



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

PRYS 10c PRICE
OORSEE 15c OVERSEAS
POSVRY—POST FREE

Registered at the Post Office as a Newspaper

VOL. 85]

PRETORIA, 14 JULIE 1972
14 JULY

[No. 3613

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 1238

14 Julie 1972

AANSTELLING VAN KOMMISSIE VAN ONDER- SOEK NA SEKERE ORGANISASIES

Hierby word vir algemene inligting bekendgemaak dat dit die Staatspresident behaag het om mnr. James Thomas Kruger, L.V., as lid en as Voorsitter, en die volgende persone as lede, van 'n Kommissie van ondersoek na sekere organisasies aan te stel:

Mnr. Radclyffe Macbeth Cadman, L.V.;
Mnr. Johannes Jacobus Engelbrecht, L.V.;
Mnr. Teunis Nicolaas Hendrik Janson, L.V.;
Mnr. Louis le Grange, L.V.;
Mnr. Lionel Garner Murray, M.C., L.V.;
Mnr. Daniel Jacobus Louis Nel, L.V.;
Mnr. Alwyn Louis Schlebusch, L.V.;
Mnr. Stephanus Jacobus Marais Steyn, L.V.

Die opdrag van die Kommissie lui soos volg:

(1) Om ondersoek in te stel na en, met inagneming van die getuienis, memoranda en bewysstukke wat aan die Parlementêre Gekose Komitee oor Sekere Organisasies voorgelê is, verslag te doen oor—

(a) die doelstellings, organisasie en finansiering van die Nasionale Unie van Suid-Afrikaanse Studente, die Suid-Afrikaanse Instituut vir Rasverhoudings, die University Christian Movement, die Christelike Instituut van Suidelike Afrika en enige verwante organisasies, liggame, komitees of groepe van persone;

(b) die bedrywighede van voormelde organisasies, liggame, komitees of groepe van persone en die regstreekse of onregstreekse gevolg of moontlike gevolg van daardie bedrywighede;

(c) die bedrywighede van persone in en in verband met voormelde organisasies, liggame, komitees of groepe van persone en die regstreekse of onregstreekse gevolg of moontlike gevolg van daardie bedrywighede; en

(d) enige verwante saak wat onder die aandag van die Kommissie kom en wat na sy oordeel ondersoek vereis.

(2) Om, indien dit met die oog op die Kommissie se bevindings nodig blyk te wees, aanbevelings te doen.

A-2224

GOVERNMENT NOTICE

DEPARTMENT OF THE PRIME MINISTER

No. 1238

14 July 1972

APPOINTMENT OF COMMISSION OF INQUIRY INTO CERTAIN ORGANISATIONS

It is hereby notified for general information that the State President has been pleased to appoint Mr James Thomas Kruger, M.P., as a member and as Chairman and the following persons as members of a Commission of inquiry into certain organisations:

Mr Radclyffe Macbeth Cadman, M.P.;
Mr Johannes Jacobus Engelbrecht, M.P.;
Mr Teunis Nicolaas Hendrik Janson, M.P.;
Mr Louis le Grange, M.P.;
Mr Lionel Garner Murray, M.C., M.P.;
Mr Daniel Jacobus Louis Nel, M.P.;
Mr Alwyn Louis Schlebusch, M.P.;
Mr Stephanus Jacobus Marais Steyn, M.P.

The Commission's terms of reference are as follows:

(1) To inquire into and, taking into account the evidence, memoranda and exhibits which were submitted to the Parliamentary Select Committee on Certain Organisations, report on—

(a) the objects, organisation and financing of the National Union of South African Students, the South African Institute of Race Relations, the University Christian Movement, the Christian Institute of Southern Africa and any related organisations, bodies, committees or groups of persons;

(b) the activities of the aforementioned organisations, bodies, committees or groups of persons and the direct or indirect results or possible results of those activities;

(c) the activities of persons in or in connection with the aforementioned organisations, bodies, committees or groups of persons and the direct or indirect results or possible results of those activities; and

(d) any related matter which comes to the notice of the Commission and which in its view calls for inquiry.

(2) To make recommendations if, in view of the Commission's findings, it appears to be necessary to do so.

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Ten einde die Kommissie beter in staat te stel om hierdie opdrag uit te voer, is volle bevoegdheid en gesag aan hom verleen om na goeë dunke alle persone te ondervra wat volgens sy oordeel inligting kan verstrek oor die onderwerpe wat in sy opdrag genoem word of aangeleenthede wat daarmee in verband staan; om alle boeke, dokumente, stukke en registers wat volgens sy oordeel inligting kan bevat oor genoemde onderwerpe te verkry, te ondersoek en uittreksels daaruit te maak; en om op enige ander geoorloofde wyse navraag te doen betreffende die onderwerpe van hierdie ondersoek.

