arrange the transfer of a real estate property.

Mr Shon had initially been asked to handle the transfer but because of the long delay, Mr. Shon had been asked to take it over. The R300 129 had been for part payment of the property and transfer charges.

Mr Shon studied the file once it had been fetched from Seligson's office. He appeared to be intact and showed the amount of money paid.

But when Mr Shon telephoned the Pretoria corresponding to Seligson, Pollack and Company he was told the transfer had been refused.

Mr Shon said he had tried to contact Mr Seligson to ask him where the money was, but was told on July 12 by Mr Leonard Cowan — who had been in partnership with Mr Seligson — that he had left South Africa the previous night.

"In the circumstances I fear for the safety of the trust funds and no reasonable explanation has been given to me by any of the relevant parties for their absence," said Mr Shon.

Mr Ronald Katsellenbohm, who was acting for Mr. Seligson, said his client was in London and he expected to be in South Africa on Thursday.

**Court told of plan**

**Now! This comp...**
KANGWANE Legislative Assembly members have joined the scored of other well-fed, well-paid homeland MPs, thanks to a hefty pay increase and generous pension scheme just introduced by its parent, the SA Government.

The increases and pension scheme, published in a recent Government Gazette, could indicate that the SA Government has finally accepted that the 800 000 Swazi-speaking South Africans in the homeland are not going to go to Swaziland after all.

Chief executive councillor Enos Mabuza, will in future be paid R31 416 a year, as well as a non-taxable allowance of R2 664 a year — giving him an income of R2 800 a month.

Cabinet members will infirstrate be paid R29 544 a year, as well as their non-taxable allowance of R2 016 a year — giving them R2 600 a month.

Ordinary KaNgwane MPs will get R6 732 a year, or R561 a month basic. The MPs will also get a sessional allowance of R20 a day when the assembly is sitting.

These salaries, allowances and pensions hardly put KaNgwane into the big league of homeland salaries, however.
aces uphill struggle economic problems

Mr Justice F Rumpff, the commission head, suggested that no useful purpose could be served if the commission was allowed to continue its work — "which might take years to complete — knowing full well there might be interference and intimidation".

The commission heard that the development of the area had been "retarded" by the controversy over whether it should remain part of South Africa or ceded to Swaziland.

Mr Mabuza, who was one of the commissioners, said the commission had no mandate to recommend the area to South Africa and that the process had to be continued.

The commission, on deciding to end the investigation, told the South African Government that it should either give reasons why kaNgwane should not be given self-governing status, or inform the people of all the implications of incorporation.

Mr Mabuza said that "it is inevitable that serious starvation and malnutrition will soon become a way of life in most of our rural communities" in the face of rising unemployment and the devastating drought.

Situated on the doorstep of the thriving Lowveld farming area, kaNgwane aims to become an integral part of the Eastern Transvaal economy.

At present, kaNgwane is unable to support its population, says Mr Mabuza. Exporting labour is the homeland's chief source of income. Mr Mabuza said 100,000 to 150,000 people had been resettled in the poor south-west section of kaNgwane from South Africa's "white spots" and farms.

"Jobs, hospitals, schools and water have not been provided, and there is a squatter problem — a legacy we have inherited from South Africa."

The homeland has several mineral deposits, including gold (there are six defunct gold mines), asbestos, anthracite, tin, copper and zinc.

Mr Brendan Seery,
The Star Bureau

Given a small drop in position, Mr. Kekana will still hold a seat on the expanded cabinet. Central to the party, and still he was definitely bitter.

He said there was still a place for him to do and be assigned to one of the five standing committees which will appoint to oversee the formation of the government.

Mr Tsetsa, who congratulated others after the names were made known, appeared none too happy.

"Also denied a position, but staying in the committee was Mr Kumbari Kangai, whose name as former Labour and Social Services Minister was linked to a massive fraud in the drought relief fund."

But, while some political egos undoubtedly took a pounding, the positions of many were strengthened. Controversial radical Mr Herbert Ndhlovu became the number five job of Secretary for the Commission and Culture.

Information Minister Dr. Nathan Shumuyaria, who was not a member of the previous central committee, got the position of Secretary General.

Quiet-spoken and unobtrusive Mr Douglas Nyagumbo, who once worked as a writer in SA and was deported for political activities, confirmed his strong position by getting the number three job of Secretary for Administration.

