

ANNUAL REPORT 2022/23



SIU SA
STRIKING AGAINST CORRUPTION

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PART **A**

GENERAL INFORMATION



ACRONYMS

BBBEE	Broad-based black economic empowerment	DRDLR	Department of Rural Development and Land Reform	NWDC	North West Development Corporation
CCMA	Commission for Conciliation, Mediation and Arbitration	DWAS	Department of Water and Sanitation	PFMA	Public Finance Management Act
CJTvet	Central Johannesburg Technical and Vocational Education and Training College	ELIDZ	East London Industrial Development Zone	PPE	Personal protective equipment
CMS	Council for Medical Schemes	EKMM	eThekweni Metropolitan Municipality	PRASA	Passenger Rail Agency of South Africa
CoGTA	National Department of Cooperative Governance and Traditional Affairs	Exco	Executive Committee	SAA	South African Airways
DAFF	Department of Forestry and Fisheries	GRAP	Generally Recognised Accounting Practice	SABC	South African Broadcasting Corporation
DCS	Department of Correctional Services	GSDM	Greater Sekhukhune District Municipality	SADC	Southern African Development Community
DCS&TM	Department of Community Safety and Transport Management	HPCSA	Health Professionals Council of South Africa	SAHPRA	South African Health Products Regulatory Authority
DoDMV	Department of Defence and Military Veterans	ICT	Information and communications technology	SAPS	South African Police Service
DoE	Department of Education	IFRS	International Financial Reporting Standards	SARS	South African Revenue Service
DoH	Department of Health	LIMRAL	Roads Agency Limpopo Limited	SASSA	South African Social Security Agency
DoJ&CD	Department of Justice and Constitutional Development	MTEF	Medium-term Expenditure Framework	SCOPA	Standing Committee on Public Accounts
DoJ&CD: OSA	Department of Justice and Constitutional Development: Office of the State Attorney	MTSF	Medium-term Strategic Expenditure	SIU	Special Investigating Unit
DoT	Department of Transport	NHLS	National Health Laboratory Services	SOE	State-owned entity
DPWI	Department of Public Works and Infrastructure	NLC	National Lotteries Commission	SSA	State Security Agency
		NMMDM	Ngaka Modiri Molema District Municipality	UIF	Unemployment Insurance Fund
		NPA	National Prosecuting Authority	VAT	Value-added tax

FOREWORD BY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES



It gives me immense pleasure to present the 2022/23 Special Investigating Unit (SIU) Annual Report. We are fewer than seven years away from meeting our National Anti-Corruption Strategy targets. The SIU is playing a vital role in ensuring that our fight against corruption is a winning battle. The SIU was appointed by the Presidency to the task team established to implement the Zondo Commission report recommendations. The SIU Unit is also investigating most matters mentioned in the report and there is a good collaboration with the Investigative Directorate of the National Prosecuting Authority.

“The SIU has repeatedly proven itself capable of fulfilling its mandate without fear or favour. This was evident during the Covid -19 personal protective equipment (PPE) investigations, where it finalised 4 975 PPE-related contracts out of 5 515 contracts which were under investigations. They showed a true display of quick turnaround time in investigation which enabled the speedy implementation of the consequence management.

As a ministry, we pride ourselves on the results that the SIU produced in 2022/23. The unit was able to close 70 537 investigations under published proclamations, while 67 000 referrals were made for administrative action to regulatory bodies and 376 referrals for disciplinary action against officials and/or executives and 680 referrals to the relevant prosecuting authority for further action.

These results reflect government’s commitment to eradicate the scourge of corruption.

Since 2019, the SIU has used the Special Tribunal to lodge civil litigation. This has ensured quicker outcomes than would have been achieved by joining other law enforcement bodies at the South African High Court.

However, as a young democracy, the fortitude of our constitution is always tested. The SIU and the Special Tribunal in its name are not above their legislative powers being tested in the highest court of our land.

During the financial year, the Constitutional Court ruled on the appeal by Ledla Structural Development (Pty) Ltd, Rhulani Lehong and Kgodisho Norman Lehong against the SIU on the jurisdiction of the Special Tribunal on civil proceedings brought by the SIU.

The court dismissed the appeal with costs and ruled that the Special Tribunal has the jurisdiction to adjudicate reviews brought by the SIU and to grant an order setting aside an unlawful procurement contract.

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THE SIU RECOVERED MORE THAN
R388 MILLION IN CASH AND/OR
ASSETS, WHILE PREVENTING THE
STATE FROM LOSING MORE THAN
R2.1 BILLION.

The ruling has reinvigorated our commitment as a department to ensure that the SIU is supported in its mandate to protect the state's coffers. The appeal did not hamper the Unit's spirits as it was able to process 35 cases at the Special Tribunal during 2022/23. Through the Special Tribunal, the SIU recovered more than R388 million in cash and/or assets, while preventing the state from losing more than R2.1 billion.

We are also proud of how the SIU made its mark beyond our borders and has created multilateral relations with other nations in the anti-corruption space.

The SIU Unit hosted a meeting of Southern African Development Community (SADC) Heads of Anti-Corruption Agencies to strengthen the effort to implement the SADC Strategic Anti-Corruption Plan (2023 to 2027), forge partnerships in the recovery of assets and enhance coordination between SADC member states through the anti-corruption agencies. The SIU was also accepted as a member of the Association of African Anti-Corruption Authorities.

It also pleases us to see the great lengths that the SIU is taking to ensure its cybercrime combatting capacity. Notable are the partnerships formed with the Council for Scientific and Industrial Research and the French government for the development of digital investigation tools, digital forensic investigations and analysis, cloud and high-performance computing to prevent cybercrimes.

I feel a deep sense of pride that the SIU has excelled in the past financial year. I am looking forward to its achievements in the 2023/24 financial year as we continue to ensure that corruption has no space to breathe in our country.

A stylized, handwritten signature in black ink, consisting of a large, flowing 'R' and 'L' that are interconnected.

RO Lamola, MP

Minister of Justice and Correctional Services



REPORT OF THE ACCOUNTING AUTHORITY

The SIU's mandate is contained in the Special Investigating Unit and Special Tribunals Act, Act No 74 of 1996 (the SIU Act), which determines that the President may establish a special investigating unit to investigate identified matters or to refer the matter to an existing special investigating unit for investigation. The President may also establish one or more special tribunals to adjudicate upon civil proceedings emanating from any investigation of any particular special investigating unit.

This gave rise to the establishment of the SIU in 1997. As an innovative corruption-fighting body, it would not only investigate and collect evidence where mandated to do so by presidential proclamation. It would also receive a range of special powers to enhance its potency and impact. This Act granted the SIU robust and effective investigative and civil litigation powers.

OVERVIEW OF THE PUBLIC ENTITY STRATEGY AND PERFORMANCE

Public confidence in the SIU is at an all-time high, judging by the number of whistleblower reports to the SIU whistleblower hotline. The SIU has positioned itself as the guardian of the public purse and the public interest.

Citizens of South Africa rely on the Constitution of the Republic of South Africa to protect their basic human rights. As the country's supreme law,

it lays the foundations for a democratic and open society in which every citizen is protected equally by law. The practical realisation of citizens' rights depends on government's division of revenue through its annual budget. This allocates funding to services such as education, housing, healthcare, food, water and social security, and the environment.

The recipients of government funding can benefit from the services that will guarantee their basic human rights only if this funding actually reaches the intended beneficiaries. Unfortunately, corruption has carved its way into government's activities.

Over the past 26 years, the SIU has played an indispensable role in preventing and combatting this evil, together with serious malpractices and maladministration. By providing forensic investigation and civil litigation services, the SIU protects the interests of both the state and the public by, among others, recovering losses suffered by the state and preventing further losses.

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STRATEGIC RELATIONSHIPS

Seeking to improve stakeholder engagement, the SIU therefore sought support from the Presidency to monitor and hold state institutions to account regarding recommendations for, among others, disciplinary and administrative action, such as recommendations for blacklisting.

To enable the SIU to monitor the outcomes of its cases more closely, a memorandum of understanding has been entered into with the National Prosecuting Authority and the Directorate for Priority Crime Investigation.

The Presidency has intensified cooperation among the three entities. Presidency and the Department of Planning, Monitoring and Evaluation, with the assistance of the SIU, are developing a monitoring system to track the progress of the SIU's referrals for criminal, disciplinary and administrative action, among other things.

The SIU also maintains good working relationships with the Government Communication and Information System by participating in its anti-corruption campaigns and its editors and media forums.

The SIU has partnered with the French Embassy to build and to strengthen SIU's cyber-forensic capabilities and skills, as well as to share the capabilities with other law enforcement agencies in South Africa and SADC member states to enhance investigations skills and knowledge.



G-7 COUNTRIES FORMED THE FINANCIAL ACTION TASK FORCE AS AN INTERGOVERNMENTAL ORGANISATION TO COMBAT ILLICIT FINANCIAL FLOWS BY TRANSNATIONAL CRIMINALS.

Below is a list of other strategic relations that the SIU is also involved in:

- Local, regional and international organisations (Commonwealth Africa Anti-Corruption Centre, SADC, Anti-Corruption Task Team, International Association of Anti-Corruption Agencies, African Association of Anti-Corruption Agencies and United Nations Office on Drugs and Crime).
- The Head of the SIU is well renowned for the leadership role he played and continues to play in the Commonwealth Africa Anti-Corruption Centre.
- In 2022, the SIU joined the GlobE Network which is a cross-border cooperation network, which seeks to assist the assist anti-corruption agencies across the world to fight against corruption by facilitating easier access to, sharing and dissemination of information/intelligence (subject to the national legislative frameworks of the member states).
- As of February 2022, the Head of the Special Investigating Unit was appointed as one of four vice-presidents of the International Association of Anti-Corruption Authorities as well as the Regional Coordinator for the African Region.
- He was the SIU was the Chair from 2021 until the Chairship was handed over to the Director General of Namibia Anti-Corruption Commission, Namibia.
- The SIU hosted the Heads of Anti-Corruption Authorities meeting on November 23-25, 2022.
- G-7 countries formed the Financial Action Task Force as an intergovernmental organisation to combat illicit financial flows by transnational criminals.
- The task force has recommendations against money-laundering and financing of terrorism. Peer countries assess and monitor compliance with the recommendations.
- South Africa's mutual evaluation was jointly undertaken by the International Monetary Fund/Financial Action Task Force/Eastern and Southern Africa Anti-Money Laundering Group.
- The SIU is a key stakeholder in these matters through participation in and reporting to the Mutual Evaluation Inter-Departmental Working Group.

STRATEGIC FOCUS OVER THE MEDIUM- TO LONG-TERM PERIOD

As part of its revised operating model and value chain, the SIU has introduced prevention, advisory and awareness initiatives, together with market data analytics initiatives. The idea behind this is to ensure that a three-pronged approach is adopted to prevent and combat maladministration and corruption. The three-pronged model focuses on enforcement (investigation and litigation), prevention (systemic recommendations that are made pursuant to data modelling and trends analysis to prevent a recurrence of the ills that led to the investigated irregularities) and education (proactively reshaping societal values and influencing a change in mindset on ethical values).

The SIU, Auditor-General of South Africa and National Treasury should partner to conduct corruption prevention studies/audits of specific functions and processes (e.g. public sector procurement, administration of contracts, licensing).

In the private sector, there is an opportunity for the SIU to collaborate with regulators and professional bodies/associations to carry out initiatives to enhance corruption prevention awareness and capacity of members/practitioners.

GENERAL FINANCIAL OVERVIEW

To finance its operations, the SIU is funded partially by a government grant that is allocated by National Treasury, and partially by the SIU invoicing for its services and recovering the funds for them.

While not ideal in certain systemic aspects (conflict of interest as institutions that are investigated are also invoiced), the funding model allows the SIU to 'balance its budget' in years where more funds need to be employed in its operations due to high workload, and to build up some cash reserves, based on best practices, aligned to how private sector business operates.

Although the SIU is faced with a high debt burden, the entity is still in a very strong financial position, with accumulated surpluses of R976 million and cash reserves at year end to the value of R748 million. The accounting methodology is a 'full accrual' accounting system in terms of Generally Recognised Accounting Practice (GRAP), which in turn is based on International Public Sector Standards (IPSAS).

Excess funds are invested at optimal risk-free money market rates to maximise return on investments.

Operation Khokhela

The SIU historically had challenges in recovering funds for invoices issued to some state Institutions being investigated. This has led to a high debt burden and should the situation not improve drastically in the near future, the cashflow situation and the ability of the

SIU to deliver on its mandate fully may be affected negatively. To recover outstanding funds, the SIU initiated Operation Khokhela in September 2022. The project includes engaging Institutions with outstanding debt to ensure that outstanding funds are collected. Should initiatives instituted by the SIU to recover outstanding funds fail, more drastic measures will be considered, including taking appropriate legal action and invoking of Intergovernmental Framework Relations Act 13 of 2005.

Spending trends

During the year under review, the SIU realised a surplus of R54 million (2022: R85 million restated). Despite challenges with recovery of debt, the SIU is still in a strong position to continue as a going concern. The 0.28% decrease in total revenue from the 2021/22 financial year to the 2022/23 financial year, is due to the revenue recognised for recovery of legal fees and for specialists.

The SIU received invoices for the 2021/22 year before and prior periods at the end of March 2023. This resulted in the restatement of prior-year figures in the annual financial statements. In addition, revenue from the Criminal Assets Recovery Account declined by 99.6% due to reduced recovery compared to that of the previous year.



...THE SIU HAS INTRODUCED PREVENTION, ADVISORY AND AWARENESS INITIATIVES, TOGETHER WITH MARKET DATA ANALYTICS INITIATIVES ... TO ENSURE THAT A THREE-PRONGED APPROACH IS ADOPTED TO PREVENT AND COMBAT MALADMINISTRATION AND CORRUPTION.

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The 3.3% increase in total expenditure from 2021/22 to 2022/23 was due to an increase in travel-related expenditure, both local and internationally. The Covid-19 travel restrictions that existed in the 2021/22 financial year were cancelled. This allowed the SIU to re-establish its international engagements with regional and international member states, where various strategic collaborations in combatting corruption exist.

Locally, members were able to once again conduct investigations without any travel restrictions. There has also been an increase in security costs, because of the risk assessments conducted and the increased need to provide both physical security in the various offices and close protection security for SIU members whose lives are being threatened.

CAPACITY CONSTRAINTS AND CHALLENGES FACING THE SIU

With the institution of an efficient operational model, all investigations are carried out according to sound project management principles. This enables the SIU to balance the resource constraints of time and budget so that all investigations meet the required deliverables and milestones.

