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THE COMMISSIONS OF ENQUIRY ACT, 1963

(Act No. 35 of 1963)

THE COMMISSION OF ENQUIRY INTO STUDENT UNREST (UNIVERSITY OF SWAZILAND, SWAZILAND COLLEGE OF TECHNOLOGY AND SWAZILAND INSTITUTE OF HEALTH SCIENCES) NOTICE, 1984

(Under section 3)

In exercise of the powers conferred by section 3 of the Commission of Enquiry Act, 1963 I hereby issue the following Notice —

Citation.

1. This Notice may be cited as the Commission of Enquiry into Student Unrest (University of Swaziland, Swaziland College of Technology and Swaziland Institute of Health Sciences) Notice, 1984.

Appointment of Commission.

2. (1) There is hereby appointed the Commission of Enquiry into Student Unrest at the University of Swaziland, the Swaziland College of Technology and the Swaziland Institute of Health Sciences, hereinafter referred to as "the Commission".

(2) The Commission shall consist of the following Commissioners—

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| (a) Mr. Justice J.A. Hassanali | — | Chairman |
| (b) Senator George Potgieter | — | Commissioner |
| (c) Hon. J.N. Mamba M.P. | — | " |
| (d) Councillor Daniel Magagula | — | " |
| (e) Mr. P. Dodds | — | " |
| (f) Mr. R.S. Nxumalo | — | " |
| (g) Mr. N. T. Nyawo | — | " |
| (h) A Public Officer from the Ministry of Education | | |
| | | who shall be designated by such Ministry as Secretary. |

Functions of the Commission.

3. (1) The Commission shall enquire into the cause of student unrest at the University of Swaziland, the Swaziland College of Technology and the Swaziland Institute of Health Sciences and shall without prejudice to the generality of foregoing, enquire into —

- (a) how and by whom the visit to Kenya by six students was initiated and arranged, and what the attitude of the University of Swaziland authorities is towards this issue;

- (b) whether by visiting Kenya the six students contravened any University of Swaziland law or student body constitution, and if so whether such contravention was punishable in any way in terms of the said law and constitution;
- (c) whether the students referred to were bound to explain to any student body or university authority concerning their visit to Kenya;
- (d) whether the resolution by the University of Swaziland student body declaring the six students to be dissidents and ordering their ostracism was in accordance with the Student Representative Council's constitution of the University of Swaziland or University laws and valid;
- (e) how the Swaziland National Association of Students was formed and whether prior to its formation there was another active national students body in existence, and events consequent upon the formation of the Swaziland National Association of Students;
- (f) the events that followed upon the approval of the formation of the Swaziland National Association of Students by the Ministry of Education, acts of violence to persons or property at the Kwaluseni Campus, the arrest of some of the University of Swaziland students and the seeking of political asylum by students;
- (g) whether the University authorities were at any stage alerted of the need for the protection of the aforesaid six students from harm or action against them by fellow-students, and whether sufficient steps, if any, were taken by the University of Swaziland authorities;
- (h) the response or reaction, if any, of the University authorities to the passing of the said resolution and the reports of the events and disturbances referred to in sub-paragraph (f);
- (i) whether the visit to Kenya and the approval of the formation of the Swaziland National Association of Students were the true, genuine and only cause of the disturbances at the University of Swaziland Campuses and other the Colleges and whether the actual causes of the recent disturbances at the University of Swaziland have any connection with the past disturbances in the University;
- (j) whether there are any elements from outside the University which have influenced the recent and previous disturbances in the University of Swaziland; and
- (k) such other matter relating to the recent student unrest at the University of Swaziland and other colleges as the Commission may consider relevant to the foregoing.

(2) The enquiry shall be held at the Houses of Parliament at such times as the Chairman may determine.

(3) The enquiry shall, except where the Prime Minister otherwise directs in writing be held in camera.

(4) Five Commissioners including the Chairman shall constitute a quorum for purposes of the enquiry.

(5) The Commission shall commence its functions on the 15th October, 1984 and submit its report to the Prime Minister not later than the 15th November, 1984 or on such later date as the Prime Minister may in writing permit.

PRINCE BHEKIMPI
PRIME MINISTER

MBABANE.
5th October, 1984.