Die Kommissie is versoek om so gou moontlik aan die Staatspresident verslag te doen.

Belanghebbende persone wat verhoë wil rig of getuienis voor die Kommissie wil aflê, moet so gou doenlik, maar nie later nie as 30 dae vanaf die datum van hierdie kennisgewing memoranda inhandig by die Sekretaris van die Kommissie, p/a Departement van die Eerste Minister, Uniegebou, Pretoria.

PROKLAMASIE

van die Staatspresident van die Republiek van Suid-Afrika

No. 164, 1972

REGULASIES KRAGTENS ARTIKEL 1 VAN DIE KOMMISSIEWET, 1947 (WET 8 VAN 1947).—KOMMISSIE VAN ONDERSOEK NA SEKERE ORGANISASIES

Kragtens die bevoegdheid my verleen by artikel 1 van die Kommissiewet, 1947 (Wet 8 van 1947), verklaar ek hierby dat die bepalings van daardie Wet, met die uitsondering van die bepalings van subartikel (3) van artikel 3 en van artikel 4 daarvan van toepassing is op die Kommissie van Onderzoek na Sekere Organisasies wat ek op die vierde dag van Julie 1972 benoem het en vaardig ek hierby die regulasies in die Bylae vervat met betrekking tot genoemde Kommissie uit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hierdie Vierde dag van Julie Eenduisend Negehoenderd Twee-en-sewentig.

J. J. FOUCHÉ, Staatspresident.

Op las van die Staatspresident-in-rade:

B. J. VORSTER.

BYLAE

REGULASIES

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“beampte” iemand in die voltydse diens van die Staat wat aangestel of aangewys is om die Kommissie by die uitvoering van sy werksaamhede behulpzaam te wees;

“dokument” ook ’n boek, pamflet, aantekening, lys, omsendbrief, plan, plakkaat, aanplakbiljet, publikasie, tekening, portret of prent;

“Kommissie” die in hierdie Proklamasie bedoelde Kommissie van Onderzoek na Sekere Organisasies;

“lid” ’n lid van die Kommissie;

“ondersoek” die ondersoek wat deur die Kommissie ingestel word;

“perseel” ook grond, ’n gebou of bouwerk of enige gedeelte van ’n gebou of bouwerk, ’n voertuig, vervoermiddel, vaartuig of vliegtuig;

“Voorsitter” die Voorsitter van die Kommissie.

2. Die verrigtinge van die Kommissie word genotuleer op die wyse deur die Voorsitter bepaal.

In order that the Commission may be better able to carry out this Commission, it has been granted full power and authority to interrogate at its discretion all persons who in its opinion are able to furnish information on the subjects mentioned in its terms of reference or on matters relating thereto; to obtain, inspect and make extracts from all books, documents, papers and registers which in its opinion may contain information on the said subjects; and to conduct investigations into the subject matter of this inquiry in any other authorised manner.

The Commission has been requested to report to the State President as soon as possible.

Interested persons who desire to make representations to or give evidence before the Commission should present memoranda to the Secretary of the said Commission, c/o Department of the Prime Minister, Union Buildings, Pretoria, as soon as possible but not later than 30 days from the date hereof.

PROCLAMATION

by the State President of the Republic of South Africa

No. 164, 1972

REGULATIONS UNDER SECTION 1 OF THE COMMISSIONS ACT, 1947 (ACT 8 OF 1947).—COMMISSION OF INQUIRY INTO CERTAIN ORGANISATIONS

Under the powers vested in me by section 1 of the Commissions Act, 1947 (Act 8 of 1947), I hereby declare that the provisions of that Act, with the exception of the provisions of subsection (3) of section 3 and of section 4 thereof, shall be applicable to the Commission of Inquiry into Certain Organisations which I have appointed on the fourth day of July 1972, and I hereby make the regulations contained in the Schedule with reference to the said Commission.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Fourth day of July, One thousand Nine hundred and Seventy-two.