AUDIT REPORT MATTERS

The Auditor-General of South Africa issued a qualified audit report based on a projected revenue understatement of R12.9 million for the 2023/23 financial year. The SIU declared a dispute with the

Auditor-General on the method of when during the audit revenue relating to the recovery of legal costs should be recognised and escalated it to the office of the Accountant General during the audit. Feedback on the outcome was unfortunately received only towards the last days of September 2023 and it was not possible to finalise the further audit on the additional work undertaken by management. In the interests of good governance and being able to table the annual report to Parliament without further delay, a decision was then taken to finalise the annual financial statements according to the original finding, which regrettably was a qualified audit opinion.

The SIU will carefully consider the accounting treatment of the recovery of legal costs in future to ensure accurate and sensible financial integrated reporting and will involve all stakeholders, including the offices of the Accountant General and the Auditor-General. It will furthermore devise and implement internal controls to address new gaps that may exist and to prevent a recurrence of the issue.

SIGNIFICANT/STRATEGIC EVENTS AFTER THE REPORTING PERIOD

The SIU in a seminal case in the Constitutional Court (Ledla) opposed the challenge of parties to, amongst others, the powers of the Special Tribunal, more specifically the power to make orders under Section 217 of the Constitution of the Republic of South Africa, 1996. The Constitutional Court ruled that the Special Tribunal is not a court. However, it has jurisdiction to adjudicate legality reviews in terms of the SIU Act. As a result the Constitutional

Court ruled that the appeal failed.

The judgment brought finality to the jurisdictional factors over time which have been the subject of interlocutory applications that frustrated the final adjudication of justiciable matters.

ACKNOWLEDGEMENTS

In conclusion, I greatly appreciate the leadership and support of the Presidency, our Minister and Deputy Minister, as well as the oversight role played by our Portfolio Committee, Standing Committee on Public Accounts and other Parliamentary committees responsible for monitoring state institutions that the SIU is investigating. Lastly, I express my gratitude for the work and commitment shown by SIU management and staff.



Adv JL Mothibi

Accounting Authority



STATEMENT OF RESPONSIBILITY AND CONFIRMATION OF ACCURACY OF THE ANNUAL REPORT

TO THE BEST OF MY KNOWLEDGE AND BELIEF, I CONFIRM THE FOLLOWING:

All information and amounts disclosed throughout the Annual Report are consistent. The Annual Report is complete, accurate and free from any omissions. The Annual Report has been prepared in accordance with the guidelines on the Annual Report as issued by National Treasury.

The Annual Financial Statements (Part E) have been prepared in accordance with the Generally Recognised Accounting Practice and the relevant frameworks and guidelines issued by National Treasury.

The Accounting Authority is responsible for the preparation of the Annual Financial Statements and for the judgments made in this information.

The Accounting Authority is responsible for establishing and implementing a system of internal control that has been designed to provide reasonable assurance as to the integrity and reliability of the performance information, the HR information and the Annual Financial Statements. The external auditors are engaged to express an independent opinion on the Annual Financial Statements.

In my opinion, the Annual Report fairly reflects the operations, the performance information, the Human Resources information and the financial affairs of the entity for the financial year ended on 31 March 2023.

Yours faithfully



Adv JL Mothibi
Accounting Authority

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STRATEGIC OVERVIEW



VISION

The state's preferred and trusted anti-corruption, forensic investigation and litigation agency



VALUES



MISSION

We provide forensic investigation and civil litigation services to combat corruption, serious malpractices and maladministration to protect the interest of the state and the public



INTEGRITY

Doing the right thing even when no-one is watching



COOPERATION

Supporting and enabling all stakeholders in the fight against corruption



TEAMWORK

Fostering synergy in a multidisciplinary and diverse environment



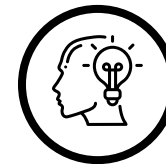
PROFESSIONALISM

Developing and maintaining the highest standards



EFFICIENCY

Doing the right thing in a timely and cost-effective manner.



INDEPENDENCE

Acting without fear, favour or prejudice



DRIVE AND PASSION

Ensuring that all tasks are performed with the requisite drive and passion

LEGISLATIVE MANDATE AND OTHER MANDATES

CONSTITUTIONAL MANDATE

The SIU carries out its work in line with the fundamental rights contained in the Constitution of the Republic of South Africa. The Unit has a specific and direct impact on sections 195, 32, 33 and 34, among others, of the Constitution, under the Bill of Rights section.



SECTION 32 ACCESS TO INFORMATION

- (1) Everyone has the right of access to
 - a) any information held by the state; and
 - b) any information that is held by another person and that is required for the exercise or protection of any rights.
- (2) National legislation must be enacted to give effect to this right and may provide for reasonable measures to alleviate the administrative and financial burden on the state.



SECTION 33 JUST ADMINISTRATIVE ACTION

- (1) Everyone has the right to administrative action that is lawful, reasonable and procedurally fair.
- (2) Everyone whose rights have been adversely affected by administrative action has the right to be given written reasons.
- (3) National legislation must be enacted to give effect to these rights, and must
 - a) provide for the review of administrative action by a court, or, where appropriate, an independent and impartial tribunal;
 - b) impose a duty on the state to give effect to the rights in subsections (1) and (2); and
 - c) promote an efficient administration.



SECTION 34 ACCESS TO COURTS

Everyone has the right to have any dispute that can be managed and adjudicated by the application of law decided in a fair public hearing before a court; or where appropriate, another independent and impartial tribunal or forum.

LEGISLATIVE MANDATE

In terms of the Public Finance Management Act (PFMA) (Act 29 of 1999), as amended, the SIU falls under Schedule 3A Public Entities and its work is governed by the legislative framework set out below:

Name of Act	Purpose
Special Investigating Units and Special Tribunals Act 1996 (Act 74 of 1996)	To provide for the establishment of special investigating units for the purpose of investigating serious malpractices or maladministration in connection with the administration of state institutions, state assets and public money, as well as any conduct that may seriously harm the interests of the public and of instituting and conducting civil proceedings in any court of law or a special tribunal in its own name or on behalf of state institutions; to provide for the revenue and expenditure of special investigating units; to provide for the establishment of special tribunals so as to adjudicate upon civil matters emanating from investigations by special investigating units; and to provide for matters incidental thereto.
Criminal Procedure Act (Act 51 of 1977)	To make provision for procedures and related matters in criminal proceedings.
Prevention and Combating of Corrupt Activities (Act 12 of 2004)	To provide for the strengthening of measures to prevent and combat corruption and corrupt activities; to provide for investigative measures in respect of corruption and related corrupt activities; to provide for the establishment and endorsement of a register in order to place certain restrictions on persons and enterprises convicted of corrupt activities relating to tenders and contracts; to place duty on certain persons holding a position of authority to report certain corrupt transactions; to provide for extraterritorial jurisdiction in respect of the offence of corruption and offences relating to corrupt activities; and to provide for matters connected therewith.

The SIU derives its mandate from Act 74 of 1996, in particular Section 4 of the Special Investigating Units and Special Tribunals Act (SIU Act) and in accordance with the imperatives of the Constitution and the Promotion of Administrative Justice Act (Act 3 of 2000).

Below are the functions of the SIU that are within the framework of its terms of reference as set out in the Proclamation referred to in Section 2(1) of the SIU Act.

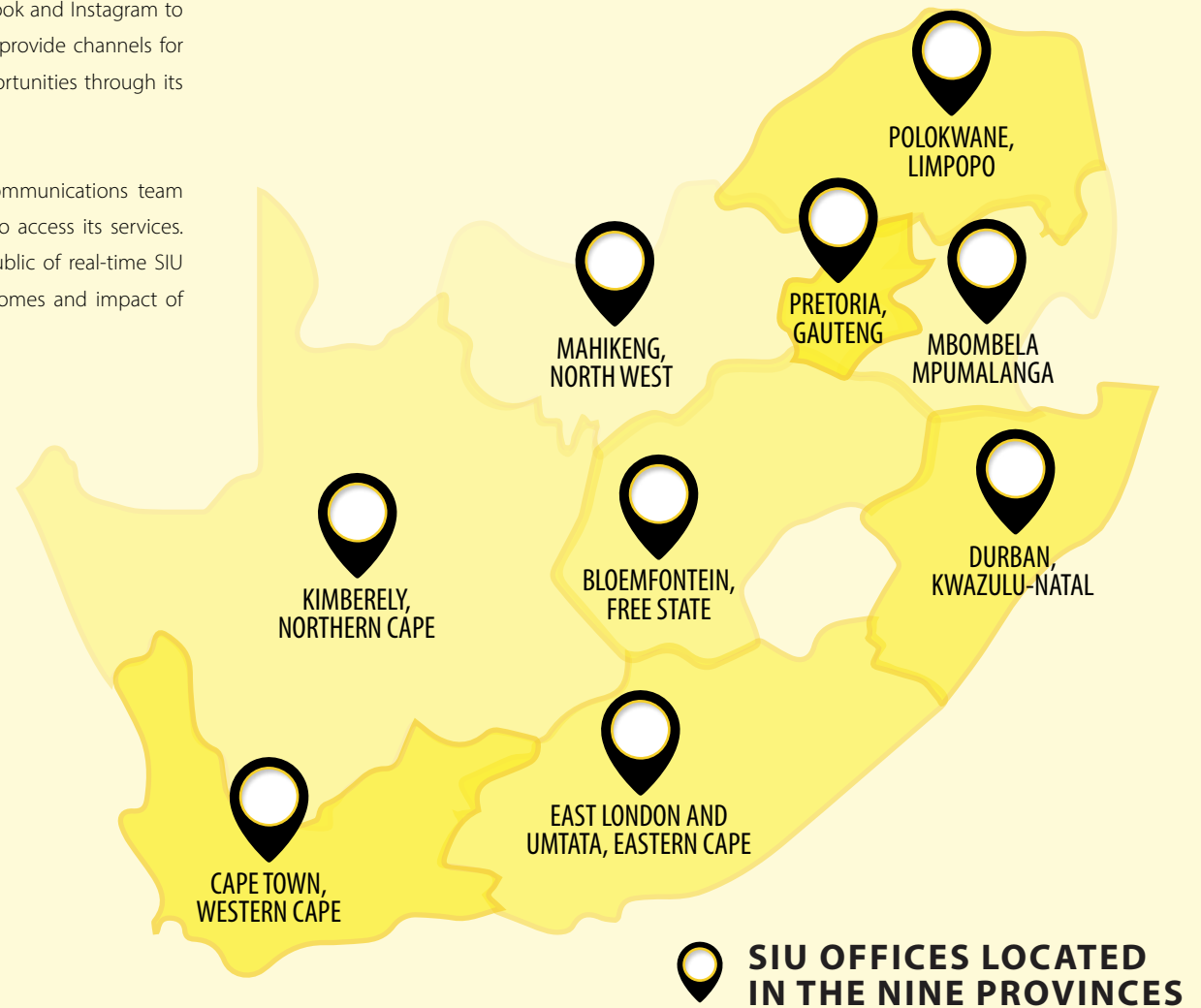
- (a) To investigate all allegations regarding the matter concerned.
- (b) To collect evidence regarding acts or omissions which are relevant to its investigation.
- (c) To institute and conduct civil proceedings in a Special Tribunal or any court of law for-
 - i) any relief to which the State institution concerned is entitled, including the recovery of any damages or losses and the prevention of potential damages or losses which may be suffered by such a State institution;
 - ii) any relief relevant to any investigation; or
 - iii) any relief relevant to the interests of a Special Investigating Unit.
- (d) To refer evidence regarding or which points to the commission of an offence to the relevant prosecuting authority.
- (e) To perform such functions which are not in conflict with the provisions of this Act, as the President may from time to time request.
- (f) From time to time as directed by the President to report on the progress made in the investigation and matters brought before the Special Tribunal concerned or any court of law;
- (g) Upon the conclusion of the investigation, to submit a final report to the President.
- (h) To at least twice a year submit a report to Parliament on the investigations by and the activities, composition and expenditure of such Unit.

A special investigating unit must, as soon as practicable after it has obtained evidence referred to in sub-section (1)(d), inform the relevant prosecuting authority thereof, whereupon such evidence must be dealt with in a manner that best serves the interests of the public.

SIU FOOTPRINT DIGITALLY AND GEOGRAPHICALLY

An active presence is maintained on the social media platforms Twitter, Facebook and Instagram to increase awareness through provision of consistent, real-time content and to provide channels for communication with citizens. The Unit continues to also advertise career opportunities through its LinkedIn account.

Through these channels and using hashtags such as #KnowYourSIU, the Communications team educates the public on the mandate and activities of the SIU, and on how to access its services. Under the hashtag #SIUWorkingForYou, the social media pages inform the public of real-time SIU developments such as new proclamations issued, legal actions and the outcomes and impact of investigations.



STAKEHOLDER ENGAGEMENTS AND STRATEGIC PARTNERSHIPS

The SIU has extended its physical and digital footprints in the country to ensure public visibility. This is vital in ensuring public faith and confidence in the organisation.

Stakeholder engagements assist the Unit to manage the needs of those who have an interest in its work by instilling trust, confidence and buy-in, as well as mitigating risks and reputational harm. The SIU achieves these through physical and digital campaigns.

During the 2022/23 financial year, Stakeholder Relations and Communications coordinated the following engagements:

Stakeholders	Purpose of engagement	Date of engagement
Free State residents	Educate the public about the SIU mandate and processes	May 2022
Mpumalanga residents	Educate the public about the SIU mandate and processes	June 2022
Government, civil society, Parliament and law enforcement agencies	Celebrate the 25th anniversary of the SIU and launch new logo	July 2022
North West residents	Educate the public about the SIU mandate and its processes	September 2022
Media (stakeholder and platform)	Joint press conference with the Ministry of Transport on investigation outcomes	October 2022
Eastern Cape government, municipalities and state agencies	Educate stakeholders about the SIU mandate and outline the work of the SIU in Eastern Cape	November 2022

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ORGANISATIONAL STRUCTURE (EXCO)



ADV ANDY MTHIBI
Head Of The Unit



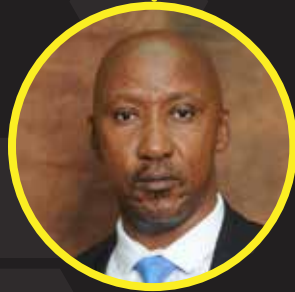
ANDRE GERMANDT
Chief Financial Officer



DR JEROME WELLS
Chief Legal Counsel



PRANESH MAHARAJ
Chief Programme Portfolio Officer



LEONARD LEKGETHO
Chief National Investigations Officer



TUMELO ZWANE
Chief Information Officer



NEPTUNE MASHEGO
Chief Human Capital Officer



THULANI MKHUNGO
Chief Risk Officer



BOARATWA LESHOPE
Chief Audit Executive



THENJIWE DLAMINI
*Head of Strategy, Monitoring
and Reporting (started 1 February 2023)*



KAIZER KGANYAGO
*Head of Stakeholder Relations
and Communications*



NOMBULELO MPOTULO
*Acting Head of Strategy,
Monitoring and Reporting*

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PERFORMANCE
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OVERVIEW OF THE PERFORMANCE ENVIRONMENT

The SIU's overall performance

The SIU is tasked with an enormous responsibility and a pressing obligation to continue fighting corruption, maladministration and malpractice, thereby pursuing every effort that will realise the National Development Plan goal under outcome 3: All people in South Africa are and feel safe. However, the SIU faces the reality of socio economic and political instability which creates a serious challenge that at times undermines the SIU efforts to fight corruption. Lack of resources and the limitation on the SIU Act still create a challenge for the SIU to make a great impact and hold accountable those who are involved in corrupt activities.

