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THE COMMISSION ON HUMAN RIGHTS AND PUBLIC ADMINISTRATION
BILL, 2025

(Bill No. 22 of 2025)

(to be presented by the Minister of Justice and Constitutional Affairs)

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to provide for additional functions and powers of Commission on Human Rights and Public Administration and further provide for incidental matters.

SIFISO MAFELENKHOSINI M. KHUMALO
ATTORNEY-GENERAL

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**A BILL
ENTITLED**

AN ACT to provide for additional functions and powers for the Commission on Human Rights and Public Administration as established under section 163 of the Constitution and incidental matters.

ENACTED by the King and the Parliament of Eswatini.

**PART I
PRELIMINARY PROVISIONS**

Short title and commencement

1. (1) This Act may be cited as the Commission on Human Rights and Public Administration Act, 2025.

(2) This Act shall come into force on a date appointed by the Minister by notice published in the Government Gazette.

Interpretation

2. In this Act, unless the context otherwise requires –

“Commission” means the Human Rights and Public Administration and Commission established in terms of section 163 of the Constitution Act No. 001 of 2005;

“Commissioner” means the Commissioner for Human Rights and Public Administration appointed in terms of section 163 of the Constitution Act No. 001 of 2005;

“Committee of Commission” means a committee appointed in terms of section 6 of this Act;

“complaint” means a complaint made to the Commission under this Act;

“complainant” means a person who alleges that a right has been violated;

“Constitution” means the Constitution of the Kingdom of Eswatini, Act No. 001 of 2005 or its successor;

Deputy-Commissioner means a Deputy-Commissioner for Human Rights, Public Administration and appointed in terms of section 5 of this Act;

“Executive Secretary” means the Executive Secretary appointed in terms of section 13 of this Act;

“human rights violation” means a violation of-

- (a) rights protected in Chapter III of the Constitution or
- (b) other human rights declared and protected under any other law enacted in Eswatini;

“Minister” means the Minister responsible for Justice;

“organ of Government” includes the State, and any local authority, board, commission, committee, corporation, body or institution established or instituted by or under any written law; and

"visitor" means any person whose ordinary place of residence is outside Eswatini and who travels to, within or through Eswatini for any reason other than immigration or employment remunerated from Eswatini.

PART II THE COMMISSION ON HUMAN RIGHTS AND PUBLIC ADMINISTRATION

Core principles

3. (1) The Commission shall, in the performance of their functions apply the following core principles –

- (a) integrity, professionalism, propriety and respect for human dignity;
- (b) impartiality and application of the rules of natural justice; and
- (b) efficiency, transparency and accountability.

Appointment of members of Commission

4. (1) In making a recommendation to the King for the appointment of a person to the Commission, the Judicial Service Commission shall proceed in a competitive, transparent and open manner on the basis of suitable qualifications, competence and relevant experience and the Judicial Service Commission shall recommend a person who can effectively discharge the functions of a member of the Commission.

(2) An office in the Commission is a public office, and accordingly except as otherwise provided in this Act or Regulations, the Commissioner, Deputy Commissioners and other officers of the Commission are subject to such laws and regulations as are generally applicable to officers of the public service of the particular designation.

Vacation of office

5. Subject to Section 170 of the Constitution, the office of a Commissioner or Deputy-Commissioner becomes vacant upon –

- (a) the death of the Commissioner or Deputy-Commissioner; or
- (b) resignation in writing; or
- (c) the Commissioner or Deputy-Commissioner being convicted of an offence and sentenced to a term of imprisonment without the option of a fine.

Committees of Commission

6. (1) The Commission may establish such committees as the Commission considers necessary for the performance of the functions under this Act and may assign to such committees any of the functions conferred on the Commission without prejudice to the power of the Commission.

(2) The composition of every committee of the Commission shall include at least one member of the Commission and may include persons who are not members of the Commission but shall not include members of staff of such Commission.

(3) A Committee of the Commission may determine its own procedure subject to special directions of the Commission.

