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PART C - LEGAL NOTICES

115. The Commission of Enquiry into the Liquidation of HVL Asbestos Mine (Swaziland)
Limited Notice, 2004..... S1

PUBLISHED BY AUTHORITY

LEGAL NOTICE NO. 115 OF 2004

**THE COMMISSIONS OF ENQUIRY ACT, 1963
(Act No. 35 of 1963)**

**THE COMMISSION OF ENQUIRY INTO THE LIQUIDATION OF HVL
ASBESTOS MINE (SWAZILAND) LIMITED NOTICE, 2004
(Under Section 3)**

In exercise of the powers conferred by Section 3 of the Commissions of Enquiry Act, 1963, the Minister of Finance hereby issues the following Notice -

Citation

1. This Notice may be cited as the Commission of Enquiry into the Liquidation of HVL Asbestos Mine (Swaziland) Limited Notice, 2004.

Establishment

2. (1) There is hereby established a Commission of Enquiry to be known as the Commission of Enquiry into the Liquidation of HVL Asbestos Mine (Swaziland) Limited (hereinafter referred to in this Notice as the "Commission").

(2) The Commission shall consist of the following members:

- | | |
|----------------------------|------------|
| (a) Mr. Thulani Masina | - Chairman |
| (b) Mr. Muntu Mswane | - Member |
| (c) Mr. Aaron Vilakati | - Member |
| (d) Ms. Makhosazana Mabuza | - Member |
| (e) Mr. Mbuso Simelane | - Member |
| (f) Mr. Stephen Zuke | - Member |
| (g) Ms. Nina Dlamini | - Member |

(3) The quorum of the Commission shall be four members including the Chairman.

Functions of the Commission

3. The Commission shall:

- (a) investigate whether the liquidation of HVL Asbestos Mine (Swaziland) Limited (hereinafter referred to as "the Company") was carried out professionally and legally;
- (b) investigate whether Government's interests were protected in the liquidation process;
- (c) investigate the role of all Government officials involved in the liquidation process;

- (d) investigate whether there were any anomalies in the process of disposal of the assets of the Company, and in particular in the criteria used to select Bulembu Development Corporation as the purchaser of the Bulembu Village when there were other proposals before Government;
- (e) investigate the ownership of the Bulembu Village;
- (f) establish who is liable for the rehabilitation of the Bulembu mine and any other claims associated with the mine operations, including the health of ex-workers;
- (g) establish how much was raised from the sale of the assets of the Company;
- (h) investigate such other issues related to the liquidation of the Company and sale of the Village as they see fit; and
- (i) present a written report on the findings to the Minister.

Duration

4. (1) The Commission shall operate for a period of six weeks commencing on the 13th September, 2004.

(2) The Commission shall present its report not later than the 5th November, 2004.

(3) Notwithstanding subsections (1) and (2), the Minister may, by Notice published in the Gazette, extend the period of operation of the Commission, or the date by which it shall present its report.

Place where Commission shall hold its enquiry

5. The Enquiry shall be held at the Ministry of Finance Conference Room or at such other place as the Chairman may determine.

Enquiry in camera

6. The Enquiry shall be held in *camera*.

Payment of allowances and other reimbursements

7. Members of the Commission shall be paid such allowances as the Minister may determine.

MAJOZI V. SITHOLE
Minister of Finance

Mbabane
1st September, 2004.