The service delivery environment in which the SIU operates is characterised by external dependencies over which it has no control and this at times affects its performance. However, it reflects the independence of the SIU and the stakeholders it works with within its value chain/operating model for the delivery of its objectives.

Over the past Medium-term Expenditure Framework (MTEF) period, the SIU's performance has gradually improved and this amid the continued volatile environment. In 2022/23, it achieved a 88% (15 out of 17) achievement against its planned targets. This was a marginal reduction from the 2021/22 performance of 100%, attributable to external dependencies, but still reflects an outstanding performance achieved through the commitment of staff to realising the organisation's vision of being 'the state's preferred and trusted anti-corruption, forensic investigation and litigation agency'.

Contribution towards the 2019-2024 Medium-term Strategic Framework (MTSF)

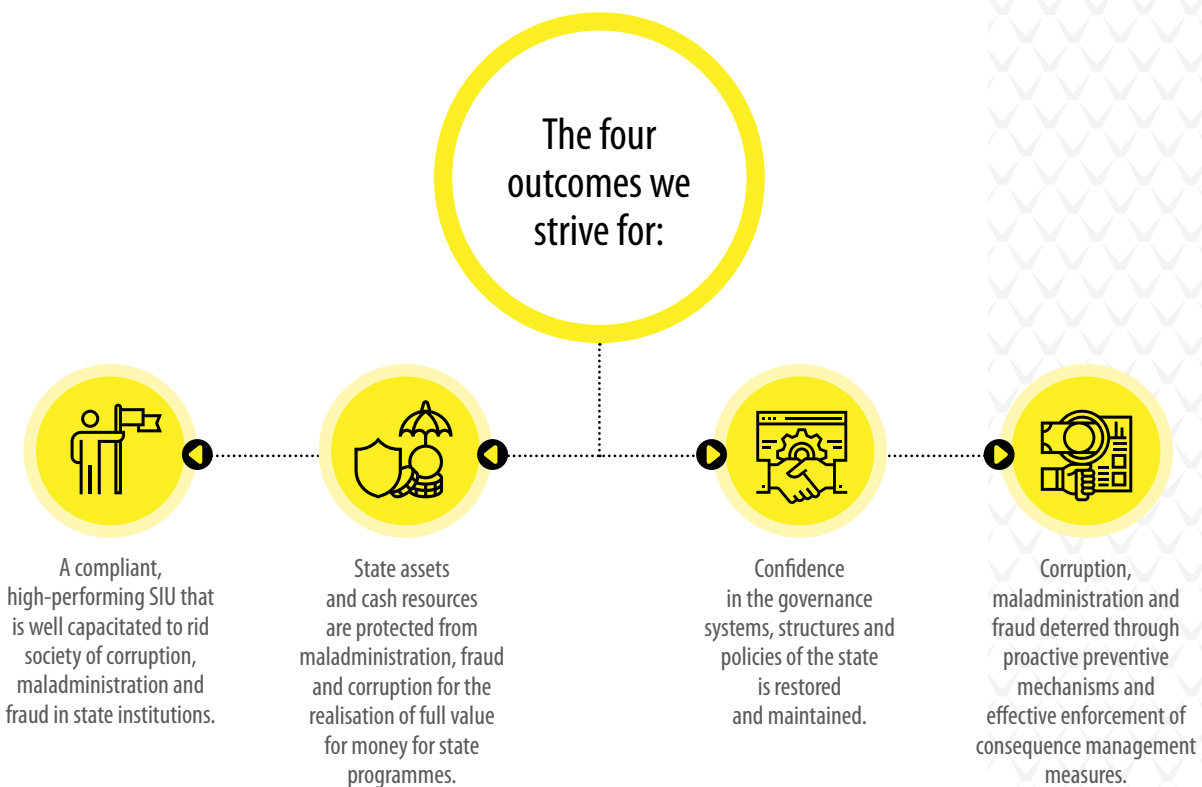
The revised MTSF 2019 to 2024 reflects government's plan of action over the remaining term of the sixth administration and prioritises commitments outlined in the President's State of the Nation Address. The SIU contributes to Priority 6: Social Cohesion and Safer Communities, under the outcome 'Improvement in corruption perception index rating' through its mandate on recoveries of monies related to corruption offences. The SIU recovered **R2.97 billion over the 2019 to 2022 period.**





PROGRESS TOWARDS ACHIEVEMENT OF INSTITUTIONAL OUTCOMES

The SIU adopted four outcomes in its 2020/21 to 2024/25 Strategic Plan. These define the interventions and initiatives crafted based primarily on the areas that the SIU has prioritised and that are consistent with its mandate. The outcomes are aligned to outputs measured in the annual performance plan (APP) and operational plans, which provide a way to commit resources and accountabilities to actions. Collectively, these serve as a catalyst to realise the SIU impact of ridding society of fraud and corruption.



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IMPACT STATEMENT: RIDDING SOCIETY OF FRAUD AND CORRUPTION IN STATE INSTITUTIONS

OUTCOMES	OUTPUTS	BUDGET PROGRAMME
<p>A compliant, high-performance SIU that is well capacitated to rid society of corruption, maladministration and fraud in state institutions</p>	<ul style="list-style-type: none"> • Good governance and controls environment for positive audit outcomes • Risk management measures to achieve high levels of risk maturity • Prescribed SIU annual plans to provide strategic support and ensure compliance • Filled vacancies of funded key SIU positions • Standard performance management system in place • SIU stakeholders managed through outcomes of biennial stakeholder perception surveys • Develop and deploy a plan to leverage technology to create a globally competitive high-performance organisation 	<p>Programme 1: Administration</p> <ul style="list-style-type: none"> • Financial Management • Human Capital • Information and Communication Technology • Stakeholder Relations and Communications • Strategy Planning, Monitoring and Reporting • Corporate Governance, Corporate Legal • Office of the Head of Unit • Assurance: Internal Audit, Risk Management and Internal Integrity Services
<p>State assets and cash resources are protected from maladministration, fraud and corruption for the realisation of full value for money for state programmes</p>	<ul style="list-style-type: none"> • Civil and other legal proceedings to recover cash and assets and set aside contracts and administrative actions that are deemed to be invalid 	<p>Programme 2: Investigations and Legal Counsel</p> <ul style="list-style-type: none"> • Central Case Registration and Monitoring • Case Assessment • Case Management and Investigations • Forensic Legal and Civil Litigation
<p>Confidence in the governance systems, structures and policies of the state is restored and maintained</p>	<ul style="list-style-type: none"> • Legal proceedings and other due processes to conclude investigations, refer investigations for necessary action and submit mandatory status reports to the President 	<p>Programme 3: Market Data Analytics and Prevention</p> <ul style="list-style-type: none"> • Market Data Analytics • Prevention and Advisory • Awareness
<p>Corruption, maladministration and fraud deterred through proactive preventive mechanisms and effective enforcement of consequence management measures</p>	<ul style="list-style-type: none"> • Awareness campaigns targeted at specific audiences • Insights into corruption and maladministration generated from surveys (trend analysis reports) • Data from concluded matters to develop improvement plans (for clients) • Recorded allegations received electronically in a central location to facilitate ease of tracking • Assessment of all centrally registered allegations by Assessment Committee • Develop and implement a comprehensive strategy on data analytics • Conduct lifestyle audits for state institutions • Convene anti-corruption forums for vulnerable sectors • Develop a corruption prevention framework 	

Core business 2022/23 performance highlights at a glance

**R846 MILLION**

Rand value of potential cash and/or assets recovered

**R389 MILLION**

Rand value of actual cash and/or assets recovered

**R300 MILLION**

Rand value of contract(s) and/or administrative decision(s)/action(s) set aside or deemed invalid

**R2.167 BILLION**

Rand value of potential loss prevented

**376**

Referrals made for disciplinary action against officials and/or executives

**67 087**

Referrals made for administrative action

**680**

Referrals made to the relevant prosecuting authority

**70 537**

Investigations closed under a published proclamation

**R2.471 BILLION**

Rand value in respect of which evidence was referred for the institution or defence/opposition of civil proceedings

**35**

Cases issued in the Special Tribunal

**21**

Reports submitted to the Presidency

**100%**

Allegations centrally registered for electronic tracking

**100%**

Centrally registered allegations assessed by the Assessment Committee

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PURPOSE: To provide business oversight and enablement services to the core business units of the SIU

PERFORMANCE INFORMATION BY BUDGET PROGRAMME

Outcome	Output	Output Indicator	Previous financial years' actual achievement		Financial year under review		Deviation from planned target to Actual Achievement	Comment on deviation
			2020/21	2021/22	Planned Target 2022/23	Actual Achievement 2022/23		
Outcome 1: A compliant, high-performance SIU that is well-capacitated to rid society of corruption, maladministration and fraud in state institutions	Good governance and controls environment for positive audit outcomes	1.1 Maintain an unqualified overall Auditor-General audit outcome	Outcome of the 2019/20 external audit was a clean audit and unqualified audit opinion	Outcome of the 2020/21 external audit was a clean audit and unqualified audit opinion	Unqualified audit outcome	Target achieved Outcome of the 2021/22 external audit is a clean audit and unqualified audit opinion	N/A	N/A
	Develop and deploy a plan to leverage data analytics to create a globally competitive data-driven high-performance organisation	1.2 Implementation of an approved information and communications technology (ICT) project plan for data analytics capability		Market data analytics conceptual architecture document developed. A readiness assessment exercise for the implementation of phase 1 data analytics was conducted	Implementation of phase 2, data analytics milestones planned	Target not achieved. However, the following activities were undertaken: The organisation has partnered with the Council for Scientific and Industrial Research through an a memorandum of understanding to assist with its expertise in data analytics implementation. An independent fixed-term contractor was appointed as a dedicated resource and among other activities is conducting a needs analysis and project prioritisation assessment	The reason for the variance is that the supply chain management/tender process delayed the appointment of a service provider	An alternative plan was submitted at the ICT Committee to assist with resolving the procurement delays

PROGRAMME 1: ADMINISTRATION (CONTINUED)

Outcome	Output	Output Indicator	Previous financial years' actual achievement		Financial year under review		Deviation from planned target to Actual Achievement	Comment on deviation
			2020/21	2021/22	Planned Target 2022/23	Actual Achievement 2022/23		
	Low employee turnover rate maintained	1.3 Employee turnover rate	-	3.6	4%	Target achieved 4%	N/A	N/A
	SIU stakeholder engagement and awareness initiatives	1.4 Number of stakeholder engagements and awareness campaign initiatives conducted	-	5	5	Target achieved. Six stakeholder engagements and awareness campaign conducted	1	The overachievement is due to ad-hoc engagements that were convened

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PROGRAMME 2: INVESTIGATIONS AND LEGAL COUNSEL



PURPOSE: To ensure the adequate execution of mandated service delivery of the SIU.

Outcome	Output	Output Indicator	Previous financial years' actual achievement		Financial year under review		Deviation from planned target to Actual Achievement	Comment on deviation
			2020/21	2021/22	Planned Target 2022/23	Actual Achievement 2022/23		
Outcome 2: State assets and cash resources are protected from maladministration, fraud and corruption for the realisation of full value-for-money for state programmes	Civil and other legal proceedings to recover cash assets and set aside contracts and administrative actions that are deemed to be invalid	2.1 Rand value of potential cash and/or assets to be recovered	R818 620 834	R5 960 575 800	R350 million	Target achieved R846 025 537	R496 025 537	The overachievement is in respect of various proclamations that resulted in a significant number of potential cash to be recovered
		2.2 Rand value of actual cash and/or assets recovered	R1 802 674 333	R436 416 719	R275 million	Target achieved R388 890 373	R113 891 373	The Department of Water Affairs investigations were the significant contributor to the overachievement
		2.3 Rand value of contact(s) and/or administrative decision(s)/ action(s) set aside or deemed invalid	R7 168 839 605	R5 541 897 317	R1.6 billion	Target not achieved R300 643 935	R1 299 356 065	The under-achievement is due to the ASEA Brown Boveri (ABB) review application issued late by the joint SIU and ESKOM attorneys of record. The organisation will in future mitigate the aforesaid by appointing its own legal representatives which will ensure the singular execution of SIU instructions and mandate.
		2.4 Rand value of potential loss prevented	R2 783 993 149	R6 263 013 767	R600 million	Target achieved R2 166 813 533	R1 566 813 533	The settlement agreement in respect in respect of Proclamation R11 of 2018

PROGRAMME 2: INVESTIGATIONS AND LEGAL COUNSEL (CONTINUED)

Outcome	Output	Output Indicator	Previous financial years' actual achievement		Financial year under review		Deviation from planned target to Actual Achievement	Comment on deviation
			2020/21	2021/22	Planned Target 2022/23	Actual Achievement 2022/23		
Outcome 3: Confidence in the governance systems, structures and policies of the state is restored and maintained	Legal proceedings and other due processes to conclude investigations, refer investigations for necessary action and submit mandatory status reports to the President	3.1 Number of referrals made for disciplinary action against officials and/or executives	5 749	469	180	Target achieved 376	196	A number of referrals made in respect of various proclamations contributed to the overachievement
		3.2 Number of referrals made for administrative action	41 187	24 786	120	Target achieved 67 087	66 967	The Road Traffic Management Corporation investigation significantly contributed to the over-achievement
		3.3 Number of referrals made to the relevant prosecuting authority	435	570	250	Target achieved 680	430	A number of referrals made in respect of various proclamations contributed to the overachievement
		3.4 Number of investigations closed under a published proclamation	42 117	28 135	1 450	Target achieved 70 537	69 087	The Road Traffic Management Corporation investigation significantly contributed to the overachievement

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PROGRAMME 2: INVESTIGATIONS AND LEGAL COUNSEL (CONTINUED)

Outcome	Output	Output Indicator	Previous financial years' actual achievement		Financial year under review		Deviation from planned target to Actual Achievement	Comment on deviation
			2020/21	2021/22	Planned Target 2022/23	Actual Achievement 2022/23		
		3.5 Rand value of matters in respect of which evidence was referred for the institution or defence/ opposition of civil proceedings	R64 788 741 548	R3 366 014 645	R2 billion	Target achieved R2,471,139,165	R471 139 165	The Eskom investigation was the biggest contributor to the over-achievement
		3.6 Number of cases issued in the Special Tribunal	40	54	35	Target achieved 35	N/A	N/A
		3.7 Number of reports submitted to the Presidency	15	19	20	Target achieved 21	1	The overachievement is due to the fast tracking and prioritisation for the finalisation of the Presidential reports resulting from the investigations (proclamations) that were finalised during the year

PROGRAMME 3: MARKET DATA ANALYTICS AND PREVENTION



PURPOSE: The implementation of relevant and proactive initiatives to prevent the recurrence of fraud and corruption cases as a result of systematic weaknesses in the public sector and to positively influence the behaviour of South African citizens.

