



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

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PROKLAMASIE

*van die Staatspresident van die Republiek van
Suid-Afrika*

No. R. 141, 1979

KOMMISSIE VAN ONDERSOEK OOR DIE GRONDWET

Kragtens die bevoegdheid my verleen by artikel 1 van die Kommissiewet, 1947 (Wet 8 van 1947), verklaar ek hierby dat die bepalings van genoemde Wet van toepassing is op die Kommissie van Onderzoek oor die Grondwet 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 hede die Vierde dag van Julie Eenduisend Negehonderd Nege-en-sewentig.

M. VILJOEN, Staatspresident.

Op las van die Staatspresident-in-rade:

F. W. DE KLERK.

BYLAE

REGULASIES

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

“beampste” iemand in die voltydse diens van die Staat wat deur die Minister van Binnelandse Sake aangestel of aangewys word om die kommissie by die uitvoering van sy werksaamhede behulpzaam te wees;

“kommissie” die in hierdie proklamasie bedoelde Kommissie van Onderzoek oor die Grondwet;

“lid” ’n lid van die kommissie;

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

“voorsitter” die voorsitter van die kommissie.

2. Die verrigtinge van die kommissie word genoteer op die wyse deur die voorsitter bepaal.

3. (1) Iemand wat aangestel of aangewys is om die verrigtinge van die kommissie in snelskrif aan te teken

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PROCLAMATION

*by the State President of the Republic of
South Africa*

No. R. 141, 1979

COMMISSION OF INQUIRY ON THE CONSTITUTION

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 shall be applicable to the Commission of Inquiry on the Constitution 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 this Fourth day of July, One thousand Nine hundred and Seventy-nine.

M. VILJOEN, State President.

By Order of the State President-in-Council:

F. W. DE KLERK.

SCHEDULE

REGULATIONS

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

“chairman” means the chairman of the commission;

“commission” means the Commission of Inquiry on the Constitution referred to in this proclamation;

“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 by the Minister of the Interior to assist the commission in the performance of its functions.

2. The proceedings of the commission shall be recorded in the manner determined by the chairman.

3. (1) Any person appointed or designated to take down or record the proceedings of the commission in

6575—1

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 oor die Grondwet 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 oor die Grondwet 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. Minstens 10 lede van die kommissie moet aanwesig wees om 'n vergadering van die kommissie vir die doel van die ondersoek bevoeg te maak.

5. Alle getuienis en toesprake, deur 'n kommissie aangehoor, word in die openbaar aangehoor: Met dien verstande dat die voorsitter volgens goeie dinge, van die plek waar die getuienis afgelê word of waar daardie toespraak gehou of waar getuienis na aflegging deur die kommissie oorweeg word, een of ander kategorie persone of alle persone wie se teenwoordigheid by die aanhoor van getuienis of toespraak of oorweging van getuienis volgens sy oordeel nie nodig of wenslik is nie, kan uitsluit.

6. Elke persoon wat diens doen by die uitvoering van die kommissie se werksaamhede, met inbegrip van iemand in regulasie 3 (1) bedoel 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 inligting vir die doeleindes van die kommissie se verslag nodig is, en elke sodanige persoon, behalwe die voorsitter, 'n lid of 'n beampete, moet voordat hy enige diens by die kommissie verrig 'n eed van getrouheid of geheimhouding 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 oor die Grondwet of ingevolge 'n bevel van 'n bevoegde hof nodig is, ek geen aangeleentheid of inligting wat in verband met genoemde kommissie se ondersoek tot my kennis kom, aan enigiemand sal mededeel nie en niemand sal toelaat of veroorloof om toegang te verkry nie tot stukke van die kommissie, met inbegrip van enige aantekeninge, 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 beampete.

7. Niemand wat ingevolge regulasie 6 'n eed van getrouheid of geheimhouding moet aflê en onderteken, mag enige aangeleentheid of inligting wat in verband met die kommissie se ondersoek tot sy kennis gekom het, aan iemand anders mededeel of iemand anders toelaat of veroorloof om toegang te verkry tot stukke van die kommissie nie, behalwe vir sover dit by die uitvoering van sy pligte in verband met die werksaamhede van die kommissie of ingevolge 'n bevel van 'n bevoegde hof nodig is.