Army chief General Rex Ngwagga and the future head of the air force, Air Vice-Marshal Josiah Tumiariri also found places.

omissions as Mugabe picks Politburo

Mr. Mugabe, who announced the Politburo choices, said the Politburo was a new institution in the country and was a part of the process of economic development.

Mr Mugabe said the new Politburo was a "people's Politburo" and that it was a "people's democracy".

Mr. Mugabe said the new Politburo was a "people's Politburo" and that it was a "people's democracy". He added that the new Politburo was a "people's government".

But, while some political egos undoubtedly took a pounding, the positions of many were strengthened. Controversial radical Dr. Herbert Ndhlovu became the number five job of Secretary for the Commission and Culture.
kaNgwane faces uphill to beat its economic pi

By Andrew Beattie

After fighting for years to achieve self-governing status the Swazi homeland of kaNgwane now faces an uphill struggle to beat serious economic problems aggravated by the South African Government’s delaying tactics. The sword of uncertainty which has hung over the homeland’s head for years has taken its toll.

Chief Minister Mr Enos Mabuza is still waiting for confirmation of the date on which the homeland will become truly self-governing. He has said repeatedly that he will never accept “independence”.

The saga involving kaNgwane made headlines when the South African Government announced plans to cede the homeland and parts of kwaZulu to Swaziland.

It has long been an aim of separate development theorists to bring about some sort of union between the Swazi homeland and Swaziland. As the grand scheme of a “constitution of states” gained currency, amalgamation of the homeland was seen as a way of luring Swaziland into the constitution.

But Mr Mabuza and his kaNgwane Legislative Assembly steadfastly opposed incorporation. In 1981 the Minister of Foreign Affairs, Mr Pik Botha, dismissed as “laughable” claims that the South African Government planned to “trade off” kaNgwane to Swaziland in return for the kingdom’s participation in a constellation.

In the same year the Swazi Government formally made a claim to the homeland, and as anger mounted it became apparent that most Swazis in kaNgwane were opposed to incorporation.

In 1982 Dr Piet Koornhof, the Minister of Co-operation and Development, told an infuriated kwaZulu Legislative Assembly that the Government planned to cede parts of kwaZulu and kaNgwane to Swaziland.

The kaNgwane Legislative Assembly was quickly dissolved in terms of a Government Gazette proclamation, and the Government announced that it was not prepared to hold a referendum to test whether the people of kaNgwane or Ingwavuma wanted to be part of Swaziland.

Mr Mabuza gave notice of intention to go to the Supreme Court to have the proclamation declared invalid.

Later kaNgwane and the Government reached an out-of-court settlement whereby the kaNgwane Legislative Assembly was returned its powers shortly after the Ingwavuma move was blocked by the Supreme Court.

The Rumpff Commission of Inqury was appointed to investigate the incorporation issue. It was disbanded last month, “in the interests of peace”, after hearing that the population of kaNgwane exceeded that of Swaziland and its inhabitants strongly opposed being ruled by Swaziland.

Mr Justice F F Rumpff, the commission head, suggested that no useful purpose could be served if the commission was allowed to continue its work — “which might take years to complete — knowing full well there might be interference and intimidation”.

The commission heard that the development of the area had been “reflected” by the controversy over whether it should remain part of South Africa or ceded to Swaziland.

The commission, on deciding to end the investigation, told the South African Government that it should either give reasons why kaNgwane should not be given self-governing status, or inform the people of all the implications of incorporation.

Now, after years of Pretoria’s indecision, drought, unemployment and displacement of people, Mr Mabuza is preparing for the battle to put the homeland on the economic map.

Businessmen and industrialists have been reluctant to commit themselves to a homeland that could have been given away. Several who had stakes there threatened to pull out if the land deal went ahead, and some did so in anticipation of the decision.

Mr Mabuza said that “it is inevitable that serious starvation and malnutrition will soon become a way of life in most of the Swazi homeland”. He added that “the Swazi homeland is not a place for the elderly, the infirm or the young”.

US gold medal haul breaks Russian record

LOS ANGELES — In 1980, the Soviet Union set a Summer Olympics record by winning 80 gold medals. But the United States, West Germany and Japan headed a long list of other gold nations.

Yesterday the United States broke that record with 83 as the Games 1984 ended. But the Soviet Union, East Germany and Cuba headed a group of 16 boycotting nations.

Surprise omissions as Muga

HARARE — There was one surprise omission from Mr Robert Mugabe’s powerful Politburo which will lead Zimbabwe to a socialist state based on Marxism-Leninism.