Outcome	Output	Output Indicator	Previous financial years' actual achievement		Financial year under review		Deviation from planned target to Actual Achievement	Comment on deviation
			2020/21	2021/22	Planned Target 2022/23	Actual Achievement 2022/23		
Outcome 4: Corruption, maladministration and fraud deterred through proactive preventive mechanisms and effective enforcement of consequence management measures	Recorded allegations received electronically in a central location to facilitate ease of tracking	4.1 Percentage of allegations received from the SIU whistleblower hotline centrally recorded for electronic tracking	100%	100%	100%	100%	N/A	N/A
	Access for the Assessment Committee to duly assess all centrally registered allegations	4.2 Percentage of centrally registered allegations assessed by the Assessment Committee	100%	100%	100%	100%	N/A	N/A

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Programme 2: Investigation and Legal Counsel—details of performance information

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure	2022/23	Details			
		Value	Proclamation number	Proclamation name	
Rand value of potential cash and/or assets to be recovered	Target	R350 000 000	R12 822 162	R59 of 2014	National Department of Public Works and Infrastructure (DPWI)
	Actual	R846 000 000	R4 683 000	R24 of 2017	National Department of Rural Development and Land Reform (DRDLR)
			R197 256 440	R32 of 2017	Deeds Office
			R300 000	R35 of 2017	Public Service Sector Education and Training Authority (PSETA)
			R79 351 167	R37 of 2017	National Department of Transport (DoT)
			R4 914 923	R2 of 2018 and R31 of 2019	North West Department of Community Safety and Transport Management (NW DCS&TM)
			R9 007 555	R11 of 2018	Transnet
			R2 000 000	R20 of 2018	National DPWI
			R27 000 000	R22 of 2016 and R27 of 2019	Lepelle Northern Water
			R5 268 950	R37 of 2019 and R78 of 2022	South African Social Security Agency (SASSA)
			R1 505 242	R23 of 2020	Buffalo City Metropolitan Municipality (BCMM)
			R202 382	R23 of 2020	Cederberg Local Municipality
			R328 000	R23 of 2020	Eastern Cape Department of Education (ECP DoE)
			R2 937 819	R23 of 2020	Gauteng Department of Health (GAU DoH)
			R158 850 921	R23 of 2020	National Health Laboratory Services (NHLS)
			R3 282	R23 of 2020	Ngaka Modiri Molema District Municipality (NMMDM)
R35 000	R23 of 2020	Newcastle Local Municipality (NLM)			

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure	2022/23	Details			
		Value	Proclamation number	Proclamation name	
Rand value of potential cash and/or assets to be recovered	Target	R350,000,000	R51 719 625	R32 of 2020	National Lotteries Commission (NLC)
	Actual	R846,000,000	R50 140 262	R8 of 2021	Unemployment Insurance Fund (UIF)
			R339 880	R13 of 2021	Central Johannesburg Technical and Vocational Education and Training College (CJTRET)
			R178 383 905	R33 of 2021	National Department of Water and Sanitation (DWAS)
			R20 547 937	R44 of 2021	Road Accident Fund (RAF)
			R38 427 084	R88 of 2022	National Student Financial Aid Scheme (NSFAS)
Rand value of actual cash and/or assets to be recovered	Target	R275 000 000	R191 166 865		SIU Acknowledgement of Debt Enforcement Department
	Actual	R389 000 000	R1 931 637	R59 of 2014	NDPWI
			R8 249 704	R24 of 2017	DRDLR
			R7 955 731	R29 of 2017 R19 of 2018	South African Broadcasting Corporation (SABC)
			R6 000 000	R32 of 2017	Deeds Office
			R74 983 649	R11 of 2018	Transnet
			R81 502 074	R27 of 2018	National DWAS
			R5 440 770	R36 of 2019 R114 of 2023	National Department of Agriculture, Forestry and Fisheries (DAFF)
			R4 027	R8 of 2021	UIF
			R11 313 244	R44 of 2021	RAF
R342 637	R88 of 2022	NSFAS			

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Programme 2: Investigation and Legal Counsel—details of performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure	2022/23	Details			
		Value	Proclamation number	Proclamation name	
Rand value of contract(s) and/or administrative decision(s)/action(s) set aside or deemed invalid	Target	R1 600 000 000	R15 907 355	R59 of 2014	NDPWI
	Actual	R301 000 000	R1 450 000	R35 of 2017	PSETA
			R12 056 905	R23 of 2020	BCMM
			R103 770 000	R23 of 2020	Gauteng DoH
			R166 809 675	R23 of 2020	NHLS
			R650 000	R23 of 2020	Matzikama Local Municipality
Rand value of potential loss prevented	Target	R600 000 000	R145 151 738	R29 of 2017 R19 of 2018	SABC
	Actual	R2 100 000 000	R1 000 000	R35 of 2017	PSETA
			R1 950 000 000	R11 of 2018 R3 of 2020 R97 of 2022	Eskom
			R4 663 745	R23 of 2020	Gauteng DoH
			R65 998 050	R74 of 2022	National and provincial departments of health (medico-legal claims)

Programme 2: Investigation and Legal Counsel—details of performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of referrals made for disciplinary action against officials and/or executives	Target	180	4	R32 of 2017	Deeds Office
	Actual	376	1	R11 of 2018 R3 of 2020 R97 of 2022	Eskom
			3	R11 of 2018	Transnet
			3	R12 of 2018 R179 of 2021	Roads Agency Limpopo Limited (LIMRAL)
			3	R20 of 2018	NDPWI
			6	R18 of 2019	NHLS
			12	R29 of 2019	Council for Medical Schemes (CMS)
			1	R36 of 2019 R114 of 2023	National DAFF
			3	R37 of 2019 R78 of 2022	SASSA
			1	R42 of 2019 R29 of 2020	North West DoH
			10	R42 of 2019	Free State DoH
			6	R51 of 2019	Passenger Rail Agency of South Africa (PRASA)
			1	R30 of 2019	North West Development Corporation (NWDC)
			3	R7 of 2020	Department of Justice and Constitutional Development (Master's Office)
			1	R23 of 2020	Amatola Water Board (AWB)
10	R23 of 2020	BCMM			

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Programme 2: Investigation and Legal Counsel—details of performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of referrals made for disciplinary action against officials and/or executives	Target	180	3	R23 of 2020	Eastern Cape SASSA
	Actual	376	71	R23 of 2020	eThekweni Metropolitan Municipality (EKMM)
			21	R23 of 2020	KwaZulu-Natal DoH
			11	R23 of 2020	Newcastle Local Municipality
			2	R23 of 2020	Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs (MPUDARDLEA)
			6	R23 of 2020	Mpumalanga DoH
			4	R23 of 2020	Mpumalanga Department of Culture, Sport and Recreation (DCSR)
			5	R23 of 2020	Northern Cape DoE
			2	R23 of 2020	Mogalakwena Local Municipality
			6	R23 of 2020	NMMDM
			10	R27 of 2020	Maluti-a-Phofung Local Municipality
			5	R7 of 2021	Gauteng Enterprise Propeller
			4	R9 of 2021	EKMM
			118	R8 of 2021	UIF
			4	R15 of 2021	Gauteng Department of Agriculture and Rural Development
			11	R16 of 2021	KwaZulu-Natal DoT
			11	R20 of 2021	East London Industrial Development Zone (ELIDZ)
14	R180 of 2021	Mogalakwena Local Municipality			

Programme 2: Investigation and Legal Counsel - Details of Performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of referrals made for executive and/or administrative action	Target	120	2	R29 of 2017 R19 of 2018	SABC
	Actual	67 087	2	R32 of 2017	Deeds Office
			66 989	R37 of 2017	National DoT
			1	R11 of 2018 R3 of 2020 R97 of 2022	Transnet
			4	R15 of 2018	Mopani District Municipality
			11	R20 of 2018	National DPWI
			3	R21 of 2018 R33 of 2019	Department of Justice and Constitutional Development Office of the State Attorney (DOJ&CD OSA)
			4	R4 of 2019	Umgenti Water
			2	R37 of 2019 R78 of 2022	SASSA
			8	R42 of 2019	Free State DoH
			2	R7 of 2020	Master's Office
			7	R23 of 2020	BCMM
			1	R23 of 2020	Gauteng DoH
			3	R23 of 2020	NLM
			1	R23 of 2020	Mpumalanga SAPS
			6	R23 of 2020	Mpumalanga DPWI
1	R23 of 2020	Lejeweleputswa District Municipality			

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Programme 2: Investigation and Legal Counsel - Details of Performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of referrals made for executive and/or administrative action	Target	120	3	R23 of 2020	Northern Cape DoH
	Actual	67 087	1	R23 of 2020	Renosterberg Local Municipality
			11	R9 of 2021	EKMM
			6	R16 of 2021	KwaZulu-Natal DoT
			4	R33 of 2021	National DWAS
			15	R180 of 2021	Mogalakwena Local Municipality

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of referrals made to the relevant prosecuting authority	Target	250	141	R32 of 2017	Deeds Office
	Actual	680	5	R37 of 2017	National DoT
			62	R11 of 2018 R3 of 2020 R97 of 2022	Eskom
			12	R11 of 2018	Transnet
			32	R12 of 2018 R179 of 2021	LIMRAL
			4	R8 of 2017 R15 of 2018 R16 of 2019	Mopani District Municipality

Programme 2: Investigation and Legal Counsel—details of performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of referrals made to the relevant Prosecuting Authority	Target	250	8	R20 of 2018	National DPWI
	Actual	680	4	R4 of 2019	Umgeni Water
			1	R18 of 2019	NHLS
			18	R29 of 2019	CMS
			1	R30 of 2019	NWDC
			7	R32 of 2019 R57 of 2019	Denel
			1	R34 of 2019	Free State DoH
			3	R36 of 2019 R114 of 2023	National DAFF
			8	R37 of 2019 R78 of 2022	SASSA
			28	R41 of 2019	Department of Defence and Military Veterans (DoDMV)
			5	R42 of 2019	Free State DoH
			2	R42 of 2019 R29 of 2020	North West DoH
			6	R51 of 2019	PRASA
			2	R2 of 2020	South African Airways (SAA)
			14	R7 of 2020	Master's Office
13	R23 of 2020	BCMM			
1	R23 of 2020	Eastern Cape DoE			

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Programme 2: Investigation and Legal Counsel—details of performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of referrals made to the relevant Prosecuting Authority	Target	250	7	R23 of 2020	Gauteng DoH
	Actual	680	5	R23 of 2020	Mpumalanga DoH
			7	R23 of 2020	Mpumalanga DPWI
			1	R23 of 2020	Mpumalanga DCSR
			2	R23 of 2020	Mpumalanga SAPS
			3	R23 of 2020	NMMDM
			23	R23 of 2020	Transnet
			8	R27 of 2020	Maluti-a-Phofung Municipality
			12	R32 of 2020	NLC
			2	R39 of 2020 R95 of 2022	Saldanha Bay Municipality
			13	R7 of 2021	Gauteng Enterprise Propeller
			31	R8 of 2021	UIF
			20	R9 of 2021	EKMM
			111	R13 of 2021	CJTVET
			6	R15 of 2021	Gauteng DARD
			6	R16 of 2021	KwaZulu-Natal DoT
			3	R20 of 2021	ELIDZ
22	R33 of 2021	National DWAS			
1	R44 of 2021	RAF			

Programme 2: Investigation and Legal Counsel - Details of Performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of referrals made to the relevant prosecuting authority	Target	250	5	R45 of 2021	Alexkor
	Actual	680	13	R180 of 2021	Mogalakwena Local Municipality
			1	R210 of 2021	North West DPW&R

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of investigations closed out under a published proclamation	Target	1 450	16	R59 of 2014	National DPWI
	Actual	70 537	31	R32 of 2017	Deeds Office
			67 013	R37 of 2017	National DoT
			2	R2 of 2018 R31 of 2019	North West DCS&TM
			16	R11 of 2018	Transnet
			1	R12 of 2018 R179 of 2021	LIMRAL
			22	R20 of 2018	National DPWI
			2	R18 of 2019	NHLS

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Programme 2: Investigation and Legal Counsel—details of performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of investigations closed out under a published proclamation	Target	1 450	5	R23 of 2019	Health Professionals Council of South Africa (HPCSA)
	Actual	70 537	42	R29 of 2019	CMS
			1	R30 of 2019	NWDC
			1	R32 of 2019	Denel
			66	R34 of 2019	Free State DoH
			2	R36 of 2019 R114 of 2023	National DAFF
			104	R37 of 2019 R78 of 2022	SASSA
			102	R7 of 2020	Master's Office
			4	R23 of 2020	BCMM
			43	R23 of 2020	Eastern Cape SASSA
			53	R23 of 2020	Eastern Cape DoE
			6	R23 of 2020	Eastern Cape DRDLR
			5	R23 of 2020	OR Tambo District Municipality
			9	R23 of 2020	Gauteng DoH
			34	R23 of 2020	KwaZulu-Natal DoH
			12	R23 of 2020	NLM
			8	R23 of 2020	Mpumalanga DoH
26	R23 of 2020	Mpumalanga SAPS			
1	R23 of 2020	Mpumalanga DHS			

Programme 2: Investigation and Legal Counsel—details of performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of investigations closed out under a published proclamation	Target	1 450	1	R23 of 2020	National DoH
	Actual	70 537	30	R23 of 2020	North West DPWR&T
			2	R23 of 2020	North West DCS&TM
			4	R23 of 2020	North West DoH
			6	R23 of 2020	NMMDM
			1	R23 of 2020	City of Cape Town
			1	R23 of 2020	Western Cape DoH
			1	R27 of 2020	Maluti-a-Phofung Municipality
			1	R7 of 2021	Gauteng Enterprise Propeller
			2712	R8 of 2021	UIF
			4	R9 of 2021	EKMM
			115	R13 of 2021	CJTVET
			4	R16 of 2021	KwaZulu-Natal DoT
			11	R20 of 2021	ELIDZ
			4	R180 of 2021	Mogalakwena Local Municipality
			10	R75 of 2022	NLM
3	R76 of 2022	KwaZulu-Natal DoT			