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 on the Constitution 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 on the Constitution 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. The presence of at least 10 members of the commission shall be necessary to constitute a meeting of the commission for the purpose of the inquiry.

5. All the evidence and addresses heard by a commission shall be heard in public: Provided that the chairman may, in his discretion, exclude from the place where such evidence is to be given or such address is to be heard or the evidence after being heard is to be considered by the commission any class of persons or all persons whose presence at the hearing of such evidence or address or consideration of evidence is, in his opinion, not necessary or desirable.

6. Every person employed in carrying out the functions of the commission, including any person referred to in regulation 3 (1) 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 purpose 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 commission, 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 performance of my duties in connection with the functions of the Commission of Inquiry on the Constitution 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.

7. No person who is in terms of regulation 6 required to take and subscribe an oath of fidelity or secrecy shall communicate to any other person any matter or information which may have come to his 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 shall be necessary in the performance of his duties in connection with the functions of the commission or by order of a competent court.

8. Niemand mag, behalwe vir sover dit by die uitvoering van die kommissie se opdrag nodig is, die verslag van die kommissie of 'n afskrif of 'n gedeelte daarvan of inligting met betrekking tot die oorweging van getuienis deur die kommissie publiseer of aan iemand anders verstrek nie, tensy en totdat die Staatspresident die verslag vir publikasie beskikbaar stel of totdat die verslag in die Senaat en in die Volksraad ter Tafel gelê is.

9. 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.

10. Die kommissie kan 'n ondervoorsitter uit sy geledere kies om in die plek van die voorsitter waar te neem tydens die afwesigheid van die voorsitter of wanneer hy om enige rede nie in staat is om sy pligte uit te voer nie.

11. Die kommissie kan een of meer komitees uit sy geledere aanstel—

(i) wat, onderworpe aan die voorskrifte en beheer van die kommissie die werksaamhede van die kommissie verrig wat deur die kommissie aan enige sodanige komitee opgedra word; en

(ii) om ondersoek in te stel na en aan die kommissie verslag te doen aangaande enige aangeleentheid of kategorie aangeleenthede of alle aangeleenthede ten opsigte waarvan die kommissie 'n werksaamheid kan verrig.

12. Iemand wat 'n bepaling van regulasie 7, 8 of 9 oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R200 of gevangenisstraf vir 'n tydperk van hoogstens ses maande.

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN BINNELANDSE SAKE

No. R. 1540

6 Julie 1979

AANSTELLING VAN KOMMISSIE VAN ONDERSOEK OOR DIE GRONDWET

Hiermee word vir algemene inligting bekendgemaak dat dit die Staatspresident behaag het om 'n Kommissie van Onderzoek oor die Grondwet aan te stel met die volgende opdrag:

Om ondersoek in te stel na en verslag te doen oor die invoering van 'n nuwe Grondwet vir die Republiek van Suid-Afrika.

Die lede van die Kommissie is:

Sy Edele Jan Christiaan Heunis, L.V., Minister van Vervoerwese.

Sy Edele Stephanus Jacobus Marais Steyn, L.V., Minister van Gemeenskapsbou, van Kleurlingbetrekkinge en van Indiërsake.

Sy Edele Alwyn Louis Schlebusch, L.V., Minister van Justisie en van Binnelandse Sake (Voorsitter).

Sy Edele Hendrik Hanekom Smit, L.V., Minister van Pos- en Telekommunikasiewese.

Sy Edele Frederik Willem de Klerk, L.V., Minister van Mynwese en van Omgewingsbeplanning en Energie.

Mnr. Colin Wells Englin, L.V.

Mnr. Petrus Johannes Badenhorst, L.V.

Mnr. Jacob Daniel du Plessis Basson, L.V.

Mnr. David John Dalling, L.V.

Sy Edele Senator Julius Lindley Horak.

8. 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 to any other person the report of the commission or a copy or part thereof or information regarding the consideration of evidence by the commission unless and until the State President has released the report for publication or until the report has been laid on the Table in the Senate and in the House of Assembly.

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

10. The commission may elect a vice-chairman from its members to act in the place of the chairman during his absence or whenever for any reason he is unable to perform his duties.

