



# SWAZILAND GOVERNMENT GAZETTE EXTRAORDINARY

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LEGAL NOTICE NO. 193 OF 1996  
THE COMMISSIONS OF ENQUIRY ACT, 1963

(Act No. 35 of 1963)

THE COMMISSION OF ENQUIRY INTO THE RALEIGH FITKIN MEMORIAL  
HOSPITAL NOTICE, 1996

(Under Section 3)

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

*Citation.*

1. This Notice may be cited as the Commission of Enquiry into the Raleigh Fitkin Memorial Hospital Notice, 1996.

*Establishment and composition of Commission.*

2. (1) There is hereby established a Commission to be known as the Judicial Commission of Enquiry into the Raleigh Fitkin Memorial Hospital (RFM) (hereinafter called "the Commission").

(2) The Commission shall consist of the following -

(a) Hon. Mr. Justice Ben Dunn	-	Chairman
(b) Dr. Hilton Fine	-	Attorney leading evidence
(c) Fana Manana	-	Member
(d) Dr. Alvit Dlamini	-	Member
(e) Hon. MP William Msibi	-	Member
(f) Kenneth Mbuli	-	Member
(g) Sabelo N. Dlamini	-	Secretary

(3) The quorum of the Commission shall be five members including the Chairman.

*Functions of the Commission.*

3. (1) The Commission shall examine and enquire into the activities and operations of the Raleigh Fitkin Memorial Hospital (RFM) and shall, without prejudice to the generality of the foregoing, examine and enquire into -

- (a) the reasons for the scaling down of the operations of the hospital or its closure and whether the Government should take over the hospital;
- (b) the general administration and management of the hospital particularly its financial management and administration since 1990;
- (c) Whether or not Government subventions to the hospital have been used properly and the basis for such subventions;
- (d) whether or not Government's interest and that of the public have been properly looked after in the usage of such subventions by the hospital and whether there is any monitoring by Government of such usage and any accountability for the usage by the hospital;

- (e) the sources of funds and any other materials, and medicines including donations and the usage of such funds, materials, medicines and donations received by the hospital;
  - (f) books of account, bank statements, assets including bank balances and the number of bank accounts held by the hospital in or outside Swaziland;
  - (g) the organisational structure, staffing levels (posts), including terms and conditions of service, remuneration and benefits of employees and Board members vis-a-vis those pertaining to employees in big Government hospitals plus the existence of "ghost employees" at the hospital;
  - (h) the relationship between the Board of Trustees and the administration and management arm of the hospital and that of past and present chief executive officers vis-a-vis the hospital administrators and senior medical officers;
  - (i) hospital fees and charges vis-a-vis those of Government hospitals and the reasons for differences, if any, and the utilisation of such fees and charges;
  - (j) the relationship and basis of such relationship between the Ministry of Health and Social Welfare and the hospital, if any.
- (2) The Commission shall, after making appropriate findings, submit -
- (a) any interim reports containing appropriate recommendations on any matter which is the subject of the enquiry and which require immediate action and any other information it deems urgent;
  - (b) a final report containing appropriate recommendations on any matter which is the subject of the enquiry.

*Enquiry in public.*

4. The enquiry shall be held in public.

*Venue.*

5. The enquiry shall be held at the Ministry of Health and Social Welfare, Mbabane or such other place and at such times as the Chairman may determine.

*Submission of final report.*

6. The Commission shall present its final report to the Minister not later than 20th January, 1997 or on such other later date as the Minister may, in writing, permit.

DR. PHETSILE K. DLAMINI  
*Minister for Health and Social Welfare*

MBABANE

..... December, 1996.