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Programme 2: Investigation and Legal Counsel—details of performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure	2022/23	Details			
		Number/value	Proclamation number	Proclamation name	
Rand value of matters in respect of which evidence was referred for the institution or defence/opposition of civil proceedings	Target	R2 000 000 000	R2 814 068	R10 of 2018	KwaZulu-Natal DCS
	Actual	R2 400 000 000	R1 392 792 329	R11 of 2018 R3 of 2020 R97 of 2022	Eskom
			R156 215 692	R11 of 2018	Transnet
			R10 242 290	R22 of 2016 R27 of 2019	Lepelle Northern Water
			R251 762 429	R41 of 2019	DoDMV
			R85 000 000	R2 of 2020	SAA
			R32 321 566	R23 of 2020	KwaZulu-Natal DoE
			R59 404 346	R23 of 2020	Gauteng DoH
			R198 774 998	R23 of 2020	Limpopo DoH
			R12 372 672	R23 of 2020	Limpopo Department of Cooperative Governance and Traditional Affairs (CoGTA)
			R5 591 000	R23 of 2020	Mpumalanga CoGTA
			R638 646	R23 of 2020	Mpumalanga Community, Safety, Security and Liaison
			R28 629 284	R23 of 2020	Mpumalanga DoH
			R2 680 767	R23 of 2020	North West DoH
			R400 028	R23 of 2020	Matzikama Local Municipality
			R25 006 515	R23 of 2020	National DoT
			R38 572 564	R32 of 2020	NLC
R167 919 973	R180 of 2021	Mogalakwena Local Municipality			

Programme 2: Investigation and Legal Counsel—details of performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of cases issued in the Special Tribunal	Target	35	Refer to page 85-86 for the list of cases issued in the special tribunal in 2022/23.		
	Actual	35			

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of reports submitted to the Presidency	Target	20	1	R24 of 2017	DRDLR
	Actual	21	1	R25 of 2017	Lesedi Local Municipality
			1	R28 of 2017	Department of Correctional Services and Independent Development Trust
			1	R29 of 2017 R19 of 2018	SABC
			1	R27 of 2018 R44 of 2019	National DWAS
			1	R23 of 2019	HPCSA
			1	R28 of 2019	National DWAS
			1	R30 of 2019	NWDC
			1	R34 of 2019	Free State DoH
			1	R40 of 2019	Eastern Cape DPWI and Eastern Cape DoE
			1	R42 of 2019	Free State DoH
			1	R42 of 2019 R29 of 2020	North West DoH

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Programme 2: Investigation and Legal Counsel—details of performance information (continued)

SIU annual performance information from 1 April 2022 to 31 March 2023					
Performance measure		2022/23	Details		
			Number/value	Proclamation number	Proclamation name
Number of reports submitted to the Presidency	Target	20	2	R23 of 2020	State—institutions - Covid-19 procurement
	Actual	21	1	R27 of 2020	Maluti-a-Phofung Municipality
			1	R9 of 2021	EKMM
			1	R16 of 2021	KwaZulu-Natal DoT
			1	R210 of 2021	North West DPW&R
			1	R49 of 2022	Telkom
			1	R74 of 2022	National and provincial departments of health
			1	R84 of 2022	University of Fort Hare

PROCLAMATIONS ISSUED DURING THE PERIOD UNDER REVIEW

Proclamation No:	R71 of 2022
Dated:	8 July 2022
Government Gazette No:	46681
Name of institution: Eastern Cape Provincial Department of Health	
<ol style="list-style-type: none"> 1. The procurement of or contracting for health care risk waste management services by, or on behalf of, the Department in terms of bid number SCMU3-18/19-1461-HO and payments which were made in respect thereof in a manner that was a) not fair, equitable, transparent, competitive or cost effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars, or instructions issued by the National Treasury or the relevant Provincial Treasury; or iii) manuals, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to the Department, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department or the State. 2. Any irregular, improper or unlawful conduct by a) employees or officials of the Department or b) any other person or entity, in relation to the allegations referred to in paragraph 1 of this Schedule 	

Proclamation No:	R72 of 2022
Dated:	8 July 2022
Government Gazette No:	46681
Name of institution: Midvaal Local Municipality: Gauteng Province	
<ol style="list-style-type: none"> 1. The procurement of or contracting for the rental of a vehicle tracking system, including the installation, monitoring and maintenance of a web based live tracking system by or on behalf of the Municipality in terms of Tender Number 8/2/2/307 payments made in respect thereof in a manner that was a) not fair, equitable, transparent, competitive or cost effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars, or instructions issued by the National Treasury or the relevant Provincial Treasury; or iii) manuals, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to the Municipality, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality or the State. 2. Any improper or unlawful conduct by the officials or employees of the Municipality or service provider in question, or any other person or entity, in relation to the allegations referred to in paragraph 1 of this Schedule. 	

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Proclamation No: R74 of 2022

Dated: 22 July 2022

Government Gazette No: 47055

Name of institution: National Department of Health and Provincial Departments of Health (The Institutions)

1. The unlawful or improper conduct by claimants or applicants or their agents in the institution of civil action or civil application proceedings for relief against the Institutions in respect of medical negligence claims in a manner that was a) fraudulent; or b) conducted by or facilitated through the improper or unlawful conduct of i) employees or officials of the Institutions; or ii) any other person or entity, to corruptly or unduly benefit themselves or any other person, and any related losses or irregular or fruitless and wasteful expenditure incurred by the Institutions or the State as a result thereof.

Proclamation No: R75 of 2022

Dated: 22 July 2022

Government Gazette No: 47055

Name of institution: Newcastle Municipality: KwaZulu-Natal Province

1. The procurement of or contracting for goods, works or services by or on behalf of the Municipality and payments made in respect thereof in a manner that was a) not fair, competitive, transparent or cost effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars, or instructions issued by the National Treasury or the relevant Provincial Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Municipality, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality in relation to aa) The refurbishment of DN 700 PC Pipelines and 4No Cross Connections to Parallel DN 600 Steel Pipeline; bb) Bid numbers B002-2018/19; B012-2018/19; B015-2018/19; B018-2018/19; B007-2018/19; B013-2018/19 and B010-2018/19; cc) A Professional service provider for assistance with Revenue Management and SCM Solutions (System) for the period of 3 financial years on or about 26 April 2019; dd) Supply and delivery of batteries and battery chargers on or about 31 August 2018; and ee) Bid number A015-2019-2020 for the construction of a 2km, 160mm diameter upvc pipeline connection to Soul City. L2132.
2. Maladministration in the affairs of the Municipality in relation to: a) contracts awarded to persons in the Service of the State, contrary to the provisions of Regulation 44 of the Municipal SCM Regulations dated 30 May 2005; b) payments made to fictitious employees; c) Fruitless and wasteful expenditure as a result of late payments to Eskom; d) Fruitless and wasteful expenditure incurred as a result of late VAT and PAYE payments to SARS; e) Salary payments made to former employees after they had left the employ of the Municipality, including the causes of such maladministration.
3. Any irregular, improper or unlawful conduct by a) employees or officials of the Municipality b) applicable suppliers or service providers; or c) any other person or entity, in relation to the allegations referred to in paragraphs 1 and 2 of this Schedule.

Proclamation No:	R76 of 2022
Dated:	22 July 2022
Government Gazette No:	47055
Name of Institution: KwaZulu-Natal Department of Transport	
1.	Serious maladministration in connection with the affairs of the Department, including the causes of such maladministration, which has led to the Department incurring irregular expenditure and fruitless and wasteful expenditure, as identified by the AGSA in a) the AGSA Final Management Report dated 31 March 2019; and b) the AGSA Final Management report dated 31 March 2021.
2.	The procurement of and contracting for a fibre data link to the Department's IT server room at Inkosi Mhlabunzima Maphumulo House and payments made in respect thereof in a manner that was a) not fair, competitive, transparent, equitable or cost effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, circulars, practice notes, or instructions issued by the National Treasury or the relevant Provincial Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Department, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department.
3.	Any unlawful or irregular conduct by a) employees of the Department or b) any other person or entity, in relation to the allegations referred to in paragraphs 1 and 2 of this Schedule.

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Proclamation No: R77 of 2022

Dated: 22 July 2022

Government Gazette No: 47055

Name of Institution: South African Council for Educators

1. The procurement for and acquisition of the commercial property described as Erf 638, situated at 33 Beacon Bay Drive, East London, by the SACE in a manner that was a) not fair, competitive, transparent, equitable or cost-effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars, or instructions issued by the National Treasury or the Provincial Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the SACE; and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the SACE or the State. 2. Any improper or unlawful conduct by the officials or employees of the SACE or any other person or entity, in relation to the allegations set out in paragraph 1 of this Schedule.

Proclamation No:	R78 of 2022
Dated:	22 July 2022
Government Gazette No:	47055

Name of Institution: South African Social Security Agency

This proclamation amends Proclamation R37 of 2019 by:

- a) The extension of the period referred to in the fourth paragraph of the Proclamation to the date of the publication of this proclamation; and
- b) The substitution for paragraph 2 of the Schedule to the Proclamation of the following paragraph:
 - 2 The procurement of or contracting for goods, works or services by or on behalf of the SASSA and payments made in respect thereof in a manner that was a) not fair, competitive, transparent, equitable or cost-effective, b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the SASSA; c) fraudulent; and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the SASSA or the State or any resulting loss or damages suffered by the SASSA or the State in relation to aa) the refurbishment of offices of the SASSA within the EC region in terms of the Local Office Improvement Project; bb) medical goods or services procured within the GAU region during the period 1 April 2016 to 30 Sept 2016; cc) services procured from Keyser Cleaning Services within the EC region; and dd) the procurement of blankets by the KZN regional office during the period 1 April 2016 to 30 Sept 2016; and ee) Cleaning tender Bid SASSA41-20-CS-EC

Proclamation No:	R80 of 2022
Dated:	29 July 2022
Government Gazette No:	47107

Name of Institution: OR Tambo District Municipality

1. The procurement of or contracting for goods, works or services by or on behalf of the Municipality and payments made in respect thereof in a manner that was a) not fair, competitive, transparent or cost effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars, or instructions issued by the National Treasury or the relevant Provincial Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Municipality, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality in relation to the provision of strategic, technical and operational support services to the Strategic Programmes and Project Management Office of the Municipality in terms of tender number ORTDM – SCMU33-17/18.
2. Any unlawful or improper conduct by a) officials or employees of the Municipality b) applicable service providers of the Municipality; or c) any other person or entity, in relation to the allegations set out in paragraph 1 of this Schedule.

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Proclamation No:	R82 of 2022
Dated:	5 August 2022
Government Gazette No:	47197
Name of Institution: Lepelle Northern Water and Amatola Water Board	
1.	The procurement of, or contracting for, drought relief services and technologies by or on behalf of the Water Boards and payments made in respect thereof in a manner that was a) not fair, competitive, transparent or cost effective; b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars, or instructions issued by the National Treasury or the relevant Provincial Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Water Boards; c) facilitated through the unlawful, irregular or improper conduct of i) Board members, employees or officials of the Water Boards; or ii) officials or employees of the Ministry of Human Settlements, Water and Sanitation; d) conducted or facilitated through the manipulation of the Water Boards' supply chain management processes by suppliers, service providers or any other person in collusion with, or through the intervention of i) Board members, employees or officials of the Water Boards; or ii) officials or employees of the Ministry of Human Settlements, Water and Sanitation, to corruptly or unduly benefit themselves or others; or e) fraudulent, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Water Boards or the State as a result thereof.
2.	Any unlawful or improper conduct by a) the suppliers or service providers in question or their employees; b) Board members, employees or officials of the Water Boards; c) officials or employees of the Ministry of Human Settlements, Water and Sanitation; or d) any other person, in relation to the allegations set out in paragraph 1 and 2 of this Schedule.

Proclamation No:	R83 of 2022
Dated:	5 August 2022
Government Gazette No:	47199
Name of Institution: Department of Public Works and Infrastructure - Prestige Project	
1.	The procurement of goods, works and services by or on behalf of the Department in a manner that was a) not fair, competitive, transparent or cost effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, or instructions issued by the National Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Department, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department in relation to the following projects: aa) Official Accommodation (WCS 046547); bb) Residential Accommodation (WCS 046548); cc) Residences of Sessional Officials Refurbishment (WCS 45661); dd) Marks Building External Renovations (WCS 050720); and ee) 90 Plein Street, Cape town, 6th Floor, total refurbishments. 2. Any non-performance, poor performance, defective performance or late performance by contractors, suppliers or service providers of goods, works or services delivered, performed, or rendered in respect of the projects listed above and any losses suffered by the Department or the State as a result thereof. 3. Any irregular, improper or unlawful conduct by a) employees or officials of the Department; or b) any other person or entity, in relation to the allegations set out in paragraph 1 of this Schedule.

Proclamation No:	R84 of 2021
Dated:	5 August 2022
Government Gazette No:	47199
Name of Institution: University of Fort Hare	
1.	The procurement of, or contracting for goods, works or services by, or on behalf of the University and payments made in respect thereof in a manner that was a) not fair, competitive, transparent, equitable or cost effective; b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the University, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the University in relation to: aa) the appointment of a service provider for cleaning and gardening services during the period 1 November 2012 to 31 July 2019; bb) the leasing of student accommodation since 1 July 2013; cc) the appointment of a service provider for the maintenance and repair of air conditioning systems in terms of bid reference UHF-SCM04/2018; and dd) the collusion between officials of the University and suppliers or service providers in which such officials held direct or indirect interests.
2.	Maladministration in the affairs of the University's Faculty of Public Administration in relation to the a) awarding of honours degrees; b) management of funds; and c) sourcing of public servants for study into various Faculty programmes by an individual for personal gain. 3. Any unlawful or improper conduct by a) officials or employees of the University; b) suppliers or service providers of the University; or c) any other person or entity, in relation to the allegations set out in paragraph 1 and 2 of this Schedule.

Proclamation No:	R85 of 2022
Dated:	12 August 2022
Government Gazette	46700
Name of Institution: Mogale City Local Municipality - Gauteng Province	
1.	The procurement of, or contracting for goods, armed and unarmed security services by or on behalf of the Municipality in relation to Tender Number CDS (T&S) 09/2018 and payments made in respect thereof in a manner that was a) not fair, competitive, transparent, equitable or cost effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars, or instructions issued by the National Treasury or the relevant Provincial Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Municipality, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality or losses suffered by the Municipality or the State.
2.	Any irregular, improper or unlawful conduct by a) contractors, officials, or employees of the Municipality b) the suppliers or service providers of the Municipality; or c) any other person or entity, in relation to the allegations set out in paragraph 1 of this Schedule.

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Proclamation No: R88 of 2022

Dated: 26 August 2022

Government Gazette No: 46789

Name of Institution: National Student Financial Aid Scheme (NSFAS)

1. Maladministration in the affairs of the NSFAS in relation to a) management of the finances of the NSFAS; and b) the allocation of loans, bursaries and any other funding payable to students in terms of the provisions of the National Student Financial Aid Scheme Act, 1999, Act No 56 of 1999, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the NSFAS or the State including the causes of such maladministration.
2. Any unlawful or improper conduct by employees or officials of the NSFAS or the service providers in question, their employees or any other person or entity, relating to the allegations set out in paragraph 1 of this Schedule.

