

Annex I

Criminal Assets Recovery Committee

Establishment of Committee

- (1) There is hereby established a Committee to be known as the Criminal Assets Recovery Committee.
- (2) The Committee consists of:
 - (a) the Minister, who is the chairperson of the Committee;
 - (b) the Minister responsible for home affairs;
 - (c) the Minister responsible for finance;
 - (d) the Attorney-General; and
 - (e) if necessary, one other person designated by the Minister.
- (3) The members of the Committee may designate their deputies to attend a meeting of the Committee in their place.
- (4) The Committee must designate one of its members as deputy chairperson of the Committee, and, when the chairperson is not available, the deputy chairperson must act as chairperson.
- (5) The Permanent Secretary of the Ministry responsible for justice must make staff members available to perform the administrative functions of the Committee.

Conditions of Service and Other Benefits of Certain Members of Committee

- (6) A member of the Committee appointed:
 - (a) is entitled, unless that member is a staff member, to receive remuneration, allowances and other benefits;
 - (b) will be designated on terms and conditions and for periods determined by the Committee.

Meetings of Committee

- (7) A meeting of the Committee must be held at a time and place determined by the chairperson.
- (8) The procedure, including the manner in which decisions must be taken, to be followed at meetings of the Committee and the manner in which the Committee must conduct its affairs must be determined by the Committee, if the procedure has not been prescribed.

Objects of Committee

- (9) The objects of the Committee are to:
- (a) advise Cabinet in connection with all aspects of confiscation or forfeiture of property to the State and the transfer of confiscated or forfeited property to the Fund in terms of this Act or any other Act;
 - (b) advise Cabinet in connection with the rendering of financial assistance to law enforcement agencies in order to combat organised crime, money laundering, criminal gang activities and crime in general; and
 - (c) advise Cabinet in connection with the rendering of financial assistance to any other institution, organisation or fund established with the object to render assistance in any manner to witnesses, including protected witnesses and victims of crime.

Functions and Powers of Committee

- (10) The Committee may make:
- (a) recommendations to Cabinet with regard to the policy to be adopted concerning the confiscation, forfeiture and realisation of property and the transfer of that property to the Fund in terms of this Act or any other Act;
 - (b) recommendations to Cabinet with regard to the allocation of property and moneys from the Fund to specific law enforcement agencies;
 - (c) recommendations to Cabinet with regard to the allocation of property and moneys from the Fund to any institution, organisation or fund contemplated; and
 - (d) recommendations to Cabinet regarding the allocation of moneys for the administration of the Fund.
- (11) In order to fulfil the functions referred in subsection (10) the Committee may:
- (a) exercise any powers and perform any functions conferred or imposed on it by this Act, and any powers that are necessary or expedient for or incidental to the achievement of its objects;
 - (b) co-opt any person to advise it on any specific matter.