Co-opted persons

7. (1) The Commission may invite or engage a person or a body of persons to assist with the conduct of any inquiry or investigation before the Commission.

(2) The Commission or a committee of the Commission may invite any person, on account of the special knowledge or expertise of that person, for any duration of time to take part in the deliberations at any meeting, but that person shall not be entitled to vote at that meetings.

**PART III
MEETINGS**

Meetings

8. (1) The Commission shall meet as often as necessary for the performance of such functions under this Act, but shall not meet for more than six (6) times a months.

(2) Meetings of the Commission shall be held at such place and time as the Commissioner may determine.

(3) A meeting of the Commission shall be convened at the direction of the Commissioner by written notice of not less than seven days, but that period of notice may be dispensed with where in the opinion of the Commissioner the business or matter to be brought before the meeting is urgent.

(4) The Commissioner-

(a) may convene a special meeting of the Commission at any time; and

(b) shall convene a special meeting of the Commission on the written request of not less than 2 Deputy-Commissioners.

(5) The quorum for any meeting of the Commission or a committee of the Commission shall be formed by the presence of more than half of the members of the Commission or committee.

(6) The meeting of the Commission or committee shall be decided by a majority vote of the members present and voting at the meeting.

(7) At all meetings of the Commission or committee, each member shall have one vote and in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to the deliberative vote.

(8) The Commission may invite any person to attend a meeting of the Commission where the Commission considers that the person has special knowledge or experience in any matter to be considered at the meeting.

(9) A person invited to attend a meeting under subsection (8) may take part in the meeting of the Commission as if the person were a member of the Commission, but the person shall not vote.

(10) Meetings of the Commission shall be presided over by the Commissioner and, in the absence of the Commissioner, members present may elect one of their number to preside over the meeting.

Chairperson of committees

9. (1) A committee of the Commission shall be chaired by a member of the Commission.

(2) The chairperson of a committee of the Commission shall preside over a meeting of the committee and in the absence of the chairperson, the members present may elect one of their number to preside.

Minutes

10. (1) The Commission and committee of the Commission shall cause minutes of its meetings to be recorded and kept.

(2) Any minutes signed by a person presiding at the meeting to which the minutes relate or by the person presiding at the next following meeting of the Commission shall be accepted for all purposes as proof of such evidence of the proceedings and decisions taken at the meeting concerned.

Decisions of Commission

11. (1) A decision or act of the Commission shall not be invalid because-

- (a) the Commission consisted of less than the number of persons required to form a quorum;
- (b) a disqualified person acted as a Commissioner or Deputy-Commissioner at the time the decision was taken or the act was done or authorized,

where the decision was taken or the act was done or authorized by a majority vote of the persons who at the time were entitled to act as a Commissioner or Deputy-Commissioner.

(2) Decisions of the Commission may be enforced by the High Court.

PART IV ADMINISTRATION

Executive Secretary

12. (1) There shall be an Executive Secretary of the Commission whose office shall be a public office on terms and conditions applicable to public officers.-

(2) The Executive Secretary shall, subject to the direction and control of the Commission, be responsible for the day to day administration of the Commission.

(3) The office of the Executive Secretary shall be held by a person who has experience and shown capacity in a profession or in activities devoted or relevant to public administration and the protection and promotion of human rights.

Functions of Executive Secretary

13. (1) Subject to the general and special directions of the Commission, the Executive Secretary shall -

- (a) be responsible for carrying out the decisions of the Commission and the day to day administration and management of the affairs, staff and property of the Commission;
- (b) keep proper files, records and correspondence of the Commission;
- (c) attend all meetings of the Commission and keep proper records of minutes of meetings of the Commission and committees of the Commission, but shall have no vote on any matter before the Commission;

- (d) convene and prepare for meetings of the Commission and of committees of the Commission as the Commission or the committee of the Commission may direct;
- (e) advertise new or vacant posts as the Commission may direct; and
- (f) perform any other functions as may be assigned by Commission.

