

**PROCLAMATION***by the**President of the Republic of South Africa***No. R. 73, 2002****SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT AND SPECIAL TRIBUNAL**

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), have been made in respect of the affairs of the Department of Social Development of the Free State Province (hereinafter referred to as the "Department");

AND WHEREAS I deem it necessary that the said allegations should be investigated and justiciable civil disputes emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the said Act, and after consultation with the Premier of the Free State, refer the matters in the Schedule for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of these matters, the terms of reference of the Special

Investigating Unit are to investigate as contemplated in the said Act, any -

- (a) serious maladministration in connection with the affairs of the Department;
- (b) improper or unlawful conduct by employees of the Department;
- (c) unlawful appropriation or expenditure of public money or property;
- (d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;
- (e) intentional or negligent loss of public money or damage to public property;
- (f) corruption in connection with the affairs of the Department; or
- (g) unlawful or improper conduct by any person which has caused or may cause serious harm to the interests of the public or any category thereof,

which has taken place between September 1999 and July 2001 and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the said Act in relation to the matter.

Given under my Hand at Pretoria this Eleventh day of October Two thousand and two.

**T. M. MBEKI**

**President**

By Order of the President-in-Cabinet:

**A. M. OMAR**

**Minister of the Cabinet**

**SCHEDULE**

1. Expenditure incurred by the Department as a result of the unlawful, unauthorised and/or irregular use of motor vehicle transport by a former MEC of the Department.
2. Irregular and/or fraudulent claims made by the said former MEC of the Department in respect of travelling expenditure.
3. The unlawful and/or irregular use of an official credit card, by the said former MEC of the Department, for private purposes.