

(20 July 1979 – to date)

HAZARDOUS SUBSTANCES ACT 15 OF 1973

(Gazette No. 3834, No. 550 dated 4 April 1973. See Act for commencement dates.)

REGULATIONS TO PROVIDE FOR THE INSTITUTION OF A NATIONAL ADVISORY COMMITTEE ON ELECTRONIC PRODUCTS

Government Notice R326 in Government Gazette 6309 dated 23 February 1979. Commencement date: 23 February 1979.

As amended by:

Government Notice R1571 in Government Gazette 6594 dated 20 July 1979. Commencement date: 20 July 1979.

The Minister of Health has, in terms of section 29(1)(q) of the Hazardous Substances Act, 1973 (Act 15 of 1973), made the following regulations, which shall apply with effect from the date of publication hereof:

ARRANGEMENT OF REGULATIONS

1. Definitions
2. Establishment and composition of Committee
3. Functions
4. Meetings
5. Disqualification, vacation of office and filling of vacancies
6. Term of office and remuneration of members of the Committee

1. Definitions

Unless the context otherwise indicates, the expression "the Act" means the Hazardous Substances Act, 1973 (Act 15 of 1973), and any expression which is defined in the Act shall have the same meaning as in the Act, and further –

1.1 "Committee" means the National Advisory Committee on Electronic Products;

1.2 "Department" means the Department of Health.

2. Establishment and composition of Committee

Prepared by:

- 2.1 A Committee, to be known as the National Advisory Committee on Electronic Products, is hereby instituted and it may exercise the powers and shall carry out the duties assigned to it under these regulations.
- 2.2 The Committee shall consist of as many members as the Minister may determine and appoint from time to time.
- 2.3 The Minister shall appoint one member of the Committee Chairman and one member Vice-Chairman of the Committee.
- 2.4 While acting as Chairman, the Vice-Chairman shall have all the powers and carry out all the functions of the Chairman.
- 2.5 A Chairman or a Vice-Chairman of the Committee may vacate the office of Chairman or Vice-Chairman without such vacation having the effect of terminating his membership of the Committee.
- 2.6 The Committee may, at its discretion and with the approval of the Secretary, appoint subcommittees from among the members of the Committee or members of the Committee and persons who are not members of the Committee to investigate matters falling within the scope of the functions of the Committee and to furnish it with reports.
- 2.7 An officer of the Department shall act as Secretary for the Committee.

3. Functions

The Committee shall –

- 3.1 advise the Secretary with regard to all matters concerning electronic products;
- 3.2 study measures applied outside the Republic of South Africa to combat the dangers associated with electronic products and report to the Secretary on such measures.

4. Meetings

- 4.1 The Committee shall meet at least twice a year and an emergency meeting of the Committee may be requested at any time by the Secretary.
- 4.2 The quorum for a meeting of the Committee shall be the majority of the members as at the date of that meeting.
- 4.3 If the Chairman and the Vice-Chairman of the Committee are absent from a meeting, the members present shall elect from their ranks a Chairman who shall, during that meeting and until the Chairman

or the Vice-Chairman resumes duty, exercise all the powers and perform all the duties of the Chairman.

5. Disqualification, vacation of office and filling of vacancies

A member of the Committee shall vacate his office if –

- 5.1 his estate is sequestrated or if he has entered into a composition with his creditors;
- 5.2 he has been absent from more than two consecutive meetings of the Committee without permission from or condonation by the Committee;
- 5.3 he tenders his resignation in writing to the Minister;
- 5.4 he ceases to be a South African citizen;
- 5.5 he becomes a patient as defined in section 1 of the Mental Health Act, 1973 (Act 18 of 1973);
- 5.6 he is convicted of an offence in respect of which he is sentenced to imprisonment without the option of a fine;
- 5.7 the Minister, in the public interest, terminates his membership.

6. Term of office and remuneration of members of the Committee

- 6.1 Members shall be appointed for a period of 3 (three) years, excluding members who are appointed to fill incidental vacancies on the Committee, in which case appointments shall be effective for the remainder of the relevant period only.
- 6.2 A person whose term of office has expired may be reappointed.
- 6.3 A member of the Committee, or of any subcommittee thereof, appointed in terms of regulation 2.6, excluding anyone in the full-time service of the State, shall receive allowances in respect of his services as a member of the Committee or subcommittee according to the scales applicable to Commissions.

(Regulation 6.3 substituted by Government Notice 1571 of 1979)