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**SWAZILAND**  
**GOVERNMENT GAZETTE**  
**EXTRAORDINARY**

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**PUBLISHED BY AUTHORITY**

# PART C

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## LEGAL NOTICE NO. 148 OF 2005

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

#### THE COMMISSION OF ENQUIRY INTO THE OPERATIONS OF MATSAPHA AIRPORT NOTICE, 2005 (Under Section 3)

In exercise of the powers conferred by Section 3 of the Commission of Enquiry Act, 1963, the Minister for Public Works and Transport issues the following Notice.

#### ***Citation and Commencement***

1. This Notice may be cited as the Commission of Enquiry to Investigate into the Operations of Matsapha Airport Notice, 2005 and shall come into force on the date of publication.

#### ***Establishment of the Commission***

2. (1) There is established a commission of enquiry to be known as the Commission of Enquiry to Investigate into the Operations of the Matsapha Airport.

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

- (i) Mrs Lindiwe Khumalo - Matse - Commissioner
- (ii) Mr. Sibusiso Motsa - Member
- (iii) Mr. Napoleon M. Ngomane - Member

#### ***Functions of the Commission***

3. (1) The Commission shall investigate and enquire into the activities of the office of the Airport Manager in carrying out its mandate, whether or not it has conducted itself in terms of practice, regulations and in terms of the law.

(2) Without derogating from sub section (1) the Commission shall investigate and enquire whether there is any impropriate or unlawfulness in -

- (a) the manner in a large container belonging to a certain supplier was sold, were all relevant conditions followed, and if they were, were they adequately followed by all parties concerned;
- (b) the relationship that exists between the office of the Airport Manager and suppliers;
- (c) the manner in which assets and equipment were procured and disposed, were all the procedures and all relevant conditions followed, and if they were, were they adequately followed by concerned parties;
- (d) the procedure followed in the award of the E300,000.00 and who authorised such payment and was there any person who benefited from it, and if so who; and
- (e) the procedure followed in suspending the Air Traffic Control Officer.

(3) The Commission shall determine and make recommendations as to whether there are persons who should be disciplined, surcharged or charged with an offence, any wrong doing or breach of any regulations, rules or practice.

(4) The Commission shall make recommendations to the Minister based on its findings.

***Venue***

4. The enquiry shall be held at the Ministry of Public Works and Transport conference.

***Enquiry in Camera***

5. (1) The Commission shall be held in Camera due regard being had of the relationship Government has with its suppliers and clients.

(2) The Commission shall have all the powers conferred on it by the Commissions Enquiry Act, 1963.

***Duration of Enquiry***

6. (1) The duration of the enquiry shall be two (2) weeks from the date of publication of this Notice.

(2) Notwithstanding subsection (1), the Minister may terminate the appointment of the Commission before the period stated in subsection (1) or extend the date in which the Commission is supposed to submit its findings.

***Payment of the Commission***

7. The Members of the Commission shall be paid such allowances as the Minister may, in consultation with the Minister responsible for Finance, determine.

E. G. M. SHONGWE  
*MINISTER FOR PUBLIC WORKS AND TRANSPORT*