(2) Where in any meeting, the deliberations of the Commission or of a committee of the Commission concerns the Executive Secretary or any officer of the Commission designated to attend the meeting, the Commission or the committee, as the case may be, may excuse the Executive Secretary or that officer from the meeting.

(3) The Executive Secretary shall swear or affirm and subscribe to the oath of secrecy set out in the Schedule.

Officers of the Commission

14. (1) The Commission shall appoint such number of staff on such terms and conditions as the Commission deems necessary

(2) Officers recruited from other Government agencies shall be transferred from the public service or any other Commission without prejudice to their accrued benefits.

(3) The Commission may, subject to the relevant applicable law, terminate the appointment of an officer of the Commission, where the Commissioner is satisfied that it is in the interest of the Commission to terminate such appointment and the Commissioner shall give reasons for such termination.

(4) The Commission may, in writing delegate to the Executive Secretary the power to appoint staff in junior positions and the Executive Secretary shall report to the Commission every appointment made under this Act.

Attendance of meetings by staff

15. (1) A member of staff of the Commission, designated by the Executive Secretary, with the approval of the Commission, may attend a meeting of the Commission or any committee of the Commission to record the minutes of the meeting or to take part in the deliberations, but that staff member shall not be entitled to vote.

PART VI FUNCTIONS OF THE COMMISSION

Functions of Commission

16. The functions of the Commission shall be to –

- (a) Subject to section 164 of the Constitution, the Commission on Human Rights and Public Administration shall investigate complaints of corruption by public officer or public official.
- (b) In this section, "corruption" means public administration corruption relating to unethical, improper behaviour, which includes nepotism, misuse of discretion, lack of transparency in administrative decisions and systematic inefficiency enabling criminal corruption by a public officer.
- (c) assist in educating the public on, and promoting and encouraging awareness and respect for human rights and freedoms at all levels of society;

- (d) promote more particularly the human rights of vulnerable groups, which shall include women, children, illiterate persons, persons with disabilities and the elderly;
- (e) consider, deliberate upon and make recommendations regarding any human rights issues, on its own volition or as may be referred to it by the Government, any authority or any other body or person;
- (f) study the status and effect of legislation, judicial decisions and administrative provisions for the protection and promotion of human rights and to prepare reports on such matters and submit the reports, with such recommendations or observations as the Commission considers appropriate, to the authorities concerned or to any other appropriate authorities;
- (g) review the detention or restriction of a person detained or restricted under section 36 of the Constitution;
- (h) inspect custodial facilities and places of detention or restriction for the purposes of performing the functions of the Commission under this Act;
- (i) monitor and assess the observance of human rights in Eswatini;
- (j) assist the Minister to prepare any report required to be submitted to any regional or international body constituted or appointed for the purpose of receiving such reports under any human rights convention;
- (k) do all things that are necessary or expedient for the performance of functions under this Act; and
- (l) transfer or refer any matter that the Commission may consider to be appropriately dealt with by other agencies.

Powers of Commission

17. (1) The Commission may -

- (a) issue subpoenas requiring the attendance of any person before the Commission and the production of any document, record or thing required for investigation by the Commission;
- (b) impose fine to a person for contempt of any subpoena or order, or cause that person to be brought by a competent court for the enforcement of the subpoena or order of the Commission;
- (c) question any person in respect of any subject matter under investigation before the Commission;
- (d) require any person to disclose truthfully and frankly any information within the knowledge of that person relevant to any investigation by the Commission;
- (e) freely and without any hindrance whatsoever consider any questions falling within its competence;
- (f) hear any person and obtain any information or any other evidence necessary for assessing situations falling within its competence;
- (g) have unhindered authority to visit prisons or any place of detention of persons including police cells, with or without notice;

- (h) develop work relationships with non-governmental organizations devoted to protecting and promoting human rights, including those organizations which promote economic and social development or which protect and promote the interests of vulnerable groups such as women, children, illiterate persons, persons with disabilities and the elderly;
- (i) consult with other independent national institutions or bodies, including traditional institutions, the Police Service, the Correctional Services, the and civil society;
- (j) to do or perform such other acts or things as are reasonably required for the exercise of its powers and the performance of its duties and functions as set out in the Constitution, this Act and any other written law;

(2) The Commission may during the course of its proceedings or as a consequence of its findings, make such orders and give such directions as are necessary and appropriate in the circumstances.

