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LEGAL NOTICE NO. 16 OF 2002

THE COMMISSIONS OF ENQUIRY ACT, 1963
(Act No. 18 of 1963)

THE NATIONAL EMERGENCY RESPONSE COMMITTEE ON HIV/AIDS
NOTICE, 2002
(Under section 3)

In exercise of the powers conferred by section 3 of the Commissions of Enquiry Act, 1963, I, **Prime Minister**, hereby issue the following Notice -

Citation and commencement.

1. This Notice may be cited as the National Emergency Response Committee on HIV/AIDS Notice, 2002, and shall come into force on 20 December 2001.

Interpretation.

2. In this Notice, unless the context otherwise requires -

“Committee” means the National Emergency Response Committee on HIV/AIDS established in terms of section 3;

“Directorate” means the National HIV/AIDS Directorate appointed in terms of section 4;

“Director” means the Director of the National HIV/AIDS Directorate;

Establishment of Committee.

3. (1) There is hereby established a Committee to be known as the National Emergency Response Committee on HIV/AIDS, appointed by the Prime Minister, after consultation with Cabinet

- (2) The Committee shall consist of the following members -

Chief Ndabankulu Simelane (Chairman)

Ms Thulisile Dladla (Vice-Chairman)

Mr Hani Dlamini

Dr Zibuse Dlamini

Mr Jimson Gwebu

Ms Elizabeth Lwanga

Ms Olga Malinga

Mr Patrick Muir

Ms Lungile Ndlovu

Mr Raymond Lomashikizela Ndwandwe

Dr Derek von Wissell

- (3) The Director shall act as Secretary to the Committee
- (4) The quorum of the Committee shall be six members including the Chairman or Vice-Chairman
- (5) The Committee may appoint such sub-Committees from amongst its members as may be necessary for the carrying out of its functions.
- (6) A member may appoint an alternate, subject to the approval of the Prime Minister
- (7) Membership of the Committee shall be for a period not exceeding three years

Functions of the Committee.

4. (1) The Committee shall -

- (a) oversee the co-ordination of the National HIV/AIDS response;
 - (b) establish and operationalise a Directorate, to be known as the National HIV/AIDS Directorate, in accordance with this Notice;
 - (c) provide guidance to the Directorate;
 - (d) review and approve time-bound action plans submitted by the Directorate from time to time;
 - (e) review the monthly progress and financial reports of the Directorate;
 - (f) review and adopt, as appropriate, the HIV/AIDS related policies and strategy recommendations of the Directorate;
 - (g) provide guidance to the Directorate on all matters relating to its action plan;
 - (h) approve the Budget as drawn up by the Committee and submit to Cabinet annual audited accounts of the Fund within 6 months of the end of the financial year;
 - (i) approve funding allocations to implementing agencies as recommended by the Directorate;
 - (j) submit to the Prime Minister's Office a monthly progress report and the report of the Directorate for onward transmission to Cabinet; and
 - (k) advise the Prime Minister and Cabinet on all issues pertaining to HIV/AIDS.
- (2) The Committee shall hold weekly meetings for the first three months after its appointment, after which time the frequency of meetings will be as directed by the Prime Minister's Office in consultation with the Chairman.
- (3) Subject to the provisions of this Notice, the Committee shall determine the time and venue for its meetings.

Directorate.

5. (1) The Directorate appointed by the Committee shall -

- (a) report to the Committee;
- (b) convert the strategies of the National HIV/AIDS Strategy into time-bound action plans from time to time;
- (c) co-ordinate and assist in effective implementation of its action plan;
- (d) manage the HIV/AIDS Emergency Fund in accordance with its action plan;
- (e) prepare a budget and submit regular financial reports and annual audited accounts to the Committee;
- (f) periodically review and develop HIV/AIDS related policies and technical guidelines and make recommendations to the Committee;
- (g) recommend, for the Committee's approval, all funding allocations to implementing agencies;
- (h) mobilise, manage and allocate resources in line with its budget and action plan, to include preparation of a schedule of resource requirements and proposals for securing them;
- (i) facilitate information sharing on local and international best practices among all sectors of society as considered appropriate by it;
- (j) monitor and evaluate the national response;
- (k) provide monthly written reports to the Committee, and assist in the submission of the Committee's monthly report to the Prime Minister's Office;
- (l) present a weekly briefing to the Committee for the first three months, the frequency of which to be reviewed thereafter by the Prime Minister's Office in consultation with the Chairman; and
- (m) brief the Prime Minister as may be required.

(2) The Directorate shall be headed by a Director appointed by the Committee, subject to the approval of the Prime Minister, after consultation with Cabinet, and shall consist of such staff appointed by the Committee as may be necessary to carry out its functions.

Remuneration.

6. (1) Members of the Committee and its sub-Committees shall receive sitting and travelling allowances and a retainer fee at the standard rates applicable to public officers. In the absence of a member, his/her alternate shall receive sitting and travel allowances.

(2) The terms and conditions of appointment of the Director shall be determined by Cabinet on recommendation of the Committee.

B.S.S. DLAMINI
Prime Minister

..... January, 2002

The Government Printer, Mbabane