



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 604

9 October 2015
Oktober

No. 39279

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5843



9 771682 584003

39279



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.



GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

DISCLAIMER:

Government Printing Works reserves the right to apply the 25% discount to all Legal and Liquor notices that comply with the business rules for notice submissions for publication in gazettes.

National, Provincial, Road Carrier Permits and Tender notices will pay the price as published in the Government Gazettes.

For any information, please contact the eGazette Contact Centre on 012-748 6200 or email info.egazette@gpw.gov.za

Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
GENERAL NOTICES • ALGEMENE KENNISGEWINGS			
The Presidency/ Die Presidensie			
981	South African Police Service Act, (68/1995): Establishment of the Board of inquiry into the National Commissioner of the South African Police Service: General MV Phiyega.....	39279	4

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

**THE PRESIDENCY
NOTICE 981 OF 2015****ESTABLISHMENT OF THE BOARD OF INQUIRY INTO THE NATIONAL
COMMISSIONER OF THE SOUTH AFRICAN POLICE SERVICE: GENERAL
MV PHIYEGA**

I hereby, in terms of section 9(1) of the South African Police Service Act, 1995 (Act No. 68 of 1995), establish a Board of Inquiry into allegations of misconduct by the National Commissioner of the South African Police Service and/or her fitness to hold office and or her capacity to execute official duties efficiently.

The members of the Board of Inquiry shall be the following.

- a) Judge C J Claasen, Chairperson
- b) Adv B S Khuzwayo, member
- c) Adv A R Rawjee, member

The terms of reference of the Board of Inquiry are set out in the schedule attached hereto.

Given under my hand and the Seal of the Republic of South Africa
at PRETORIA on this 21 day of SEPTEMBER 2015



PRESIDENT



MINISTER OF POLICE

SCHEDULE**TERMS OF REFERENCE OF THE BOARD OF INQUIRY INTO THE FITNESS TO HOLD OFFICE OF THE NATIONAL COMMISSIONER OF THE SOUTH AFRICAN POLICE SERVICE: GENERAL MV PHIYEGA**

WHEREAS on 26 August 2012 I appointed a commission of Inquiry chaired by Honourable Judge Ian Farlam, to investigate matters of public, national and international concern arising out of the tragic incidents at the Lonmin Mine in Marikana, North West Province.

AND WHEREAS the Commission has finalised its investigation and submitted its report to me.

AND WHEREAS the Commission *inter alia* recommended that steps should be taken in terms of section 9 of the South African Police Service Act, 1995 (the Act), to inquire into the fitness of Commissioner Phiyega the National Commissioner (the National Commissioner), to hold office and whether she is guilty of misconduct.

AND WHEREAS the National Commissioner was invited by me to make representations regarding the report and the recommendations of the Commission and has in fact done so.

NOW THEREFORE:

1. In terms of powers vested in me in terms of section 9 of the South African Police Service Act, 1995 (Act No.68 of 1995) (the Act), I hereby establish a Board of Inquiry ("the Board") into allegations of misconduct by the National Commissioner and/or into her fitness to hold such office and/or into her capacity for executing her official duties efficiently and according to law.

2. The board of inquiry shall inquire into the whether:
 - 2.1 the National Commissioner acting together with other leadership of the South African Police Service or alone, misled the Commission by concealing that it had made the decision to implement a "tactical option", taken at the National Management Forum (NMF) meeting on or about 15 August 2012;

 - 2.2 the decision taken to implement the "tactical option" ought reasonably to have foreseen the tragic and catastrophic consequences which ensued;

 - 2.3 the remarks by the National Commissioner at the SAPS parade on 17 August 2012 would have been understood to be an unqualified endorsement of the police action and thereby having the consequence of undermining, frustrating or otherwise impeding the work of the Commission;

- 2.4 the report prepared by the National Commissioner for the President of the Republic on the 16 August 2012 and the media statement subsequently issued on 17 August 2012, was deliberately amended to conceal the fact that there was two shooting incidents (Scene 1 and Scene 2), resulting in misleading the public that all the deaths had occurred at Scene 1 which arose out of members of SAPS having to defend themselves from an advancing mass;
 - 2.5 the overall testimony by the National Commissioner at the Commission was in keeping with the office which she holds and the discharge of her duties commensurate therewith.
3. The board of inquiry will determine its own procedure.
 4. At the conclusion of the inquiry, the board shall make findings and recommendations, and submit its report to:
 - 4.1 the President of the Republic of South Africa;
 - 4.2 the National Commissioner of the South African Police Services;
and
 - 4.3 the relevant Parliamentary committee(s).
 5. In terms of section 9(1) read with section 8(4) of the Act, the National Commissioner may:
 - 5.1 be assisted or represented by another person or legal representative;
 - 5.2 be present at the inquiry;

- 5.3 call witness; and
- 5.4 have access to documents relevant to the inquiry

WARNING!!!

To all suppliers and potential suppliers of goods to the Government Printing Works

The Government Printing Works would like to warn members of the public against an organised syndicate(s) scamming unsuspecting members of the public and claiming to act on behalf of the Government Printing Works.

One of the ways in which the syndicate operates is by requesting quotations for various goods and services on a quotation form with the logo of the Government Printing Works. Once the official order is placed the syndicate requesting upfront payment before delivery will take place. Once the upfront payment is done the syndicate do not deliver the goods and service provider then expect payment from Government Printing Works.

Government Printing Works condemns such illegal activities and encourages service providers to confirm the legitimacy of purchase orders with GPW SCM, prior to processing and delivery of goods.

To confirm the legitimacy of purchase orders, please contact:

Renny Chetty (012) 748-6375 (Renny.Chetty@gpw.gov.za),

Anna-Marie du Toit (012) 748-6292 (Anna-Marie.DuToit@gpw.gov.za) and

Siraj Rizvi (012) 748-6380 (Siraj.Rizvi@gpw.gov.za)

IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

