

REPUBLIC OF SOUTH AFRICA

**COMMITTEE AMENDMENTS
TO
INTELLIGENCE SERVICES
CONTROL AMENDMENT BILL**

[B 50—2002]

*(As agreed to by the Ad Hoc Committee on Intelligence Legislation
(National Assembly))*

[B 50A—2002]

ISBN 0 621 33027 2

No. of copies printed 800

AMENDMENTS AGREED TO
 INTELLIGENCE SERVICES CONTROL AMENDMENT BILL
 [B 50—2002]

CLAUSE 1

1. On page 2, after line 6, to insert:
 - (a) by the insertion before the definition of “accounting officer” of the following definition:
“ ‘Academy’ means the South African National Academy of Intelligence established in terms of the Intelligence Services Act, 2002;”;
2. On page 2, after line 10, to insert:
 - (c) by the insertion after the definition of “Auditor-General” of the following definition:
“ ‘CEO’ means the Chief Executive Officer of the Academy or Comsec, as the case may be;”;
 - (d) by the insertion after the definition of “Committee” of the following definition:
“ ‘Comsec’ means the Electronic Communications Security (Pty) Ltd established in terms of the Electronic Communications Act, 2002;”;
3. On page 2, in line 16, after “Service” to insert:
, but for the purposes of financial and administrative accounting, the head of the Intelligence Division of the South African National Defence Force means the Secretary for Defence and of the South African Police Service means the National Commissioner
4. On page 2, after line 28, to insert:
 - (h) by the insertion after the definition of “Inspector-General” of the following definition:
“ ‘intelligence services’ means the National Intelligence Agency and the South African Secret Services as referred to in section 1 of the Intelligence Services Act, 2002;”;

CLAUSE 2

1. On page 3, in line 21, to omit “[**intelligence and counter-intelligence functions**]” and to substitute:
intelligence and counter-intelligence functions, which include the
2. On page 3, in line 44, to omit “functioning” and to substitute “[**functioning**] functions and activities”.

CLAUSE 3

1. On page 3, in line 53, after “Services” to insert “, Academy and Comsec”.
2. On page 3, in line 56, to omit “Services” and to substitute:

Services, Academy and Comsec,
and report thereon to Parliament

3. On page 4, after line 15, to insert:
 - (e) by the substitution for paragraph (j) of the following paragraph:
“(j) to deliberate upon, hold hearings, subpoena witnesses and make recommendations on any aspect relating to intelligence and the national security, including administration and financial expenditure.”;
4. On page 4, in line 19, after “Services” to insert “, Academy and Comsec”.

CLAUSE 4

1. On page 4, in line 33, after “Service” to insert “, the CEO”.
2. On page 4, after line 35, to add:
 - (c) by the substitution in subsection (3) for paragraph (c) of the following paragraph:
“(c) have the right to be assisted by members of that Service, the Academy or Comsec, as the case may be.”.

CLAUSE 7

1. On page 5, from line 23, to omit the proviso.
2. On page 5, in line 28, after “incapacity” to insert:
, withdrawal of his or her security clearance
3. On page 5, in line 28, to omit “determined by the Committee” and to substitute “[determined by the Committee] as prescribed”.
4. On page 6, in line 57, to omit “Agency” and to substitute “intelligence services”.
5. On page 7, in line 33, to omit “Agency” and to substitute “intelligence services”.
6. On page 7, in line 35, to omit “Agency” and to substitute “intelligence services”.