Proclamation No: R95 of 2022

Dated: 2 December 2022

Government Gazette No: 47634

Name of Institution: Saldanha Bay Municipality

This proclamation amends Proclamation R39 of 2020 by:

- a) The extension of the period referred to in the fourth paragraph of the Proclamation to the date of the publication of this proclamation;
- b) The substitution for paragraph 1 of the Schedule to the Proclamation for the following paragraph:
 1. The procurement of, or contracting for a) security services in terms of bid number SBM 45/17/18 and b) professional consulting engineering services for the formalisation, rezoning and subdivision, related environmental authorisation and land surveyor services for portion 24 of Farm 282 in Middelpoos Saldanha in terms of bid number SBM 56/18/19 by or on behalf of the Municipality and payments made in respect thereof in a manner that was i) not fair, competitive, transparent, equitable or cost-effective; or ii) contrary to applicable aa) legislation; bb) manuals, guidelines, practice notes, circulars or instructions issued by the National treasury or the relevant Provincial Treasury; or ccc) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Municipality and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the State or the Municipality.
- c) The substitution for paragraph 2 of the Schedule to the Proclamation for the following paragraph:

Proclamation No:	R95 of 2022
Dated:	2 December 2022
Government Gazette No:	47634

Name of Institution: Saldanha Bay Municipality

2. Serious maladministration in the affairs of the Municipality in respect of the a) strategic partnership concluded between the Municipality and the Saldanha Bay Tourism Office, including the expenditure of public money paid out by the Municipality to the Saldanha Bay Tourism Office. b) appointment of the Personal Assistant: Speaker and Council Support, Mayoral Support Service, Political Administrator, Strategic Advisor and Executive Mayor: Communications Officer in the year 2019/2020 and c) writing off by the Municipality's Council of irregular expenditure of R1 757 758 and R9 959 912, as identified by the AGSA in its Notes to the Annual Financial Statements of the Municipality as at 30 June 2019, including the causes of such maladministration; and
- d) The addition of the following paragraph after paragraph 2 of the Schedule to the Proclamation:
3. Any unlawful or improper conduct by the officials or employees of the Municipality or the applicable service providers, or any other person or entity, in relation to the allegations set out in paragraphs 1 and 2 of this Schedule.

Proclamation No:	R96 of 2022
Dated:	2 December 2022
Government Gazette No:	47634

Name of Institution: National Department of Water and Sanitation

1. The procurement of, or contracting of goods, works and services by or on behalf of the Department in respect of contract number DEV 0043-WTE for a) repairs to Pump Number 5 at Grootfontein Pump Station; b) replacement of Rising Main 1 & 2 Power Packs and Controls at Grootfontein Pump Station; and c) design, supply, installation and commissioning of Packaged Water Treatment Plant at Grootdraai Pump Station by the Department in a manner that was i) not fair, competitive, transparent or cost effective; or ii) contrary to applicable aa) legislation; bb) manuals, guidelines, practice notes, or instructions issued by the National Treasury; or cc) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Department, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department or the State.
2. Any unlawful, improper or irregular conduct by a) officials or employees of the Department; b) suppliers or service provider of the Department; or c) any other person or entity in relation to the allegations set out in paragraph 1 of this Schedule.

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Proclamation No: R97 of 2022

Dated: 2 December 2022

Government Gazette No: 47634

Name of Institution: Eskom Holdings SOC Ltd

This proclamation amends Proclamation R11 of 2018 and R3 of 2020 by:

- a) The substitution for the expression "1 January 2010" in the fourth paragraph of the Proclamation of the expression "1 January 2003";
- b) The extension of the period referred to in the fourth paragraph of the Proclamation to the date of the publication of this proclamation;
- c) The deletion of the expression "and" after the semi-colon at the end of paragraph (e) of paragraph 1 of the Schedule to the proclamation;
- d) The substitution for the comma in paragraph (f) of paragraph 1 of the Schedule to the Proclamation of a semi-colon;
- e) The addition of the expression "and" after the semi-colon at the end of paragraph (f) of paragraph 1 of the Schedule to the Proclamation; and
- f) The addition in paragraph 1 of the Schedule to the Proclamation of the following paragraphs after paragraph (f):
- g) Goods, works and services by Eskom's Kusile, Medupi, Kendal, Matla, Duvha, Arnot, Tutuka and Grootvlei power stations as well as Eskom's Head Office situated at Megawatt Park in Johannesburg;
- h) Contract number 4600062450 for information technology and related services and any subsequent extensions or amendments thereof; and
- i) Fuel oil supply contracts".

Proclamation No: R114 of 2023

Dated: 17 February 2023

Government Gazette No: 48067

Name of Institution: former National Department of Agriculture, Forestry and Fisheries

This proclamation amends Proclamation R36 of 2019 by:

- a) In the Proclamation and the Schedule thereto, the inclusion of the word "former" immediately preceding the words "National Department of Agriculture, Forestry and Fisheries" and "DAFF", wherever the aforementioned words appear in that Proclamation and Schedule;
- b) The extension of the period referred to in the fourth paragraph of the Proclamation to the date of the publication of this proclamation;
- c) The deletion of paragraph 3 of the Schedule; and

Proclamation No: R114 of 2023

Dated: 17 February 2023

Government Gazette No: 48067

Name of Institution: former National Department of Agriculture, Forestry and Fisheries

- d) The addition of the following paragraphs in the Schedule to the proclamation;
4. Maladministration in the affairs of the former DAFF, in relation to a) the mismanagement of the Ilima/Letsema Support Programme (hereinafter referred to as the "ILSP"); b) the allocation and use of ILSP funds; and c) the monitoring of projects that were funded in terms of the ILSP, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the former DAFF, or the State including the causes of such maladministration.
 5. The use of ILSP funds to procure or contract for goods or services by or on behalf of the former DAFF, and payments which were made in respect thereof in a manner that was a) not fair, equitable, transparent, competitive or cost-effective; or b) contrary to applicable i) legislation; 1) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or iii) manuals, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to the former DAFF and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the former DAFF or the State
 6. Any unlawful or improper conduct by the employees or officials of the former DAFF or applicable service providers, or any other person or entity in relation to the allegations set out in paragraphs 1 to 5 of this Schedule.

PRESIDENTIAL REPORTS SUBMITTED IN 2022/23

	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
1	R27 of 2018 R44 of 2019	National Department of Water and Sanitation	<ol style="list-style-type: none"> The procurement of, or contracting for, Information Technology related services from Systems Applications Products (South Africa) (Pty) Limited (SAP) by the Department in a manner that was a) not fair, competitive, transparent, equitable or cost-effective; b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Department; c) conducted by or facilitated through the improper or unlawful conduct of i) employees or officials of the Department; or ii) any other person or entity to corruptly or unduly benefit themselves or others; or d) fraudulent and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department or the State. Any improper or unlawful conduct by the personnel of the Department or SAP or any other person or entity, in relation to the allegations set out in para 1 including the causes of such improper or unlawful conduct and any losses, damage or actual or potential prejudice suffered by the Department of the State. 	Final	09/06/2022
2	R49 of 2022	Telkom South Africa SOC Limited	<ol style="list-style-type: none"> The contracting for or procurement of a) telegraph services (telex and telegrams); and b) advisory services in respect of the broadband and mobile strategy of Telkom, by or on behalf of Telkom, and payments made in respect thereof in a manner that was i) not fair, equitable, transparent, competitive or cost effective; or ii) contrary to applicable aa) legislation; bb) manuals, guidelines, circulars, practice notes or instructions issued by the National Treasury; or cc) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to Telkom, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by Telkom or the State. Maladministration in the affairs of Telkom in relation to the sale or disposal of a) iWayAfrica and Africa Online Mauritius; and b) Multi-Links Telecommunications Limited, and any losses or prejudice suffered by Telkom or the State as a result of such maladministration. Any unlawful, improper or irregular conduct by a) employees, officials or agents of Telkom; or b) any other person or entity, in relation to the allegations referred to in paragraphs 1 and 2 of this Schedule. 	Interim	09/06/2022

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	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
3	R23 of 2020	State Institutions - Covid-19 Procurement	<ol style="list-style-type: none"> 1. The procurement of, or contracting for goods, works and services, including the construction, refurbishment, leasing, occupation and use of immovable property, during, or in respect of the National State of Disaster, as declared by Government Notice No. 313 of 15 March 2020, by or on behalf of the State Institutions, and payments made in respect thereof in a manner that was a) not fair, competitive, transparent, equitable or cost-effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars or instructions issued by the National treasury or the relevant Provincial Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the State Institutions; or c) conducted by or facilitated through the improper or unlawful conduct of i) employees or officials of the State Institutions, or any other person or entity, to corruptly or unduly benefit themselves or any other person; or d) fraudulent and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the State Institutions or the State. 2. Any improper or unlawful conduct by the officials or the employees of the State Institutions or any other person, in relation to the allegations set out in paragraph 1 of this Schedule, including the causes of such improper or unlawful conduct and any loss, damage or actual or potential prejudice suffered by the State Institutions or the State. 	Final	15/07/2022 and 19/12/2022

	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
4	R28 of 2017	Department of Correctional Services and the Independent Development Trust	<ol style="list-style-type: none"> 1. The procurement of, or contracting for goods, works or services by or on behalf of the State Institutions in terms of Bid Number DCSSF02 and payments made in respect thereof in a manner that was (a) not fair, equitable, transparent, competitive or cost-effective; (b) contrary to applicable (i) legislation; (ii) manuals, guidelines, circulars, practice notes or instructions issued by the National Treasury; or (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the State Institutions; (c) conducted by or facilitated through the improper or unlawful conduct of (i) officials of the State Institutions; or (ii) any other person or entity, to corruptly or unduly benefit themselves or others; or (d) fraudulent, and related unauthorised, irregular or fruitless and wasteful expenditure incurred by State Institutions. 2. Malperformance or no performance by service providers and professional consultants appointed by the State Institutions in terms of Bid Number DCSSF02. 3. Any improper or unlawful conduct by officials or employees of the State Institutions, service providers or professional consultants or any other person or entity, in relation to the allegations set out in paragraphs 1 and 2 of this Schedule. 4. The appointment of the Trust, by the Department, as agent for the implementation of Bid Number DCSSF02 and payments made in respect thereof in a manner that was (a) not fair, equitable, transparent, competitive or cost-effective; (b) contrary to applicable (i) legislation; (ii) manuals, guidelines, circulars, practice notes or instructions issued by the National Treasury; or (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Department, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department. 5. The appointment of professional consultants by the Trust for Bid Number DCSSF02 and payments made in respect thereof in a manner that was (a) not fair, equitable, transparent, competitive or cost-effective; (b) contrary to applicable (i) legislation; (ii) manuals, guidelines, circulars, practice notes or instructions issued by the National Treasury; or (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the State Institutions; and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by State Institutions.. 	Final	26/08/2022

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	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
5	R28 of 2019	National Department of Water and Sanitation	<ol style="list-style-type: none"> 1. The appointment by the Department of a service provider under Contract Number 1/2/4/25/2017/1/NWRI/MIHLOTI for a period of 18 months to render services for the emergency upgrading of the Thukela Goedertrouw Transfer Scheme and payments made in respect thereof in a manner that was a) not fair, competitive, transparent, equitable or cost effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Department, and any aa) related unauthorised, irregular or fruitless and wasteful expenditure incurred by; or bb) resulting loss or prejudice suffered by the Department or the State, as a result thereof. 2. Any unlawful or improper conduct by a) employees or officials of the Department; b) the service provider referred to in paragraph 1 above, its directors, employees or agents; or c) any other person or entity, relating to the allegations set out in paragraph 1 above. 	Final	26/08/2022

	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
6	R34 of 2019	Free State Provincial Department of Health	<ol style="list-style-type: none"> 1. The failure by the Dept to a) establish and maintain effective and efficient systems of financial and risk management and internal controls or to adhere strictly to the provisions of any such systems in respect of i) the processing of overtime claims submitted by medical practitioners in the employment of the Dept and payments that were made in respect thereof; ii) payments that were made to medical practitioners in the employment of the Dept for services that were rendered. b) verify overtime services that were actually rendered before making payments in respect thereof; c) take effective and appropriate steps to recover financial losses resulting from criminal or irregular conduct; d) take effective and appropriate disciplinary steps against any employee in its service, who committed an act that undermined the financial management and internal control systems of the Department; e) act upon conclusions or findings of audit reports and investigations conducted by the Dept that identified i) irregular overtime claims by medical practitioners in the employment of the Dept and payments that were made in respect thereof; ii) that employees of the Dept held business interests in service providers that conducted business with the Dept or other organs of State; and iii) that employees of the Dept conducted remunerative work outside the scope of their employment without the permission of the executive authority of the Dept; and f) verify the qualifications, experience and competencies of foreign medical practitioners before such practitioners are employed by the Dept to practice as medical practitioners in the RSA. 2. The failure by medical practitioners employed by the Dept to disclose to the Dept that they were engaged in business activities for remuneration outside the scope of their employment under the Public Service Act, 1994 or any other contractual relationship with the Dept or their failure to cease such unauthorised activity upon becoming employed by the Dept. 3. Any undisclosed or unauthorised interest that medical practitioners in the employment of the Dept may have had with regard to contractors, suppliers or service providers who put in bids for work or did business with the Dept. 4. Claims that were submitted to medical aids and payments that were made in respect thereof for services that were rendered by medical practitioners who performed the services in question in terms of a contractual relationship with the Dept. 5. Any unlawful or irregular conduct by employees of the Dept or any other person or entity in relation to the allegations set out in paragraphs 1 to 4 above. 	Final	28/10/2022

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	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
7	R42 of 2019 R29 of 2020	North West Province Department of Health	<ol style="list-style-type: none"> 1. The procurement of or contracting for a) aero-medical services and patient transport services by or on behalf of the FSP DOH in terms of bid numbers DOH(FS)67/2014/2015 and DOH(FS)20/2013/2014; and b) patient transport services by or on behalf of the NWP DOH in terms of bid number NWDOH13/2015, c) primary health care services by or on behalf of the NWDOH in terms of bid number FSDOH24/15/16 and payments which were made in respect thereof and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the FSP DOH, the NWP DOH or the State. 2. Maladministration in connection with the affairs of a) the FSP DOH in relation to the administration of the contracts for aero-medical services and patient transport services referred to in paragraph 1a) above; or b) the NWP DOH in relation to the administration of the contract for patient transport services referred to in paragraph 1b) above including i) the causes of such maladministration; and ii) any related losses or irregular or fruitless and wasteful expenditure incurred by the FSP DOH, the NWP DOH or the State as a result thereof. 3. Any unlawful or improper conduct by the employees or officials of the FSP DOH and the NWP DOH, respectively, or applicable service providers, or any other person or entity in relation to the allegations set out in paragraphs 1 or 2 above. 	Final	28/10/2022

