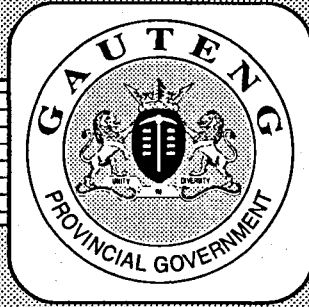


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THE PROVINCE OF
GAUTENG



DIE PROVINSIE
GAUTENG

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

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Vol. 5

PRETORIA, 5 NOVEMBER 1999

No. 103

We all have the power to prevent AIDS

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us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

GENERAL NOTICES

NOTICE 7530 OF 1999

GAUTENG DEPARTMENT OF EDUCATION

EDUCATION POLICY ACT, 1998
(ACT No. 12 OF 1998)

NOTICE ANNOUNCING THE INTENTION OF THE MEMBER OF THE EXECUTIVE COUNCIL TO MAKE REGULATIONS RELATING TO THE REGISTER OF EDUCATION POLICIES IN TERMS OF THE EDUCATION POLICY ACT, 1998

The Member of the Executive Council intends, under the powers vested in him in terms of Section 18 (1) of the Education Policy Act, 1998 (Act No. 12 of 1998), to make Regulations Relating to the Registrar of Education Policies, as contemplated in Section 16 (1) of the same Act. The draft Regulations have been developed for comment, and are available at the Head Office of the Gauteng Department of Education at 111 Commissioner Street, Johannesburg.

Please address all enquiries to:

Adv G. Ally
P O Box 7710
JOHANNESBURG
2000.

Members of the public are invited to submit their comments on the draft regulations by 10 December 1999.

NOTICE 7531 OF 1999

GAUTENG DEPARTMENT OF EDUCATION

EDUCATION POLICY ACT, 1998
(ACT No. 12 OF 1998)

DRAFT REGULATIONS RELATING TO THE REGISTER OF EDUCATION POLICIES IN TERMS OF THE EDUCATION POLICY ACT, 1998

The Member of the Executive Council for Education has, under the power vested in him in terms of the Education Policy Act, 1998 (Act No. 12 of 1998), made the draft regulations contained in the Schedule hereto. Members of the public are invited to send their comments on these draft regulations to:

Adv G. Ally
P O Box 7710
JOHANNESBURG
2000

on or before 10 December 1999.

SCHEDULE OF DRAFT REGULATIONS

Definitions

1. (1) Subject to subregulation (2) and unless the context indicates otherwise, a word which is defined in the Education Policy Act, 1998 (Act No. 12 of 1998) has the same meaning in these regulations.

(2) In these regulations, unless the context indicates otherwise, the following definitions apply—

“district office” means the office in an education district in the Province where the activities relating to the management of the district education system take place entirely or in the main;

“provincial office” means the office of the provincial department where the activities relating to the management of the provincial education system take place entirely or in the main; and

“the Act” means the Education Policy Act, 1998 (Act No. 12 of 1998).

Availability of register of current education policies

2. The Head of Department must ensure that a register of current education policies as contemplated in section 16 (1) of the Act is kept in print form and in braille at the provincial office, and maintained in such a manner that current education policy may be easily accessed and clearly understood by any interested person.

Availability of copy of register of current education policies

3. The Head of Department must ensure that an exact copy of the register of current education policies is available in print form, within a reasonable period after the register, or any updated version of the register, is made available at the provincial

office, at each district office of the provincial department.

Access to register of current education policies

4. A member of the public may have access to and may inspect the register of current education policies kept at the provincial office at any time during normal working hours: Provided that reasonable limitations may be imposed by the Head of Department at the beginning and at the end of each normal working day, which limitations must be prominently displayed for the convenience of members of the public.

Access to copy of register of current education policies

5. A member of the public may have access to and may inspect an exact copy of the register of current education policies kept at a district office of the provincial department at any time during normal working hours: Provided that reasonable limitations may be imposed by the relevant District Director at the beginning and at the end of each normal working day, which limitations must be prominently displayed for the convenience of members of the public.

Prohibition of access to register of current education policies

6. Despite regulation 4, the Head of Department may prohibit a member of the public from having access to the register of current education policies kept at the provincial office if it is in the public interest to do so, or if it is in the best interests of the management of education in the province to do so.

Redress of prohibition of access to register of current education policies

7. If the Head of Department acts under regulation 6, the member of the public in question must be given an opportunity to have access to and to inspect the register of current education policies, or an exact copy of the register of current education policies, as soon as is practicable after the prohibition contemplated in regulation 6.

Prohibition of access to copy of register of current education policies

8. Despite regulation 5, a District Director may prohibit a member of the public from having access to an exact copy of the register of current education policies kept at his or her district office if it is in the public interest to do so, or if it is in the best interests of the management of education in the district to do so.