11. The commission may appoint from its members one or more committees—

(i) which shall subject to the directions and control of the commission perform such functions of the commission as the commission may assign to any such committee; and

(ii) to investigate and to report to the commission regarding any matter or category of matters or all matters in respect of which the commission may perform any function.

12. Any person who contravenes any provision of regulation 7, 8 or 9 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.

GOVERNMENT NOTICE

DEPARTMENT OF THE INTERIOR

No. R. 1540

6 July 1979

APPOINTMENT OF COMMISSION OF INQUIRY ON THE CONSTITUTION

It is hereby notified for general information that the State President has been pleased to appoint a Commission of Inquiry on the Constitution with the following terms of reference:

To inquire into and report on the introduction of a new Constitution for the Republic of South Africa.

The members of the Commission are:

The Honourable Jan Christiaan Heunis, M.P., Minister of Transport Affairs.

The Honourable Stephanus Jacobus Marais Steyn, M.P., Minister of Community Development, of Coloured Relations and of Indian Affairs.

The Honourable Alwyn Louis Schlebusch, M.P., Minister of Justice and of the Interior (Chairman).

The Honourable Hendrik Hanekom Smit, M.P., Minister of Posts and Telecommunications.

The Honourable Frederik Willem de Klerk, M.P., Minister of Mines and of Environmental Planning and Energy.

Mr Colin Wells Englin, M.P.

Mr Petrus Johannes Badenhorst, M.P.

Mr Jacob Daniel du Plessis Basson, M.P.

Mr David John Dalling, M.P.

Senator the Honourable Julius Lindley Horak.

Sy Edele Senator Jacobus Adriaan Jordaan.
 Haar Edele Senator Adrienne Jeanne Koch.
 Mnr. Francois Jacobus le Roux, L.V.
 Mnr. Eugene Louw, L.V.
 Mnr. Wyatt Vause Raw, L.V.
 Dr. Frederik van Zyl Slabbert, L.V.
 Mnr. William Morris Sutton, L.V.
 Mnr. Hendrik Daniël Klopper van der Merwe, L.V.
 Sy Edele Senator Daniël Grobler Janse van Rensburg.

Sy Edele Senator Adriaan Mynhardt van Schoor.
 Mnr. Abraham Adriaan Venter, L.V.
 Dr. Paulus Johannes van Breda Viljoen, L.V.
 Mnr. John Walter Edington Wiley, L.V.
 Dr. Denis John Worrall, L.V.

Alle navrae kan gerig word aan die Sekretaris van Binnelandse Sake, Privaatsak X114, Pretoria (Telefoon 48-2551, uitbreidings 333, 259 en 303).

Senator the Honourable Jacobus Adriaan Jordaan.
 Senator the Honourable Adrienne Jeanne Koch.
 Mr Francois Jacobus le Roux, M.P.
 Mr Eugene Louw, M.P.
 Mr Wyatt Vause Raw, M.P.
 Dr Frederik van Zyl Slabbert, M.P.
 Mr William Morris Sutton, M.P.
 Mr Hendrik Daniël Klopper van der Merwe, M.P.
 Senator the Honourable Daniël Grobler Janse van Rensburg.

Senator the Honourable Adriaan Mynhardt van Schoor.
 Mr Abraham Adriaan Venter, M.P.
 Dr Paulus Johannes van Breda Viljoen, M.P.
 Mr John Walter Edington Wiley, M.P.
 Dr Denis John Worrall, M.P.

All inquiries may be directed to the Secretary for the Interior, Private Bag X114, Pretoria (Telephone 48-2551 extensions 333, 259 and 303).

INHOUD

No.		Bladsy No.	Staats- koerant No.
PROKLAMASIE			
R. 141	Kommissiewet (8/1947): Ondersoek oor die Grondwet.....	1	6575
GOEWERMENTSKENNISGEWING			
Binnelandse Sake, Departement van Goewermentskennisgewing			
R. 1540	Aanstelling van Kommissie van Ondersoek oor die Grondwet.....	3	6575

CONTENTS

No.		Page No.	Gazette No.
PROCLAMATION			
R. 141	Commissions Act (8/1947): Inquiry on the Constitution.....	1	6575
GOVERNMENT NOTICE			
Interior, Department of the Government Notice			
R. 1540	Appointment of Commission of Inquiry on the Constitution.....	3	6575