(3) The Commission shall not investigate -

- (a) a matter which is pending before a court;
- (b) a matter involving the relations between Government and any other Government or an international organization; or
- (c) a matter relating to the exercise of any Royal prerogative by the Crown.
- (d) any matter leading to, resulting from or connected with the decision of a Minister, inquire into or question the policy of the Government in accordance with which the decision is made by the Commission and the results of any investigation of the Minister.

(3) Subject to subsection (3), the Commission may investigate an authority that has been established to investigate a matter where in the opinion of the Commission that authority is failing to carry out its mandate.

PART VIII HEARINGS, INVESTIGATIONS AND REMEDIES

Procedure for hearings

18. The Commission shall determine its own rule of procedure for the conduct of hearings of matters brought before such a Commission.

Hearings

19. (1) A person affected by any actual or perceived human rights violation arising out of any action or omission on the part of any authority or person may make a written complaint to the Commission requesting it to investigate that action or omission.

(2) The Commission may hear and consider complaints and petitions brought before it by the Government, any organization, authority, individual or group of individuals.

(3) Complaints may be brought before the Commission on behalf of an individual or group of individuals by the individual, a legal practitioner, a representative, a third party, a non-governmental organization, a professional association or any other representative organization that has an appropriate interest in the matter.

(4) Where a person who may have made a complaint under this section dies or is for any reason unable to act, the complaint may be made by the legal representative or a member of the family of the person or any other person that the Commission considers suitable to represent the person.

(5) The Commission shall not investigate a complaint-

- (a) unless the aggrieved person is a citizen, resident or visitor of Eswatini at the time when the action or omission complained of occurred and the complaint is made within three (3) years from the date on which the action or omission occurred;
- (b) where the action or omission complained of is the subject matter of civil proceedings before any court of competent jurisdiction;
- (c) where the action complained of relates to the exercise of the prerogative of mercy; or

Procedure of making complaint

20. (1) The Commission shall not refuse to investigate a complaint solely on the grounds that the complaint is not in the proper form or not in compliance with the prescribed requirements or that it is not accompanied by the required documentation.

Refusal to conducting investigation

21. (1) The Commission may refuse to investigate any complaint if it is satisfied that it is not authorized in terms of the Constitution and this Act to carry out the investigation.

(2) The Commission shall discontinue any investigation if it is satisfied by the evidence received that it is not authorized in terms of the Constitution and this Act to continue the investigation.

(3) Where the Commission refuses to investigate a complaint or discontinues an investigation, the Commission shall, in writing -

- (a) inform the complainant and any party complained against of its decision, stating the reasons for the decision; and
- (b) where appropriate, advise the complainant of any other remedy that appears to be available to the complainant.

(4) For the purposes of conducting investigations, the Commission may-

- (a) issue summons to any authority or person to attend before the Commission and to produce any document or record relevant to any investigation by the Commission;
- (b) put any questions to any authority or person that the Commission considers will assist its investigation of the complaint in question;
- (c) require a person questioned to answer any questions and to disclose any information within the knowledge of that person which the Commission considers relevant to such investigations; and
- (d) request the assistance of the police during an investigation.

Procedure of conducting hearings

22. (1) The Commission shall not be bound by the strict rules of evidence and it may ascertain any relevant fact by any means which it considers fit and which is not unfair or unjust to any party.

(2) The Commission shall afford the authority or person who is alleged to be responsible for the human rights violation an adequate opportunity to respond to the allegations.

(3) A summons issued under subsection (1) shall contain the reasons why the presence of a person is required and why any article or document should be produced.

(4) A person appearing before the Commission may be represented by a legal practitioner and shall be entitled to peruse or examine any articles and documents to refresh the memory of that person.

