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# GOVERNMENT NOTICE

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## DEPARTMENT OF HOME AFFAIRS

No. R. 147

13 February 2009

### THE FILMS AND PUBLICATIONS ACT, NO 65 OF 1996

#### ADVISORY PANEL REGULATIONS

The Minister of Home Affairs has, in terms of section 31(1)(b) of the *Films and Publications Act, No 65 of 1996*, as amended, made the Regulations in the Schedule.

#### SCHEDULE

##### 1 Definitions

In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context indicates otherwise-

“**Act**” means the *Films and Publications Act, No 65 of 1996*, as amended

“**Advisory Panel**” means the panel referred to in section 6(2) of the Act

“**Director-General**” means the Director-General of the Department of Home Affairs

“**Secretariat**” means the staff designated to provide secretarial services to the Advisory Panel

##### 2 Advisory Panel

The Minister shall appoint an Advisory Panel, consisting of a Chairperson and no less than 2 (two) other members, who shall provide the Minister with advice and recommendations with regard to the suitability of persons to be appointed as chief examiners and examiners to the Film and Publication Board. Members of the Advisory Panel shall have experience in and knowledge of the matters referred to in section 6(4) of the Act.

##### 3 Nominations of candidates for appointment as chief examiners and examiners

The Minister shall appoint the Board as Secretariat to the Advisory Panel with instructions to-

- (i) invite the public, through advertisements in appropriate national and local newspapers, to nominate candidates who may be suitable for appointment as chief examiners and examiners;
- (ii) provide the Advisory Panel with a brief on the purpose and significance of classifications and all relevant rules, regulations and guidelines with respect to the classification of products submitted to the Board in terms of the Act, and

- (ii) prepare and submit a short list of candidates who are qualified in terms of experience, qualifications or knowledge and broad representation of the South African community to the Advisory Panel within 7 (seven) days of the receipt of all nominations.

#### **4 Manner and time to make nominations**

Nominations must be submitted within 14 (fourteen) days after the date of the last publication of the invitation for public nominations by completing and returning the prescribed forms to the Secretariat.

#### **5 Consideration by the Advisory Panel**

The Advisory Panel shall meet, within 7 (seven) days of receipt by the Chairperson of the short list of nominations, at the offices of the Secretariat, to identify candidates to be interviewed with a view to advising the Minister of persons suitable for appointment.

#### **6 Short list of candidates to be submitted to the Minister**

The Advisory Panel shall, within 7 (seven) days of identifying candidates, conduct interviews of the short-listed candidates and shall, within 7 (seven) days after the completion of all interviews, submit to the Minister a list of candidates considered suitable for appointment as chief examiners and examiners.

#### **7 Remuneration of members of the Advisory Panel**

Members of the Advisory Panel shall be remunerated for their services as members of the panel at the rate provided for statutory bodies associated with the Department of Home Affairs.

#### **8 Term of office of the Advisory Panel**

The Advisory Panel shall automatically disband 14 (fourteen) days after submission to the Minister of the list of candidates referred to in regulation 7.

#### **9 Short title and commencement**

These Regulations shall be called the *Advisory Panel Regulations, 2008* and shall come into operation on the date on which it is first published in the *Government Gazette*.

ANNEXURE 1

NOMINATION OF CANDIDATE FOR APPOINTMENT AS A CHIEF EXAMINER OR EXAMINER REFERRED TO IN SECTION 6 OF THE FILMS AND PUBLICATIONS ACT, 1996

REPUBLIC OF SOUTH AFRICA

(Section 31(1) (b) of Act 65 of 1996, and Regulation 4)

1 I (full name or names and address of persons making nomination) .....

.....

hereby nominate myself or (full names and contact details of nominee).....

.....

.....

..... who's

identity number is ..... to be appointed as a Chief Examiner/Examiner to the Film and Publication Board since I am of the opinion that I or the said candidate will make a positive contribution towards the achievement of the objects of the Act.

2 The said candidate has experience in or knowledge of the following matter(s) (circle all applicable):

Community development; Education; Psychology; Religion; Law; Drama; Literature; Communications Science; Photography; Cinematography; Gender matters; or Children's Rights.

3 The curriculum vitae of the candidate is attached hereto.

4 UNDERTAKING

I accept nomination as a candidate for appointment as a Chief Examiner/Examiner.

Signature of person making the nomination:.....

Signature of person accepting the nomination :.....

Date .....