Redress of prohibition of access to copy of register of current education policies

9. If a District Director acts under regulation 8, the member of the public in question must be given an opportunity to have access to and to inspect an exact copy of the register of current education policies as soon as is practicable after the prohibition contemplated in regulation 8.

Short title

10. These regulations shall be called the Education Policy Register Regulations, 1999.

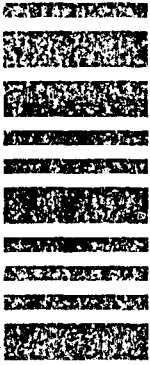
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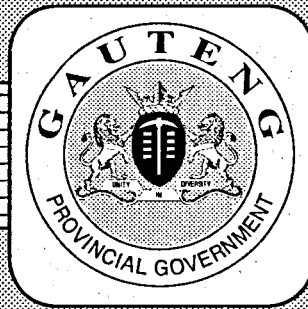
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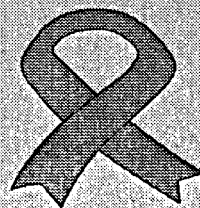
Vol. 5

**PRETORIA, 29 OCTOBER 1999
OKTOBER**

No. 102

We all have the power to prevent AIDS

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Prevention is the cure

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DEPARTMENT OF HEALTH

GENERAL NOTICES

DEPARTMENT OF HOUSING

NOTICE 7278

I, Paul Mashatile, member of the Executive Council of the Province of Gauteng responsible for Housing in the Province, give the approval for Greater Germiston Council to establish Landlord and Tenant Information Offices in terms of section 10 (1) of the Residential Landlord and Tenant Act No. 3 of 1997.

PAUL MASHATILE

MEC: Housing

DEPARTMENT OF HOUSING

NOTICE 7279

I, Paul Mashatile, member of the Executive Council of the Province of Gauteng responsible for Housing in the Province, give the approval for Midrand Metropolitan Local Council to establish Landlord and Tenant Information Offices in terms of section 10 (1) of the Residential Landlord and Tenant Act No. 3 of 1997.

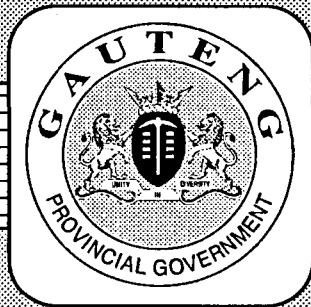
PAUL MASHATILE

MEC: Housing

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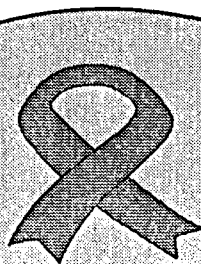
Vol. 5

**PRETORIA, 21 OCTOBER 1999
OKTOBER**

No. 101

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DEPARTMENT OF HEALTH

PROCLAMATION

PROCLAMATION

by the

Premier of the Province of Gauteng

No. 7137, 1999

COMMISSION OF INQUIRY INTO THE CAUSES OF TAXI VIOLENCE AND RELATED UNRESOLVED DEATHS IN GAUTENG PROVINCE

By virtue of the powers vested in me by section 2 (1) of the Provincial Commissions Act, 1997 (Act No. 1 of 1997), I hereby re-appoint the commission of inquiry into taxi violence in Gauteng Province with the Terms of Reference hereto. I appoint Advocate Lindi Nkosi-Thomas as Chairperson, Mr Mohamed Randera as member, and Mr Daniel Eksteen van Wyk as the Secretary of the Commission, and further make regulations in the Schedule.

Given under my Hand at Johannesburg this 19th day of October, One thousand Nine hundred and Ninety-nine.

M. SHILOWA

Premier: Gauteng Province

TERMS OF REFERENCE

to the

RE-APPOINTED COMMISSION OF INQUIRY INTO THE CAUSES OF TAXI VIOLENCE AND RELATED UNRESOLVED DEATHS IN GAUTENG PROVINCE

The Commission's terms of reference are as follows:

1. To write a report, bearing in mind the provisions of regulation 12 in the schedule hereto, regarding the causes of taxi violence and related unresolved deaths;
2. The Commission is specifically directed to:
 - (a) ensure that the contents of the report do not adversely affect existing, instituted or pending legal proceedings or any criminal investigation instituted in terms of any law;
 - (b) ensure that the identities of witnesses and alleged perpetrators are excluded from the report and are set out in a separate index;
3. To submit the report, together with the index, to me by no later than 20 November 1999.
4. To commence its work upon publication of this gazette.