(5) A person appearing before the Commission shall, take an oath or make an affirmation and the Commission shall question the person under that oath or affirmation in connection with any matter which may be necessary regarding that investigation.

(6) A notice to appear before the Commissions shall effectively be served and delivered by -

(a) a member of the Commission;

(b) a member of staff of the Commission; or

(c) a police officer or any other person authorized in that behalf by the Commission in relation to an investigation.

(7) A person questioned shall -

(a) be competent and compellable to answer all questions put to that person regarding any fact or matter connected with the investigation;

(b) be competent and compellable to produce to the Commission any article or document in the possession or custody or under the control of that person, which may be necessary in connection with that investigation.

(8) The law regarding privilege as applicable to a witness summoned to give evidence in a criminal case in a court of law shall apply in relation to the questioning of a person under this section.

(9) Where it appears to the Commission during the course of an investigation that a person is being implicated in the matter being investigated, the Commission shall afford that person an opportunity to be heard by giving evidence or making submissions and that person or the legal practitioner of that person shall be entitled, through the Commission, to question other witnesses, determined by the Commission, who have appeared before the Commission pursuant to this section.

(10) The Commission may direct that a person or category of persons or a person whose presence, in the opinion of the Commission, is not desirable shall not be present at the proceedings or in the course of an investigation.

(11) The Commission may, conduct open or closed hearings during its investigation of any matter.

(12) Information obtained by the Commission or a member of staff at a closed hearing shall not be disclosed to a person except -

- (a) without disclosing the identity of the person who gave the information in confidence, for the purposes of the investigation and for any report to be made on the investigation;
- (b) for the purposes of any proceedings for perjury alleged to have been committed in the course of investigation.

(13) The Minister may give notice to the Commission and to the complainant prohibiting disclosure by or to the Commission or to the complainant of any evidence or documentation or class of evidence or documentation specified in the notice whose disclosure would, in the opinion of the Minister, be contrary to the public interest on the grounds that it may prejudice external relations, internal security or economic interests of the State.

(14) A person who -

- (a) is summoned by the Commission to give evidence or to produce any documentation for the purposes of an investigation and fails to attend or to remain in attendance until excused by the Commission or refuses, without sufficient cause, to be sworn or affirmed as a witness or to answer fully and satisfactorily a question lawfully put to that person or to produce the evidence or documentation requested; or
- (b) gives false evidence to the Commission,

commits an offence and shall be liable, on conviction to a fine not exceeding ten thousand Emalangeni (E 10,000.00) or to imprisonment for a period not exceeding one (1) year or both.

(15) A Commissioner, Deputy-commissioner or member of staff who without being authorized to do so by the Commission, discloses any information, evidence or documentation or makes use of that information for their benefit commits an offence and is liable, on conviction, to a fine not exceeding twenty thousand Emalangeni (E 20,000.00) or to imprisonment for a period not exceeding two (2) years or both.

Order of attachment and removal

23. (1) Where during the execution of a warrant under this Part a person claims that an article or document found on or in the premises concerned contains privileged information and refuses the inspection or removal of that article or document, the person executing the warrant shall, where the person is of the opinion that the article or document contains information that has a bearing on the investigation and that that information is necessary for the investigation, request the Registrar or an Assistant Registrar of the High Court to issue an order to attach and remove that article or document for safe custody until a court makes a ruling on the question whether the information concerned is privileged or not.

(2) An order issued under subsection (1) lapses, where after thirty (30) days from the date of its issue, no court makes such ruling.

Proceedings after investigation

24. Where, after conducting an investigation the Commission is of the opinion that the action or omission which was the subject-matter of the investigation constitutes a human rights violation and that-

- (a) the action or omission relates to any decision or practice on the part of any person or authority which needs to be abolished, cancelled, reversed, varied or altered;

- (b) the issue giving rise to the complaint should be given further consideration by the person or authority against whom or which the complaint was made;
- (c) the action or omission should be rectified;
- (d) any law on which the act or omission was based should be reconsidered;
- (e) reasons should have been given for any decision complained against;
- (f) any other steps should be taken in relation to the action or omission complained against,

the Commission shall report its opinion, together with its reasons, to the authority or person against whom the complaint was made and may make such recommendations as it deems fit and shall also send a copy of its report and recommendations to the Minister.

