



SWAZILAND GOVERNMENT GAZETTE EXTRAORDINARY

VOL. XXXV]

MBABANE, Monday, July 28th., 1997

[No. 277

CONTENTS

No.

Page

PART C - LEGAL NOTICES

131. The Commission of Enquiry Into the Operations of the Havelock Mine Hospital S1

PUBLISHED BY AUTHORITY

LEGAL NOTICE NO. 131 OF 1997

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

THE COMMISSION OF ENQUIRY INTO THE OPERATIONS OF THE HAVELOCK MINE HOSPITAL (Under Section 3)

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

Citation.

1. This Notice may be cited as the Commission of Enquiry into the Operations of the Havelock Mine Hospital Notice, 1997.

Establishment of Commission.

2. (1) The Commission of Enquiry into the Operations of the Havelock Mine Hospital is hereby established.

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

(a) Jameson Gudu Vilakazi	-	Chairman
(b) Andreas M. Dlamini	-	Member
(c) Dr. A.T. Dlamini	-	Member
(d) Ben Khumalo	-	Member
(e) Thembisile Gama	-	Secretary

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

Functions of the commission.

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

- (a) whether or not the hospital is operating at full capacity
- (b) the justification for escalating the Government subvention;
- (c) whether or not Government subventions to the hospital have been properly used and Government's interest and that of the public properly looked after in the usage of such subventions;
- (d) the methods of procurement the distribution and usage of drugs and equipment;
- (e) whether there is a need for Government to monitor the usage of subventions and if there should be any accountability for the usage of such subventions by the hospital;

- (f) the books of account and bank statements relating to the Government subvention including vouching since 1994/95 financial year;
 - (g) the general administration and management of funds of the hospital since financial year 1994/95;
 - (h) whether or not the Government should not review its position regarding the agreement it entered into with HVL Asbestos (Pty) Limited concerning, amongst other things, the hospital of the mine particularly with reference to the clause obliging the Government to provide the hospital with a subvention at an escalating rate;
 - (i) any other matter it may consider relevant to the subject of the enquiry;
- (2) The Commission shall further -
- (a) call for any documents it may deem necessary or relevant to the enquiry;
 - (b) after making appropriate findings, submit a report containing appropriate recommendations on any matter which is the subject of the enquiry including recommendations regarding the taking of any criminal or civil or disciplinary action against any person who may have been involved in any irregularities or unlawful act.

Enquiry venue.

4. The enquiry shall be held at such other place and at such times as the Chairman may determine.

Enquiry in public.

5. Unless the circumstances otherwise require, the enquiry shall be held in public.

Submission of report.

6. The Commission shall present its report not later than 19th September, 1997 or on such later date as the Minister may, in writing permit.



DR. PHETSILE DLAMINI (MP)
Minister for Health and Social Welfare

MBABANE
25 JULY, 1997