	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
8	R29 of 2017 R19 of 2018	SABC	<ol style="list-style-type: none"> 1. The procurement of, or contracting for goods, works or services by or on behalf of the SABC from Lornavision (Pty) Ltd, Vision View Productions CC, Sekela Xabiso CA Incorporated, Lezaf Consulting CC, Gekkonomix (Pty) Ltd (trading as Infonomix), Asante Sana (Pty) Ltd, Foxton Communicating (Pty) Ltd and Mott Macdonald (Pty) Ltd and Mafoko Security Patrols (Pty) Ltd and payments made in respect thereof in a manner that was (a) not fair, equitable, transparent, competitive or cost-effective; (b) contrary to applicable (i) legislation; (ii) manuals, guidelines, circulars, practice notes or instructions issued by the National Treasury; or (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the SABC; 2. Maladministration in the affairs of the SABC and any losses or prejudice suffered by the SABC or the State as a result of such maladministration in relation to (a) the mismanagement of the finances, rights, assets or liabilities of the SABC; (b) the selling of assets or rights which were owned by the SABC which was not to the advantage of the SABC; (c) business transactions that were concluded by or on behalf of the SABC and which were not viable or to the advantage of the SABC; (d) the irregular appointment and promotion of staff; or (e) the payment of salaries, increases, bonuses and other forms of remuneration that were not due, owing or payable or were made in a manner that was contrary to applicable (i) legislation; or (ii) manuals, policies, procedures, directives, instructions or practices of or applicable to the SABC, including the causes of such maladministration and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the SABC or the State. 3. Any undisclosed or unauthorised interest that certain members of the personnel of the SABC may have had with regard to (a) contractors, suppliers or service providers who bid for work or did business with the SABC; or (b) contracts awarded by or on behalf of the SABC. 	Final	06/12/2022

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	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
9	R25 of 2017	Lesedi Local Municipality	<ol style="list-style-type: none"> 1. The procurement of, or contracting by or on behalf of the Municipality and payments made in respect thereof in a manner that was (a) not fair, competitive, transparent, equitable or cost-effective; (b) contrary to applicable (i) legislation; (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Municipality, and any related irregular or fruitless and wasteful expenditure incurred by, or losses suffered by the Municipality or the State in respect of (aa) an automated time and attendance system; (bb) organisational re-engineering related services; (cc) the supply and delivery of fuel; (dd) refuse removal services; (ee) accounting related services. 2. The failure by the Municipality to pay or to pay timeously the debts of the Municipality or government debtor accounts and related fruitless and wasteful expenditure incurred by, or losses suffered by the Municipality or the State. 3. The failure or refusal by the Performance Audit Committee of the Municipality to submit prescribed audit reports to the Municipal Council. 4. Any unlawful or improper conduct by (a) councillors, officials or employees of the Municipality; (b) contractors, suppliers or service providers of the Municipality; or (c) any other person or entity, relating to the allegations referred to in paragraphs 1, 2 and 3 of this Schedule. 	Final	01/02/2023
10	R40 of 2019	Eastern Cape Department of Public Works and the Eastern Cape Department of Education	<ol style="list-style-type: none"> 1. The procurement of or contracting for the supply and erection of prefabricated mobile classrooms, laboratories and water tanks at schools by the ECDPW on behalf of the ECDE and payments which were made in respect thereof and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the ECDE, the ECDPW or the State as a result thereof. 2. Any non-performance, poor performance, defective performance or late performance by the ECDPW or the applicable service providers in respect of the goods, works or services delivered, performed or rendered in terms of paragraph 1 above and any losses or damages which the ECDE, the ECDPW or the State suffered as a result thereof. 3. Any unlawful or improper conduct by the employees or officials of the ECDPW, the ECDE, the applicable service providers, or any other person or entity in relation to the allegations set out in paragraphs 1 and 2 above. 	Final	01/02/2023

	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
11	R42 of 2019	Free State Province Department of Health	<ol style="list-style-type: none"> 1. The procurement of or contracting for a) aero-medical services and patient transport services by or on behalf of the FSP DOH in terms of bid numbers DOH(FS)67/2014/2015 and DOH(FS)20/2013/2014; and b) patient transport services by or on behalf of the NWP DOH in terms of bid number NWDOH13/2015, c) primary health care services by or on behalf of the NWDOH in terms of bid number FSDOH24/15/16 and payments which were made in respect thereof and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the FSP DOH, the NWP DOH or the State. 2. Maladministration in connection with the affairs of a) the FSP DOH in relation to the administration of the contracts for aero-medical services and patient transport services referred to in paragraph 1a) above; or b) the NWP DOH in relation to the administration of the contract for patient transport services referred to in paragraph 1b) above including i) the causes of such maladministration; and ii) any related losses or irregular or fruitless and wasteful expenditure incurred by the FSP DOH, the NWP DOH or the State as a result thereof. 3. Any unlawful or improper conduct by the employees or officials of the FSP DOH and the NWP DOH, respectively, or applicable service providers, or any other person or entity in relation to the allegations set out in paragraphs 1 or 2 above. 	Interim	01/02/2023
12	R27 of 2020	Maluti-a-Phofung Local Municipality: Free State Province	<ol style="list-style-type: none"> 1. The procurement of, or contracting for services by or on behalf of the Municipality and payments made in respect thereof in a manner that was a) not fair, competitive, transparent, equitable or cost-effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars or instructions issued by the National treasury or the relevant Provincial Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Municipality and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality in respect of the following bids aa) SCM/BID27/2014/15 for events management services; and bb) SCM/BID42/2016/17 for the compilation of a Register of Indigents . 2. Maladministration in connection with the affairs of the Municipality in respect of the incurrence by the Municipality of fruitless and wasteful expenditure during the periods 2012 to 2014 and 2016 to 2017. 3. Any unlawful or improper conduct by a) officials or employees of the Municipality; b) the applicable service providers of the Municipality; or c) any other person or entity, in relation to the allegations set out in paragraphs 1 and 2 of this Schedule. 	Interim	01/02/2023

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	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
13	R16 of 2021	KwaZulu-Natal Department of Transport (Barrier Wall)	<ol style="list-style-type: none"> The procurement of, and contracting for the construction of a concrete barrier wall in terms of tender number ZNT4128/16T: construction of a concrete barrier wall between uMhanyakude and Mozambique Border Phase 1: KM0, 0 to KM8 (labour intensive construction) and payments made in respect thereof in a manner that was a) not fair, competitive, transparent, equitable or cost-effective; or b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the Provincial Treasury; or iii) manuals, policies, guidelines, procedures, prescripts, instructions or practices of, or applicable to the Department, and any related losses or irregular or fruitless and wasteful expenditure incurred by the Institutions or losses suffered by the Department or the State. Any unlawful or improper conduct by a) officials or employees of the Department; or b) any other person or entity, in relation to the allegations set out in paragraph 1 of this Schedule. 	Final	01/02/2023
14	R24 of 2017	Department of Rural Development and Land Reform	<ol style="list-style-type: none"> The acquisition by the Department of the Bekendvlei, Nirwanda, Wonderhoek, Mont Piquet and Appelkloof farms, Mikes Chicken (Pty) Ltd, immovable assets and animals for Project Harmonie, Project Uitkyk and Project Dipalemo in terms of the Department's Proactive Land Acquisition Strategy, and the identification, selection and appointment of strategic partners and beneficiaries for such farms in a manner that was (a) not fair, competitive, transparent, equitable or cost-effective; (b) contrary to applicable (i) legislation; (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Department; (c) conducted by or facilitated through the improper or unlawful conduct of (i) officials of the Department; or (ii) any other person or entity, to corruptly or unduly benefit themselves or others; or (d) fraudulent, and related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department. Misappropriation of recapitalisation funds in terms of the Recapitalisation and Development Programme of the Department relating to the allegations referred to in paragraph 1 of this Schedule. Corruption, irregularities, malpractices or maladministration in the affairs of the Department relating to the allegations referred to in paragraphs 1 and 2 of this Schedule, including the causes of such corruption, irregularities, malpractices or maladministration and any losses, damages or actual or potential prejudice which the Department may have suffered. 	Final	14/03/2023

	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
15	R23 of 2019	Health Professions Council of South Africa (HPCSA)	<ol style="list-style-type: none"> 1. Maladministration in connection with the affairs of the HPCSA regarding the exercise of its functions in terms of the Health Professions Act, 1974. 2. Any unlawful or improper conduct by the employees or officials of the HPCSA or any other person regarding the registration of health practitioners, in terms of the Health Professions Act, 1974. 	Final	14/03/2023
16	R30 of 2019	North West Development Corporation	<ol style="list-style-type: none"> 1. The procurement of or contracting for goods, works or services by or on behalf of the NWDC and payments made in respect thereof and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the NWDC or the State or any resulting loss or damages suffered by BWDC or the State in relation to the appointment of aa) MVEST Trust in terms of a SLA to implement the Youth Enterprise Combo; or bb) Naphtronics (Pty) Ltd to render security services to the NWDC. 2. Maladministration in the affairs of the NWDC and any losses or prejudice suffered by the NWDC or the state as a result of such maladministration in relation to the a) purchase of Christiana Hotel and Game Farm; or b) establishment of Tokiso Security Services SOC Ltd as a subsidiary of the NWDC, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the NWDC or the State, including the causes of such maladministration. 3. Any unlawful or improper conduct by officials or employees of the NWDC. the applicable contractors, suppliers or service providers or their sub-contractors or any other person or entity in relation to the allegations set out in paragraphs 1 and 2 above. 	Interim	14/03/2023
17	R210 of 2021	North West Provincial Department of Public Works and Roads	<ol style="list-style-type: none"> 1. The procurement of, or contracting for goods, works or services by or on behalf of the Department for a) project management for the Transport Infrastructure Directorate of the Department; b) the rehabilitation of flood damaged road infrastructure in the NWP; and c) the installation of perimeter fencing at the Eagle Waters Wildlife Resort, and payments made in respect thereof in a manner that was i) not fair, equitable, transparent, competitive, or cost-effective; or ii) contrary to applicable aa) legislation; bb) manuals, guidelines, practice notes, circulars or instructions issued by the National treasury or the relevant Provincial Treasury; or cc) manuals, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to the Department and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department or the State. 2. Any unlawful or improper conduct by the employees or officials of the Department or applicable service providers, or any other person or entity, in relation to the allegations set out in paragraph 1 of this Schedule. 	Final	14/03/2023

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	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
15	R23 of 2019	Health Professions Council of South Africa (HPCSA)	<ol style="list-style-type: none"> 1. Maladministration in connection with the affairs of the HPCSA regarding the exercise of its functions in terms of the Health Professions Act, 1974. 2. Any unlawful or improper conduct by the employees or officials of the HPCSA or any other person regarding the registration of health practitioners, in terms of the Health Professions Act, 1974. 	Final	14/03/2023
16	R30 of 2019	North West Development Corporation	<ol style="list-style-type: none"> 1. The procurement of or contracting for goods, works or services by or on behalf of the NWDC and payments made in respect thereof and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the NWDC or the State or any resulting loss or damages suffered by BWDC or the State in relation to the appointment of aa) MVEST Trust in terms of a SLA to implement the Youth Enterprise Combo; or bb) Naphtronics (Pty) Ltd to render security services to the NWDC. 2. Maladministration in the affairs of the NWDC and any losses or prejudice suffered by the NWDC or the state as a result of such maladministration in relation to the a) purchase of Christiana Hotel and Game Farm; or b) establishment of Tokiso Security Services SOC Ltd as a subsidiary of the NWDC, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the NWDC or the State, including the causes of such maladministration. 3. Any unlawful or improper conduct by officials or employees of the NWDC. the applicable contractors, suppliers or service providers or their sub-contractors or any other person or entity in relation to the allegations set out in paragraphs 1 and 2 above. 	Interim	14/03/2023

	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
17	R210 of 2021	North West Provincial Department of Public Works and Roads	<ol style="list-style-type: none"> 1. The procurement of, or contracting for goods, works or services by or on behalf of the Department for a) project management for the Transport Infrastructure Directorate of the Department; b) the rehabilitation of flood damaged road infrastructure in the NWP; and c) the installation of perimeter fencing at the Eagle Waters Wildlife Resort, and payments made in respect thereof in a manner that was i) not fair, equitable, transparent, competitive, or cost-effective; or ii) contrary to applicable aa) legislation; bb) manuals, guidelines, practice notes, circulars or instructions issued by the National treasury or the relevant Provincial Treasury; or cc) manuals, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to the Department and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department or the State. 2. Any unlawful or improper conduct by the employees or officials of the Department or applicable service providers, or any other person or entity, in relation to the allegations set out in paragraph 1 of this Schedule. 	Final	14/03/2023

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	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
18	R9 of 2021	eThekweni Metropolitan Municipality	<ol style="list-style-type: none"> 1. Maladministration in the affairs of the Municipality in respect of the a) alienation by, or on behalf of the Municipality, of immovable property of the Municipality of the State, for the provision of housing through the Municipality's Human Settlements Infill Housing Programme, which alienation was contrary to manuals, policies, procedures, prescripts, instructions or practices of, or applicable to. the Municipality; and b) transfer or sale of vacant properties by developers appointed by the Municipality for purposes of the Municipality's Human Settlements Infill Housing Programme i) in breach of the developers' contractual obligations; and ii) contrary to the objectives of the Municipality's Human Settlements Infill Housing Programme. 2. Payments made in respect of the allegations set out in paragraph 1 of this Schedule in a manner that was a) not fair, competitive, transparent, equitable or cost-effective; b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury of the relevant Provincial Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Municipality; or c) conducted by or facilitated through the improper or unlawful conduct of i) employees or officials of the Municipality; or ii) the developers in question; or iii) any other person or entity, to corruptly or unduly benefit themselves or any other person or entity; or d) fraudulent, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality or the State. 3. Any unlawful or improper conduct by a) officials or employees of the Municipality; b) the developers in question; or c) any other person or entity in relation to the allegations set out in paragraph 1 and 2 of this Schedule. 	Final	14/03/2023

	Proclamation number	Department/state institution	Scope	Type of report	Date report submitted
19	R84 of 2022	University of Fort Hare	<ol style="list-style-type: none"> The procurement of, or contracting for goods, works or services by, or on behalf of the University and payments made in respect thereof in a manner that was a) not fair, competitive, transparent, equitable or cost effective; b) contrary to applicable i) legislation; ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or iii) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the University, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the University in relation to: aa) the appointment of a service provider for cleaning and gardening services during the period 1 November 2012 to 31 July 2019; bb) the leasing of student accommodation since 1 July 2013; cc) the appointment of a service provider for the maintenance and repair of air conditioning systems in terms of bid reference UHF-SCM04/2018; and dd) the collusion between officials of the University and suppliers or service providers in which such officials held direct or indirect interests. Maladministration in the affairs of the University's Faculty of Public Administration in relation to the a) awarding of honours degrees; b) management of funds; and c) sourcing of public servants for study into various Faculty programmes by an individual for personal gain. Any unlawful or improper conduct by a) officials or employees of the University; b) suppliers or service providers of the University; or c) any other person or entity, in relation to the allegations set out in paragraph 1 and 2 of this Schedule. 	Interim	24/03/2023
20	R74 of 2022	National Department of Health and Provincial Departments of Health (The Institutions)	<ol style="list-style-type: none"> The unlawful or improper conduct by claimants or applicants or their agents in the institution of civil action or civil application proceedings for relief against the Institutions in respect of medical negligence claims in a manner that was a) fraudulent; or b) conducted by or facilitated through the improper or unlawful conduct of i) employees or officials of the Institutions; or ii) any other person or entity, to corruptly or unduly benefit themselves or any other person, and any related losses or irregular or fruitless and wasteful expenditure incurred by the Institutions or the State as a result thereof. 	Interim	27/03/2023