Remedies

25. (1) The Commission-

- (a) shall seek an amicable settlement through conciliation and, where appropriate, on the basis of confidentiality;
- (b) shall inform the complainant and the respondent of their respective rights, remedies or obligations and the Commission shall promote access by a party to the remedies;
- (c) may render any assistance or advice that a party that brought the complaint or petition may reasonably require;
- (d) may transmit or refer a complaint, petition or any other matter to any other competent authority as prescribed by the law or as the Commission considers fit;
- (e) may make recommendations to the competent authority, proposing amendments or reforms of the laws, regulations or administrative provisions or practices where the Commission has identified that such laws, regulations or administrative provisions have created the difficulties or hardships encountered by the persons who brought the complaints or petitions; and
- (f) may recommend to the Director of Public Prosecutions to prosecute or take any action against any person found to have violated human rights and the Director of Public Prosecutions shall consider the recommendation and take any action as the Director of Public Prosecutions considers appropriate or refers to competent agencies or authorities.

(2) In particular, the Commission may, where it considers necessary, recommend-

- (a) the release of a person from prison;
- (b) the payment of compensation to a victim or the family of a victim; or
- (c) that the complainant seeks redress in court of law.

(3) The Commission may request the authority or person in relation to whom or which it made any recommendation to notify it, within a specified time, of the steps, if any, that it proposes to take to give effect to the recommendation of the Commission.

(4) Where, within a reasonable time after a report is made under sub-section (1), no action is taken which, in the opinion of the Commission, is adequate and appropriate, the Commission may, consider it necessary after considering the comments submitted a special report on the case to the Minister to lay it before Parliament.

PART VII FINANCIAL PROVISIONS

Funding of the Commission

26. (1) The funds of the Commission shall consist of -

- (a) money appropriated from the Consolidated Fund for the salaries and allowances payable to members of the Commission and the recurrent administrative expenses of the Commission;
- (b) any donations, grants, bequests or loans made by any person or organization or any government of any country to the Commission, with the approval of the Minister in consultation with finance and planning which shall be from a lawful source; and
- (c) any other monies that may vest in or accrue to the Commission, whether in terms of this Act.

(2) Monies not immediately required by the Commission may be invested in a manner that the Commission, with the approval of the Minister responsible for finance.

Accounts of the Commission

27. (1) The Commission shall keep proper accounts and other records relating to the accounts are kept in respect of the activities, funds and property of the Commission.

(2) As soon as practicable, after the end of each financial year, the Commission shall prepare and submit to the Minister a statement of accounts in respect of that financial year or in respect of a period that the Minister may direct.

Audit of accounts

28. (1) The accounts of the Commission shall be audited by the Auditor-General.

(2) The Audit Act 2005 or its successor shall apply, to the appointment of an internal auditor to the Commission.

(3) A person under the authority or supervision of the Commission who refuses to provide the Auditor-General or auditors with an explanation or information required by the Auditor-General for the purposes of audit or knowingly provides the Auditor-general with a false explanation or information commits an offence and is liable, on conviction to a fine not exceeding ten thousand Emalangeni (E 10, 000.00) or to imprisonment for a period not exceeding one (1) year or both.

PART IX GENERAL

Independence of Commission

29. (1) A member of the Commission, or of a committee of the Commission or of the staff of the Commission shall serve independently and impartially and exercise their powers or perform their duties and functions in good faith and without fear, favor or prejudice.

(2) Where at any meeting of the Commission, a matter in respect of which a member has a financial or other interest is being discussed which might prevent that member from performing the functions of that member in a fair, impartial and proper manner, that member shall not be present, cast a vote, or in any other manner participate in that meeting unless permitted by the Commission.