J. J. FOUCHÉ, State President.

By Order of the State President-in-Council:

B. J. VORSTER.

SCHEDULE

REGULATIONS

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

“Chairman” means the Chairman of the Commission;

“Commission” means the Commission of Inquiry into Certain Organisations referred to in this Proclamation;

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

“inquiry” means the inquiry being 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 performance of its functions;

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

2. The proceedings of the Commission shall be recorded in the manner determined by the Chairman.

3. (1) Iemand wat aangestel of aangewys is om die verrigtinge van die Kommissie in snelskrif aan te teken of op meganiese wyse op te neem of om sodanige verrigtinge wat aldus aangeteken of opgeneem is te transkribeer, moet vooraf 'n eed of bevestiging in die volgende vorm aflê:

Ek, A.B., verklaar onder eed/bevestig en verklaar—

(a) dat ek getrou en na my beste vermoë die verrigtinge van die Kommissie van Onderzoek na Sekere Organisasies in snelskrif sal aanteken/op meganiese wyse sal opneem soos deur die Voorsitter van die Kommissie gelas;

(b) dat ek enige snelskrif-aantekeninge/meganiese opname van die verrigtinge van die Kommissie van Onderzoek na Sekere Organisasies deur my of iemand anders gemaak volledig en na my beste vermoë sal transkribeer.

(2) Geen snelskrif-aantekeninge of meganiese opname van die verrigtinge van die Kommissie word getranskribeer nie behalwe op las van die Voorsitter.

4. 'n Deur die Voorsitter daartoe aangewese beamppte kan by die aanhoor van getuienis by die ondersoek aanwesig wees en getuienis en argumente wat op die ondersoek betrekking het, aanvoer.

5. Geen persoon wie se aanwesigheid by die ondersoek nie, volgens die oordeel van die Voorsitter, vir die uitvoering van die Kommissie se werksaamhede nodig is of nie deur hierdie regulasies gemagtig word nie, mag by die ondersoek aanwesig wees nie.

6. Die Voorsitter of 'n beamppte deur die Voorsitter in die algemeen of spesiaal daartoe gemagtig, lê 'n getuie wat voor die Kommissie verskyn, die eed op of neem van hom 'n bevestiging af.

7. 'n Getuie wat voor die Kommissie verskyn, kan slegs deur 'n persoon in kruisverhoor geneem word indien die Voorsitter toelaat dat dit deur daardie persoon gedoen word omdat dit na die Voorsitter se oordeel in belang van die werksaamhede van die Kommissie nodig is.

8. Indien 'n persoon wat getuienis voor die Kommissie afgelê het of aflê of wat opgeroep is om aldus getuienis af te lê, die Kommissie aldus versoek, mag niemand die naam of adres van so 'n persoon of enige inligting wat waarskynlik sy identiteit sal openbaar, op enige wyse hoegenaamd publiseer nie.

9. 'n Getuie wat voor die Kommissie verskyn, kan deur 'n advokaat of prokureur bygestaan word slegs in die mate waarin die Voorsitter dit toelaat.

10. Niemand mag enige verrigtinge van die Kommissie of enige inligting wat aan die Kommissie verstrekkend is, of enige deel van sodanige verrigtinge of inligting op enige wyse hoegenaamd publiseer of aan iemand anders meedeel nie, of iemand anders toelaat of veroorloof om toegang te verkry tot stukke wat in die besit of in die bewaring van die Kommissie of 'n beamppte of 'n in subregulasie (1) van regulasie 3 bedoelde persoon is nie, behalwe by die uitvoering van sy pligte in verband met die werksaamhede van die Kommissie of op bevel van 'n bevoegde geregshof.

11. Die Voorsitter, 'n lid of 'n beamppte kan te alle redelike tye enige perseel vir die doeleindes van die Kommissie se ondersoek betree en besigtig en enige dokument wat op sodanige perseel is of bewaar word, opeis en in beslag neem.

12. Elke persoon wat diens doen by die uitvoering van die Kommissie se werksaamhede, insluitende iemand wat aangestel of aangewys is om verrigtinge van die Kommissie wat in snelskrif aangeteken of op meganiese wyse opgeneem is, te transkribeer, moet ten aansien van enige aangeleentheid of inligting wat by die vervulling van sy pligte in verband met bedoelde werksaamhede tot sy kennis kom, geheimhouding help bewaar, behalwe vir sover bekendmaking van sodanige aangeleentheid of

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 Certain Organisations in shorthand/by mechanical means as ordered by the Chairman 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 Commission of Inquiry into Certain Organisations 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 Chairman.

4. An officer designated thereto by the Chairman may be present at the hearing of evidence at the inquiry and adduce evidence and arguments relating to the inquiry.

5. No person whose presence at the inquiry is, in the view of the Chairman, not necessary for the performance of the functions of the Commission or is not authorised by these regulations may be present at the inquiry.

