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PROCLAMATIONS • PROKLAMASIES

PROCLAMATION NO. R. 24 OF 2020

By the

President of the Republic of South Africa

AMENDMENT OF REGULATIONS OF THE COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE, CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE

Under the powers vested in me by section 1 of the Commissions Act, 1947 (Act No.8 of 1947), I hereby, with effect from the date of publication of this Proclamation, amend the Regulations of the Commission of Inquiry into allegations of State capture, corruption and fraud in the public sector including organs of State published in the Government Gazette No. 41436 of 9 February 2018 as amended by Proclamations No.8 of 2018 published in the Government Gazette No. 41522 of 21 March 2018; and No.1 of 2020 published in the Government Gazette No.42947 of 10 January 2020 as indicated in the as indicated in the Schedule attached hereto.

Given under my Hand and the Seal of the Republic of South Africa at HYDE PARK
on this the 17 day of JULY Two Thousand and Twenty.


PRESIDENT
MINISTER OF THE CABINET

SCHEDULE

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing regulations.

_____ Words underlined with a solid line indicate insertions in existing regulations.

Definition

1. In this Proclamation "Regulations" means the regulations of the Judicial Commission of Inquiry into allegations of State Capture, Corruption and Fraud in the Public Sector including Organs of State published in the Government Gazette No. 41436 of 9 February 2018 as amended by Proclamation No. 8 of 2018 published in the Government Gazette No. 41522 of 23 March 2018.

Amendment of regulation 11 of the Regulations

2. Regulation 11 is hereby amended by the insertion of the following after subregulation (5):

"(5) Subregulation (1), (2) and (3) shall not apply to the sharing of information, records or documents with any State law enforcement agency.

(6) Notwithstanding the provisions of this regulation, any employee of the Commission shall not, after the Commission has concluded its work-

(a) be precluded from being employed or appointed on a consultancy basis by any State law enforcement agency; and

(b) after being so employed or appointed, be precluded from using or disclosing information, records or documents obtained by him or her during the course of his or her employment by the Commission.

(7) This regulation does not derogate from the statutory powers and duties of any State law enforcement agency and the Commission.

3. The amendments to the Regulations shall come into effect on the date of publication in the Government Gazette.

PROKLAMASIE NO. R. 24 VAN 2020

van die

President van die Republiek van Suid-Afrika**WYSIGING VAN REGULASIES VAN DIE KOMMISSIE VAN ONDERSOEK NA
BEWERINGS VAN STAATSKAPING, KORRUPSIE EN BEDROG IN DIE
OPENBARE SEKTOR, MET INBEGRIIP VAN STAATSORGANE**

Kragtens die bevoegdhede by my opgelê by artikel 1 van die Kommissiewet, 1947 (Wet No. 8 van 1947), wysig ek hierby, met ingang van die datum van publikasie van hierdie Proklamasie, die Regulasies van die Kommissie van Onderzoek na bewerings van staatskaping, korrupsie en bedrog in die Openbare Sektor, met inbegrip van Staatsorgane, in *Staatskoerant* No. 41436 van 9 Februarie 2018 afgekondig, soos gewysig deur Proklamasies No. 8 van 2018 in *Staatskoerant* No. 41522 van 21 Maart 2018 gepubliseer en No. 1 van 2020 in *Staatskoerant* No. 42947 van 10 Januarie 2020 gepubliseer, luidens die meegaande Bylae.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te _____ op hierdie die _____ dag van _____
Twee-duisend-en-twintig.

PRESIDENT

Op las van die President-in-Kabinet

MINISTER VAN DIE KABINET

BYLAE**ALGEMENE VERDUIDELIKENDE NOTA:**

[] Woorde in vet druk in vierkantige hakies dui op weglatings uit bestaande regulasies.

_____ Woorde met 'n volstreep daaronder dui op invoegings in bestaande regulasies.

Woordomskrywing

1. In hierdie Proklamasie beteken "Regulasies" die regulasies van die Regterlike Kommissie van Ondersoek na bewerings van staatskaping, korrupsie en bedrog in die Openbare Sektor, met inbegrip van Staatsorgane afgekondig in *Staatskoerant* No. 41436 van 9 Februarie 2018 soos gewysig deur Proklamasie No. 8 van 2018 in *Staatskoerant* No. 41522 van 23 Maart 2018 gepubliseer.

Wysiging van regulasie 11 van Regulasies

2. Regulasie 11 word hierby gewysig deur die volgende subregulasies ná subregulasie (5) in te voeg:

"(5) Subregulasie (1), (2) en (3) is nie van toepassing op die deel van inligting, rekords of dokumente met enige wetstoepassingsagentskap van die Staat nie.

(6) Ondanks die bepalings van hierdie regulasie, sal enige werknemer van die Kommissie, nadat die Kommissie se werk afgehandel is—

(a) nie belet word van indiensneming of aanstelling as konsultant deur enige wetstoepassingsagentskap van die Staat nie; en

(b) nie nadat hy of sy aldus in diens geneem of aangestel is, daarvan belet word om enige inligting, rekords of dokumente in die loop van sy of haar werk vir die Kommissie deur hom of haar verkry, te gebruik of openbaar te maak nie.

(7) Hierdie regulasie tas nie die statutêre bevoegdhede en pligte van enige wetstoepassingsagentskap van die Staat en die Kommissie aan nie.

3. Die wysigings van die Regulasies tree op datum van publikasie in die *Staatskoerant* in werking.

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