(3) Contravention of subsection (2) shall be a matter for disciplinary action which may lead to the removal of the member in accordance with this Act.

(4) An organ of the Government and a member or employee of an organ of Government or any other person or body of persons shall not interfere with, hinder or obstruct the Commission, any committee of the Commission, any member of the Commission or of the staff of the Commission or any person duly authorized to act in the service of the Commission in the exercise of the powers or the performance of the functions under this Act.

(5) A person who contravenes subsection (4) commits an offence and is liable, on conviction, to a fine not exceeding twenty thousand Emalangeni (E20, 000.00) or to imprisonment for a period not exceeding five (2) years or both.

(6) All organs of the Government shall give the Commission any assistance and co-operation as may be reasonably required for the exercise of its powers and functions under this Act.

Conflict of interest

30. (1) Where at any stage during the course of any proceeding before the Commission or of a committee of the Commission it appears that any member of the Commission or of the committee of the Commission has or may have an interest which may cause a conflict of interest on the part of that member –

- (a) that member shall forthwith disclose in full the nature of interest and leave the meeting so as to enable the remaining members to determine whether that member is precluded from participating in the meeting by reason of a conflict of interest; and
- (b) the disclosure of interest and the decision taken by the remaining members regarding that interest shall be recorded in the minutes of the meeting.

(2) A Commissioner or Deputy-Commissioner or a member of the committee who contravenes subsection (1) commits an offence and is liable, on conviction to a fine not exceeding ten thousand Emalangeni (E10,000.00) or to imprisonment for a period not exceeding one (1) year or both.

(3) Notwithstanding any provision of this Act, if any member of the Commission-

- (a) participates in any manner whatsoever in any meeting or proceeding contrary to the provisions of this section
 - (b) fails to disclose any interest and is present at a meeting of the Commission or of a committee of the Commission,
- the meeting or proceedings may be reviewed and varied and be set aside by the Commission on its own motion or by the High Court at the instance of a person, organization or authority.

Annual reports to Parliament

31. (1) The Commission shall, within three months after the end of each financial year submit to the Minister an annual report on its operations and activities during the preceding financial year.

(2) The Commission -

- (a) shall submit to the Minister any other report and provide the Minister with any other information that the Minister may require in regard to the operations and activities of the Commission; and
- (b) may submit to the Minister any other report it considers desirable.

(3) The Minister shall table before Parliament any report submitted to the Minister by the Commission.

Legal representation

32. (1) The Commission may request the Attorney General or, with the approval of the Attorney General, instruct any legal practitioner to provide advice or legal representation to the Commission in any matter or legal proceedings before any court or tribunal in which the Commission is involved.

(2) A person appearing or represented by a legal practitioner before the Commission or a committee of the Commission or any person or body conducting an inquiry or investigation on behalf of the Commission shall appear at their own expense unless that person is a witness called by the Commission in which case the expenses of that person shall be borne by the Commission.

Regional offices of Commission

33. The Commission shall endeavor to establish a principal office and offices at regional level as it considers fit for the better performance of its functions.

Regulations

34. The Minister may, make regulations for the better carrying out of the provisions of this Act.

Transitional provisions

35. (1) On the appointed date of commencement, there shall continue to vest in the Commission on Human Rights and Public Administration and by virtue of this Act and without further assurance -

- (a) the affairs of the Commission;
- (b) all property, rights, liabilities, assets and obligations which immediately before the date of commencement were the property, rights, liabilities and obligations of the Commission; and
- (c) Legal proceedings pending.

(2) The employees of the existing Commission on Human Rights and Public Administration employed before the commencement of this Act shall be deemed to be employees of the Commission on Human Rights and Public Administration under this Act.

SCHEDULE

OATH OF OFFICE OF MEMBER OF THE COMMISSION

I....., being a member of the Human Rights and Public Administration Commission, do swear or affirm that I will well and truly perform the functions of that office according to the Constitution and the laws of the Kingdom of Eswatini without fear or favour, So help me God.