SCHEDULE

REGULATIONS

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

“**Chairperson**” means the person designated as such under section 2 (1) of the Provincial Commissions Act, 1997 (Act No. 1 of 1997);

“**Commission**” means the Commission of Inquiry into the causes of taxi violence and related unresolved deaths in Gauteng Province;

“**documents**” includes any book, pamphlet, record, list, circular, plan, placard, poster, publication, drawing, photograph or picture;

“**Inquiry**” means the inquiry conducted by the Commission;

“**Member**” means a member of the Commission;

“**officer**” means a person in the full-time service of the State who has been appointed or designated to assist the Commission in the execution of its functions;

“**premises**” includes any land, building, structure, part of a building or structure, vehicle, conveyance, vessel or aircraft.

2. The proceedings of the Commission shall be recored in the manner determined by the Chairperson.

3. (1) Any person appointed or designated to take down or record the proceedings of the Commission in shorthand or by mechanical means or to transcribe such proceedings which have been so taken down or recorded shall at the outset take an oath or make an affirmation in the following form:

I, A. B., declare under oath/affirm and declare—

(a) that I shall faithfully and to the best of my ability take down/record the proceedings of the Commission of Inquiry into the causes of taxi violence and related unresolved deaths in Gauteng Province in shorthand/by mechanical means as ordered by the Chairperson of the Commission;

(b) that I shall transcribe fully and to the best of my ability any shorthand notes/mechanical record of the proceedings of the said Commission made by me or by any other person.

(2) No shorthand notes or mechanical record of the proceedings of the Commission shall be transcribed except by order of the Chairperson.

4. Every person employed in the execution of the functions of the Commission, including any person referred to in regulation 3 (1) shall help to preserve secrecy with regard to any matter or information that may come to his or her knowledge in the performance of his or her duties in connection with the said functions, except in so far as the publication of such matter or information is necessary for the purposes of the report of the Commission, and every such person, except a Member or any officer, shall, before performing any duty in connection with the Commission, take and subscribe before the Chairperson an oath of fidelity or secrecy in the following manner:

I, A. B. declare under oath/affirm that except in so far as it is necessary in the performance of my duties in connection with the functions of the Commission of Inquiry into the cause of taxi violence and related unresolved deaths in Gauteng Province, or by order of a competent court I shall not communicate to any person any matter or information which may come to my knowledge in connection with the inquiry of the Commission, or suffer or permit any person to have access to any records of the Commission, including any note, record or transcription of the proceedings of the Commission in my possession or custody or in the possession or custody of the Commission or any officer.

5. No person shall communicate to any other person any matter or information which may have come to his or her knowledge in connection with the inquiry of the Commission or suffer or permit any other person to have access to any records of the Commission, except in so far as it is necessary in the performance of his or her duties in connection with the functions of the Commission or by order of a competent court.

6. The Commission may designate one or more knowledgeable persons to assist the Commission in the performance of some of its functions, in a capacity other than that of a member.

7. A Member or an officer generally or specially authorized thereto by the Commission must administer an oath to or accept an affirmation from any witness appearing before the Commission.

8. Where, at the time of any person giving evidence before the Commission, members of the general public are or have been excluded from attendance at the proceedings of the Commission, a Member may, on the request of such person, direct that no person shall disclose in any manner whatsoever the name or address of such person or any information likely to reveal his or her identity.

9. Any witness appearing before the Commission may be cross-examined by a person only if the Chairperson permits such cross-examination by such person in the interest of the functions of the Commission.

10. Any witness appearing before the Commission may, in the discretion of the Chairperson and in such manner as may be determined by the Chairperson, be assisted by an advocate or an attorney.

11. An officer, attorney or advocate designated thereto by the Chairperson may be present at the hearing of evidence at the inquiry and may adduce evidence and arguments relating to the inquiry.

12. Whenever the Commission is satisfied upon evidence or information presented to it that the Commission's inquiry may adversely affect any existing, instituted or pending legal proceedings or any investigation instituted in terms of any law, evidence which is relevant to such legal proceedings or investigation shall be dealt with by the Commission in such a manner as not to affect adversely such legal proceedings or investigation.

13. A Member or any officer may, with a warrant, for the purposes of the inquiry, at all reasonable times enter and inspect any premises and demand and seize any document which are on or in such premises.

14. No person shall without the written permission of the Chairperson—

(a) disseminate any document submitted to the Commission by any person in connection with the inquiry or publish the contents or any portion of the contents of such document;

(b) peruse any document, including any statement, which is destined to be submitted to the Commission or intercept such document while it is being taken or forwarded to the Commission.

15. No person shall insult, disparage or belittle the Chairperson, or the Member, or the Secretary or any officer or prejudice the proceedings or findings of the Commission.

16. Any person who—

(a) wilfully hinders, resists or obstructs the Chairperson or the Member, or any officer of the Commission in the exercise of any power contemplated in regulation 13; or

(b) contravenes or fails to comply with any provision of these regulations
is guilty of an offence and liable on conviction to a fine, or to imprisonment for a period not exceeding six months.

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