

FREE STATE PROVINCE

PROVINCIAL GAZETTE

PROVINSIALE KOERANT

PROVINSIE VRYSTAAT

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OFFICE OF THE PREMIER

KANTOOR VAN DIE PREMIER

No. 3 1 March 1996

No. 3 1 Maart 1996

It is hereby notified that the Premier has assented to the following Act which is hereby published for general information:-

No. 4 of 1996: Free State Youth Commission Act, 1996.

Hierby word bekend gemaak dat die Premier die onderstaande Wet bekragtig het, wat hierby ter algemene inligting gepubliseer word:-

No. 4 van 1996: Wet op die Vrystaatse Jeugkommissie, 1996.

ACT

To provide for the establishment, constitution, powers and functions of a Provincial Youth Commission; and to provide for matters connected therewith.

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BE IT ENACTED by the Provincial Legislature of the Free State Province as follows : -

(English text signed by the Premier.)
(Assented to 28 February 1996)

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Definitions

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1. In this Act, unless the context otherwise indicates -

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"Commission" means the Provincial Youth Commission established under section 2;

"Constitution" means the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993);

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"Department" means a department referred to in section 1 of the Provincial Service Commission Act, 1994 (Act No 3 of 1994);

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"Executive Council" means the Executive Council of the Province referred to in section 149 of the Constitution;

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"Premier" means the Premier of the Province referred to in section 145(1) of the Constitution;

"Province" means the Province of the Free State;

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"responsible Member" means the member of the Executive Council of the Province responsible for Finance and Expenditure.

Establishment of Provincial Youth Commission

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2. (1) A Provincial Youth Commission for the Province is hereby established.

(2) The Commission shall have the powers and functions conferred upon or assigned to it by this Act or any other law.

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(3) The Commission shall reside under the Office of the Premier.

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Constitution of Commission

3. (1) The members of the Commission shall be appointed by the Executive Council and shall consist of not more than 10 members who shall not be in the employ of the Province or the central government : Provided that the Commission shall have at least 2 full-time members.

(2) The Commission shall designate one member of the Commission as chairperson and any other member as vice-chairperson, who shall act as chairperson of the Commission when the chairperson is absent or is unable to perform his or her duties, and when both the chairperson and vice-chairperson are absent from a meeting of the Commission, the members present at the meeting shall elect one of their number to preside at such meeting.

Term of office of members of Commission

4. (1) Subject to the provisions of subsection (2), a member of the Commission shall hold office for such period, not exceeding 5 years, as the Executive Council may determine at the time of his or her appointment, and shall be eligible for reappointment at the termination of his or her term of office.

(2) A member of the Commission shall vacate his or her office -

(a) if he or she resigns;

(b) if he or she is absent from 3 consecutive meetings of the Commission without the prior leave of the chairperson; or

(c) if his or her term of office is terminated under subsection (3).

(3) The Executive Council may at any time, after consultation with the Commission, terminate the term of office of any member of the Commission if, in their opinion, there are good reasons for doing so.

(4) A vacancy in the Commission shall be filled in accordance with subsection (1) for the unexpired portion of the vacating member's term of office.

(5) The remuneration and allowances of members of the Commission shall be determined by the Executive Council in consultation with the designated Member.

Powers and functions of Commission

5. The Commission shall be competent to -

(a) formulate appropriate policies on matters affecting youth development in the rural and urban areas of the Province;

(b) make submissions through the Executive Council to the Provincial Legislature on policies with regard to the youth in the rural and urban areas of the Province;

(c) do and commission research on the situation of the youth in the rural and urban areas of the Province;

(d) monitor the impact of the Provincial Government's activities on the youth;

(e) convene interdepartmental meetings on specific issues facing the youth in the urban and rural areas of the Province;

- (f) make policy submissions on departments that impact directly on the youth in the urban and rural areas of the Province;
- (g) initiate specific programmes for youth development and coordinate and ensure the implementation of such programmes.
- (h) carry out or cause to be carried out any investigation with regard to the youth in the urban and rural areas of the Province, that it deems necessary; 5
- (i) establish local youth units in the urban and rural areas of the Province;
- (j) conduct civil proceedings. 10

Procedure at meetings of Commission

6. (1) Meetings of the Commission shall be held on such dates and at such times and places as the Commission may determine. 15
- (2) The procedure at a meeting of the Commission shall be determined by the Commission. 20
- (3) The quorum for a meeting of the Commission shall be the simple majority of the members of the Commission. 25
- (4) A decision of the Commission shall be taken by a majority of the votes of the members present at a meeting of the Commission, and in the event of an equality of votes on any matter, the chairperson shall have a casting vote in addition to his or her deliberative vote. 30

Accounting officer, financing, expenditure and estimates of Commission

7. (1) The Commission shall appoint in its service a civil servant who shall be the accounting officer in respect of all state moneys received in respect of and paid out of the account of the Commission referred to in subsection (4) and shall keep proper accounting records of all financial transactions of the Commission. 35
- (2) The expenditure in connection with the exercise of the powers and the performance of the functions of the Commission, shall be defrayed from money appropriated for the Premier's Office by the Provincial Legislature for that purpose. 40
- (3) The Commission may, subject to the Fund Raising Act, 1978 (Act No 107 of 1978), raise funds from the public. 45
- (4) The Commission shall, in consultation with the responsible Member, open an account with a banking institution, into which shall be deposited all moneys appropriated or funds raised as referred to in subsection (2) and (3) respectively, and from which all money required to pay for the expenses so mentioned shall be paid. 50
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(5) The Commission shall within 3 months from the date of the appointment of its members under section 3(1), for the first financial year, and thereafter in each financial year for the following financial year, prepare the necessary estimate of revenue and expenditure of the Commission, which shall be submitted to the Executive Council for its approval, for furtherance under subsection (2).

(6) The Commission shall not incur any expenditure which exceeds the total amount approved under subsection (5).

(7) The accounting records referred to in subsection (1) shall be audited annually by the Auditor General.

Youth liaison officers

8. Every identified member of the Executive Council of the Province shall identify in consultation with the Commission, officers in his or her Department to coordinate with the Commission.

Regulations

9. The Premier may, in consultation with the Commission, make regulations regarding any matter in respect of which he or she considers it necessary or expedient to make regulations to achieve the objects of this Act.

Short title

10. This Act shall be called the Free State Youth Commission Act, 1996.

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