Dr Edison Zvogda, the party’s former acting secretary for information and its highly articulate banner-waver at the Lancaster House talks, was left out of the 14-member Politburo.

He said there was still work for him to do and he could be assigned to one of the five standing desian jails, at his apparent drop in position.

By Brendan Seery, The Star Bureau

Mr Tekere, while he congratulated others after the names were made known, appeared none too happy.

Also denied a position, but staying in the committee was Mr Kumibiri Kangai, whose name as former Labour and Social Services Minister was linked to a But, while2000.

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kaNgwane stays in South Africa — chief

KANYAMAZANE — kaNgwane would continue to negotiate with the Government to ensure its future in South Africa, the Chief Executive Councillor, Mr. Mabuza, said here.

Mr. Mabuza said on the possible cession to Swaziland: “As long as my colleagues and I are at the helm of the kaNgwane government” they would not contemplate “our future in a foreign country.”

Mr. Mabuza said every effort must now be directed to the improvement of the quality of life in kaNgwane.

Referring to the implementation of the new constitutional dispensation, Mr. Mabuza said all those who intended voting in the “phony elections” would be doing so for their own sectional interests.
'Honour pass law resistance'

KANGWANE Chief Minister Enos Mabuza this week called for an annual day of commemoration to remind South Africans of the resistance to pass laws in the Eastern Transvaal during 1957.

Addressing a prayer meeting at Kanyamane township's Ngwane Hall, Mr Mabuza said:

"The events of that fateful and tragic day must be documented for future generations.

"Like Sharpeville, it should be commemorated annually so that our children know that blood was shed and people were locked behind bars before they could be made to submit to the pass laws."

He was addressing the meeting in the wake of the Rumpff Commission — which has been disbanded after looking into the incorporation of his homeland and KwaZulu's Ingwavuma into Swaziland — and black bitterness at the Indian and coloured elections for the three-chamber parliament.

Mr Mabuza recalled the resistance to the pass laws when reference books were first introduced in the Eastern Transvaal.

"There was unified resistance to what the Nelspruit community perceived as a symbol of oppression.

"The South African Police invaded the Nelspruit old location and crushed the people's resistance."

Mr Mabuza reminded the meeting that it was early in 1982, when he spoke in the same hall, "that the South African Government wanted to cede us — lock, stock and barrel — into Swaziland."

"As your leaders, we informed you that we were opposed to the whole land deal because it was clearly designed to strip us of our rights as South Africans by granting indirect independence to KaNgwane through our incorporation into Swaziland," he said.

Since then, he said, KaNgwane has been faced with formidable opposition from the Government and its propaganda machinery because of its stand against incorporation in Swaziland.

Referring to Swaziland's efforts to have his homeland ceded to the kingdom, Mr Mabuza said: "It must be clear that we have nothing to negotiate about with the leadership of this country."
Swazi chiefs wish to secede from kaNgwane

A dissident group of Swazi chiefs has made a plea to be allowed to secede from kaNgwane today.

The group also sees Pretoria's abandonment of plans to hand kaNgwane to Swaziland and the granting of self-governing status will confirm Shangaans' power.

The outgoing Minister of Co-operation and Development, Dr Piet Kornhof, will formally confer self-government on kaNgwane today.

The 10 chiefs, comprising the Swazi Council of Chiefs of South Africa, have told the South African Prime Minister, Mr PW Botha, that, if the South African Government has abandoned the Swazi border adjustment, they wish to secede from kaNgwane and come directly under the jurisdiction of the Department of Co-operation and Development. The council is headed by Chief Johannes Mkoloshi Dlamini of Embuleni.

"Why is the South African Government forcing Swazis to be ruled by Shangaans?" the chiefs ask.

They maintain that Chief Minister Mr Enos Mabuza is avoiding the appointment of Swazi chiefs "who appear to be supporting the border adjustments".

They argue that the right to appoint and dismiss chiefs should never have been delegated to the Chief Minister and should have remained the function of the South African State President "who is above politics".

The council of chiefs supports strict ethnic separation and describes kaNgwane as the biggest "conglomeration" of groups.

"All this is the present Government's policy — why is it not implemented fully when it comes to the Swazis?"

Mr Mabuza has indicated that he will not seek to restrict residence in kaNgwane to any particular ethnic groups.

The plans to grant all people born there automatic citizenship and to consider sympathetically applications from displaced people.