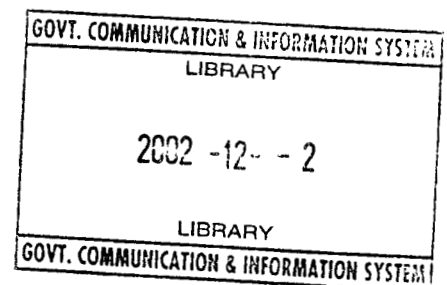REPUBLIC OF SOUTH AFRICA

COMMITTEE AMENDMENTS
TO

INTELLIGENCE SERVICES BILL

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

AMENDMENTS AGREED TO

INTELLIGENCE SERVICES BILL
[B 58B—2002]

CLAUSE 10

1. On page 6, in line 54, after "Director-General" to insert "concerned or the Chief Executive Officer".

2. On page 7, in line 7, to omit "done in consultation with the Intelligence Services Council" and to substitute:

    submitted to the Intelligence Services Council for consideration

CLAUSE 20

1. On page 11, in line 21, to omit "12" and to substitute "12(1), (2) *(a)* and *(c)*".

2. On page 11, in line 23, to omit "38" and to substitute "37".

CLAUSE 26

1. On page 13, in line 20, after "member" to insert:

    without the permission of the Director-General or the Chief Executive Officer, as the case may be

CLAUSE 35

Clause rejected.

CLAUSE 40

Clause rejected.

NEW CLAUSE

1. That the following be a new Clause:

    Validation of misconduct proceedings

    39. Despite the repeal of the Bureau for State Security Act, 1978 (Act No. 104 of 1978), and the regulations made thereunder, the procedure followed by the Director-General in terms of the said regulations to—
    (a) charge members with misconduct; and
    (b) constitute a board of enquiry,
    which was provided for in section 15 of the Intelligence Services Act, 1994 (Act No. 38 of 1994), at any time from 1 January 1995 to 1 July 2001, that would have been lawful if the Bureau for State Security Act, 1978, and those regulations had been in force at the time when it was done, is hereby validated and declared to have been lawfully done.

CLAUSE 41

1. On page 17, in line 51, to omit "shall" and to substitute "must".

2. On page 17, in line 53, to omit "shall" and to substitute "must".

3. On page 18, in line 16, after "Act" to insert:

    unless it is inconsistent with this Act