6. The Chairman or an officer authorised generally or specially thereto by the Chairman, shall administer to any witness appearing before the Commission an oath or affirmation.

7. Any witness who appears before the Commission, may only be cross-examined by a person if the Chairman permits it to be done by that person because it is in the Chairman's view necessary in the interests of the functions of the Commission.

8. If any person who gave or is giving evidence before the Commission or has been summoned so to give evidence so requests the Commission, no person shall publish in any manner whatsoever the name or address of such person or any information likely to reveal his identity.

9. Any witness who appears before the Commission may be assisted by an advocate or an attorney only to the extent to which the Chairman permits it.

10. No person shall publish in any manner whatsoever or communicate to any other person any proceedings of the Commission or any information furnished to the Commission or any part of any such proceedings or information, or suffer or permit any other person to have access to any records in the possession or custody of the Commission or any officer or any person referred to in subregulation (1) of regulation 3, except in the performance of his duties in connection with the functions of the Commission or by order of a competent court.

11. The Chairman, any member or any officer may, for the purpose of the inquiry of the Commission, at all reasonable times enter and inspect any premises and demand and seize any document which is or is kept upon such premises.

12. Every person employed in carrying out the functions of the Commission, including any person appointed or designated to transcribe proceedings of the Commission taken down in shorthand or recorded by mechanical means, shall aid in preserving secrecy in regard to any matter or information that may come to his knowledge in the performance of his duties in connection with the said functions, except in so far as the publication of such matter or information shall be necessary for the

inligting vir die doelendes van die Kommissie se verslag nodig is, en elke sodanige persoon, behalwe die Voor-sitter, 'n lid of 'n beampte, moet voordat hy enige diens by die Kommissie verrig 'n eed van getrouheid of geheim-houding voor die Voorsitter in die volgende vorm aflê en onderteken:

Ek, A.B., verklaar onder eed/bevestig en verklaar dat, behalwe vir sover dit by die uitvoering van my pligte in verband met die werksaamhede van die Kommissie van Onderzoek na Sekere Organisasies of ingevolge 'n bevel van bevoegde hof nodig is, ek geen aangeleentheid of inligting wat in verband met genoemde Kommissie se ondersoek tot my kennis kom, aan enigiemand sal mee-deel nie en niemand sal toelaat of veroorloof om toegang te verkry nie tot stukke van die Kommissie, met inbegrip van enige aantekening, opname of transkripsie van die verrigtinge van genoemde Kommissie in my besit of bewaring of in die besit of in die bewaring van genoemde Kommissie of 'n beampte.

13. Niemand mag, behalwe vir sover dit by die uit-voering van die Kommissie se opdrag nodig is, die verslag van die Kommissie of 'n afskrif of 'n gedeelte daarvan publiseer of aan iemand anders verstrek nie, tensy en totdat die verslag in die Senaat en in die Volksraad ter Tafel gelê is.

14. Niemand mag 'n lid van die Kommissie beledig, neerhaal of verkleineer of die verrigtinge of die bevindings van die Kommissie benadeel, beïnvloed of vooruitloop nie.

15. Iemand wat 'n bepaling van regulasie 8, 10, 13 of 14 oortree of die Voorsitter, 'n lid of 'n beampte by die uitvoering van 'n in regulasie 11 bedoelde bevoegdheid opsetlik hinder, teengaan of dwarsboom, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R200 of gevangenisstraf vir 'n tydperk van hoogstens ses maande.

purposes of the report of the Commission, and every such person, except the Chairman, any member or any officer, shall before performing any duty with the Com-mission, take and subscribe before the Chairman an oath of fidelity or secrecy in the following form:

I, A.B., declare under oath/affirm and declare that, except in so far as it shall be necessary in the perform-ance of my duties in connection with the functions of the Commission of Inquiry into Certain Organisations 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 said 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 said Commission in my possession or custody or in the possession or custody of the said Commission or of any officer.

13. No person shall, except in so far as shall be necessary in the execution of the terms of reference of the Commission, publish or furnish the report of the Commission or a copy or part thereof to any other person unless and until the report has been laid on the Tables of the Senate and the House of Assembly.

14. No person may insult, disparage or belittle a member of the Commission or prejudice, influence or anticipate the proceedings or findings of the Commission.

15. Any person who contravenes any provision of regulation 8, 10, 13 or 14 or wilfully hinders, resists or obstructs the Chairman, any member or any officer in the exercise of any power referred to in regulation 11, shall be guilty of an offence and liable on conviction to a fine not exceeding R200 or imprisonment for a period not exceeding six months.

INHOUD

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