

PROCLAMATION*by the**President of the Republic of South Africa***No. R. 76, 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 Uthungulu District Municipality situated in the KwaZulu-Natal Province (herein after referred to as "the Municipality");

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 KwaZulu-Natal, 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 Municipality;
- (b) improper or unlawful conduct by officials of the Municipality;
- (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 Municipality; 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 January 2001 and the date of publication of this Proclamation 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. Irregularities relating to the awarding of service contracts by the Municipality.
2. Irregular conduct by the Chief Financial Officer of the Municipality relating to the purchase of a computer system for the Municipality.
3. Irregularities relating to the awarding of a contract by the Municipality to SDR Inspeksie Dienste to perform a debt collection service within the area of the Municipality.
4. Irregularities relating to the conclusion of a contract by the Municipality for direct Internet access and maintenance of e-mail addresses.
5. Losses suffered by the Municipality as a result of attempts to purchase a server for the Municipality.
6. The continuous use of VGC Engineers as exclusive consultants of the Municipality at exorbitant costs whilst the latter were underperforming or not performing at all.
7. Irregularities relating to tender procedures.