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ONGOING PROCLAMATIONS

National

Ongoing proclamations – national		
Proclamation number	Department/state institution	Government Gazette date and number
R96 of 2022	National DWAS	Government Gazette 47634, 2 December 2022
R88 of 2022	NSFAS	Government Gazette 46789, 26 August 2022
R74 of 2022	National Department of Health and provincial departments of health	Government Gazette 47055, 22 July 2022
R44 of 2021	RAF	Government Gazette 45617, 10 December 2021
R33 of 2021	National DWS	Government Gazette 44899, 30 July 2021
R8 of 2021	UIF	Government Gazette 44384, 1 April 2021
R32 of 2020	NLC	Government Gazette 43885, 6 November 2020
R23 of 2020	State institutions – Covid-19 procurement	Government Gazette 43546, 23 July 2020
R7 of 2020	DoJ Master's Office	Government Gazette 42992, 3 February 2020
R4 of 2020	National Treasury	Government Gazette 42979, 31 January 2020
R40 of 2020		Government Gazette 44029, 24 December 2020
R54 of 2019	South African Health Products Regulatory Authority (SAHPRA)	Government Gazette 42773, 18 October 2019
R41 of 2019	DoDMV	Government Gazette 42577, 12 July 2019
R38 of 2019	SAHPRA	Government Gazette 42577, 12 July 2019
R37 of 2019	SASSA	Government Gazette 42577, 12 July 2019
R78 of 2022		Government Gazette 47055, 22 July 2022

Ongoing proclamations – national		
Proclamation number	Department/state institution	Government Gazette date and number
R36 of 2019 R114 of 2023	National DAFF	Government Gazette 42577, 12 July 2019 Government Gazette 48067, 17 February 2023
R29 of 2019	CMS	Government Gazette 42562, 5 July 2019
R28 of 2019	National DWAS	Government Gazette 42562, 5 July 2019
R26 of 2019	DCS and IDT	Government Gazette 42562, 5 July 2019
R23 of 2019	HPCSA	Government Gazette 42465, 17 May 2019
R18 of 2019	NHLS	Government Gazette 42338, 29 March 2019
R27 of 2018 R44 of 2019	National DWAS	Government Gazette 41915, 21 September 2018 Government Gazette 42577, 12 July 2019
R21 of 2018 R33 of 2019	DoJ: OSA	Government Gazette 41771, 13 July 2018 Government Gazette 42577, 12 July 2019
R20 of 2018	National DPWI	Government Gazette 41771, 13 July 2015
R37 of 2017	National DoT	Government Gazette 41271, 24 November 2017
R28 of 2017	DCS and IDT	Government Gazette 41055, 18 August 2017
R24 of 2017	DRDLR	Government Gazette 41000, 24 July 2017
R22 of 2016 R27 of 2019	DHS and Lepelle Northern Water Board	Government Gazette 39935, 15 April 2016 Government Gazette 42562, 5 July 2019
R7 of 2014 R599 of 2015 R32 of 2017	DRDLR and State Information Technology Agency (Deeds Office)	Government Gazette: 37346, 14 February 2014 Government Gazette 38985, 10 July 2015 Government Gazette 41165 date 6 October 2017

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ONGOING PROCLAMATIONS

Provincial

Ongoing proclamations – provincial		
Proclamation number	Department/state institution	Government Gazette date and number
R84 of 2022	University of Fort Hare	Government Gazette 47199, 5 August 2022
R83 of 2022	DPWI – Prestige project	Government Gazette 47199, 5 August 2022
R82 of 2022	Lepelle Northern Water and Amatola Water Board	Government Gazette 47197, 5 August 2022
R77 of 2022	South African Council for Educators	Government Gazette 47055, 22 July 2022
R76 of 2022	KwaZulu-Natal DoT	Government Gazette 47055, 22 July 2022
R71 of 2022	Eastern Cape DoH	Government Gazette 46681, 8 July 2022
R55 of 2022	Limpopo DoH	Government Gazette 46055, 17 March 2022
R50 of 2022	Mpumalanga DoH	Government Gazette 45818, 28 January 2022
R20 of 2021	ELIDZ	Government Gazette 44573, 14 May 2021
R16 of 2021	KwaZulu-Natal DoT (barrier wall)	Government Gazette 44546, 7 May 2021
R15 of 2021	Gauteng DARD and Ekurhuleni Metropolitan Municipality	Government Gazette 44473, 23 April 2021
R13 of 2021	Central Johannesburg TVET College	Government Gazette 44454, 16 April 2021
R7 of 2021	Gauteng Enterprise Propeller	Government Gazette 44384, 1 April 2021
R210 of 2021	North West Department of Public Works and Roads	Government Gazette 44258, 12 March 2021
R45 of 2019	KwaZulu-Natal Provincial Treasury	Government Gazette 42577, 12 July 2019
R42 of 2019	Free State DoH and North West DoH	Government Gazette 42577, 12 July 2019
R29 of 2020		Government Gazette 43681, 3 September 2020

Ongoing proclamations – provincial		
Proclamation number	Department/state institution	Government Gazette date and number
R40 of 2019	Eastern Cape Department of Public Works and Eastern Cape DoE	Government Gazette 42577, 12 July 2019
R34 of 2019	Free State DoH	Government Gazette 42577, 12 July 2019
R30 of 2019	North West DCS	Government Gazette 42562, 5 July 2019
R4 of 2019	Umgeni Water	Government Gazette 42204, 1 February 2019
R16 of 2018	Media, Information and Communication Technologies Sector Education and Training Authority	Government Gazette 41650, 25 May 2018
R25 of 2018		Government Gazette 41915, 21 September 2018
R12 of 2018	LIMRAL	Government Gazette 41581, 20 April 2018
R179 of 2021		Government Gazette 44230, 5 March 2021
R2 of 2018	North West DPWRT	Government Gazette 41387, 19 January 2018
R31 of 2019		Government Gazette 42562, 5 July 2019

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Local government

Ongoing proclamations – local government		
Proclamation number	Department/state institution	Government Gazette date and number
R85 of 2022	Mogale City Local Municipality	Government Gazette 46700, 12 August 2022
R80 of 2022	OR Tambo District Municipality	Government Gazette 47107, 29 July 2022
R75 of 2022	Newcastle Local Municipality	Government Gazette 47055, 22 July 2022
R72 of 2022	Midvaal Local Municipality	Government Gazette 46681, 8 July 2022
R43 of 2021	Overstrand Local Municipality	Government Gazette 45617, 10 December 2021
R9 of 2021	eThekweni Metropolitan Municipality	Government Gazette 44384, 1 April 2021
R180 of 2021	Mogalakwena Local Municipality	Government Gazette 44230, 5 March 2021
R39 of 2020	Saldanha Bay Municipality	Government Gazette 44029, 24 December 2020
R95 of 2022		Government Gazette 47634, 2 December 2022
R27 of 2020	Maluti-a-Phofung Local Municipality: Free State	Government Gazette 43633, 21 August 2020
R43 of 2019	Thabazimbi Local Municipality	Government Gazette 42577, 12 July 2019
R17 of 2019	City of Johannesburg	Government Gazette 42338, 29 March 2019
R12 of 2020		Government Gazette 43074, 6 March 2020
R28 of 2018	Ekurhuleni Metropolitan Municipality	Government Gazette 41915, 21 September 2018
R5 of 2019		Government Gazette 42204, 1 February 2019
R25 of 2017	Lesedi Local Municipality	Government Gazette 41000, 24 July 2017
R8 of 2017	Mopani District Municipality	Government Gazette 40594, 3 February 2017
R15 of 2018		Government Gazette 41650, 25 May 2018
R16 of 2019		Government Gazette 42338, 29 March 2019

State-owned entities

Ongoing proclamations - State-owned entities		
Proclamation number	Department/state institution	Government Gazette date and number
R49 of 2022	Telkom	Government Gazette 45809, 25 January 2022
R45 of 2021	Alexkor	Government Gazette 45617, 10 December 2021
R2 of 2020	SAA	Government Gazette 42979 date 31 January 2020
R51 of 2019	PRASA	Government Gazette 42670, 30 August 2019
R32 of 2019	Denel	Government Gazette 42562, 5 July 2019
R57 of 2019		Government Gazette 42828, 8 November 2019
R11 of 2018	Eskom and Transnet	Government Gazette 41561, 6 April 2018
R3 of 2020		Government Gazette 42979, 31 January 2020
R97 of 2022		Government Gazette 47634, 2 December 2022
R29 of 2017	SABC	Government Gazette 41086, 1 September 2017
R19 of 2018		Government Gazette 41754, 6 July 2018

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SUMMARY OF CIVIL LITIGATION

The Special Investigating Units and Special Tribunals Act, Act 74 of 1996 (the SIU Act) provides for the institution and conducting of civil proceedings emanating from the SIU's investigations in any court of law or a Special Tribunal in its own name or on behalf of state institutions to recover losses suffered by state institutions as a result of malpractices or maladministration or corruption.

In terms of Section 4(1)(c) of the SIU Act, the SIU may claim any relief to which the state institution concerned is entitled, including the recovery of any damages or losses and the prevention of potential damages or losses that may be suffered by such a state institution.

Other legal remedies under Section 8(2) include applications for suspension orders, interlocutory orders, interdicts, and preservation and forfeiture orders.

Depending on the evidence obtained during the investigation, the SIU will determine whether to institute civil proceedings by application or action and before a judge will be assigned to case manage all opposed/defended matters.

Once the parties have filed all pleadings, the matter will be enrolled for hearing. Upon receipt of the judgment, the SIU will execute the judgment and retrieve the losses suffered by the state institution. In some cases, the SIU will interdict respondents/defendants from dealing with their assets in a way that risks the satisfaction of a judgment obtained by the SIU.

With the establishment of the Special Tribunal in 2019 as a dedicated court for SIU civil cases, the Unit no longer has to use conventional civil courts, which has reduced time taken to recover state assets, altering public perceptions about the slowness of the wheels of justice.

Based on the jurisprudence evolving from various judgments dispensed by the Special Tribunal, the SIU initiated a review of the provisions of its founding legislation. The exercise revealed that the impact by the Special Investigating Unit and Special Tribunal can be enhanced through several legislative amendments.

The SIU has since finalised a draft Bill in consultation with the Department of Justice and Correctional Services. It is envisaged that the amendments will be promulgated during 2023/24.

A key civil litigation highlight was the watershed judgment delivered by the Special Tribunal in the matter between the SIU and another vs Caledon River Properties.

It held that the Special Tribunal is a court of a similar status to the High Court as envisaged in Section 166(e) of the issues surrounding the jurisdiction of the Special Tribunal and this became the central focus of a judgment by the Constitutional Court in Case CCT 319/21, Ledla Structural Development and others vs the Special Investigating Unit.

The court ruled as follows:

- Even though the Special Tribunal is not a court, it has the jurisdiction to hear all civil proceedings brought before it by the Special Investigating Unit in terms of the SIU Act.
- The Special Tribunal can hear any review brought in this manner.
- The Special Tribunal has the jurisdiction to hear legality reviews, even of Constitutional matters.
- The Constitutional Court did not rule on whether the Special Tribunal may grant restraint, preservation or forfeiture orders.

The following table details matters instituted before the Special Tribunal from 1 April 2022 to 31 March 2023 as well as ongoing matters instituted in the Special Tribunal and in the High Court.

MATTERS INSTITUTED IN THE SPECIAL TRIBUNAL IN THE PERIOD UNDER REVIEW

	Proclamation number name	Department/institution/parties	Case number	Contract value
1	R23 of 2020	SIU and 10 others LNG (11/04/2022)	GP/03/22	R113 250 000
2	R3 of 2020	SIU and 10 others Thulani Zulu and two others (12/04/2022)	GP/04/22	R2 789 200
3	R32 of 2020	Prof Alfred Ntshengedzeni Nevhutanda and 29 others (03/06/2022)	GP/05/2022	R23 877 838
4	R23 of 2020	SIU and 10 others Aventino Group cc and 10 others (11/04/2022)	LP/01/2022	R12 373 672
5	R23 of 2020	SIU vs Duneco cc and four others (26/05/2022)	WC/05/2022	R400 027.50
6	R10 of 2018	SIU Cool Ideas 1556 cc and LA Bakerman Food Solutions (09/06/2022).	KN/03/22	R2 814 067.80
7	R23 of 2020	SIU vs Redspot Trading and three others (21/06/2022)	NW/01/2022	R2 680 767.00
8	R23 of 2020	SIU vs C Squared Consumer Connectedness and five others (26/08/2022).	FS/01/2022	R25 006 515.11
9	R32 of 2020	SIU vs Phillemon Letwaba and two others (15/09/2022) (notice of motion)	GP/07/2022	R28 330 274.80
10	R11 of 2018	SIU vs Eskom Holdings and six others (15/09/2022).	GP/08/2022	R82 758 598.71 and R7 412 596.52 and R11 039 798. 58 and R2 396 250.00 and R1 907 200.00 and R624 904.21
11	R180 of 21	SIU and Mogalakwena Municipality vs Easyway Tarmac and Paving (15/09/2022).	LP/02/2022	R167 919 937.47
12	R11 of 2018 and R3 of 2020	SIU vs Duduzile Babalwa Moyo and Eskom Pension and Provident Fund (21/09/2022)	GP/09/2022	R1 963 270.96
13	R23 of 2020 dated 23/07/2020	SIU vs Dr Thokozani Mhlongo (29/09/2022)	LP/03/2022	R161 790 000
14	R23 of 2020 dated 23/07/2020	SIU vs Gatjeni Ndlovu (24/10/2022)	MP/01/2022	R5 591 000
15	R32 of 2020 dated 06/11/2020	SIU vs Phillemon Letwaba and two others (18/11/2022)	GP/07/2022	R28 330 274.80
16	R11 of 2018	SIU and Transnet vs Superfecta Trading (19/07/2022)	GP/06/2022	R 156 215 619. 86

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	Proclamation number name	Department/institution/parties	Case number	Contract value
17	R32 of 2020 dated 06/11/2020	SIU vs Inqaba Yokulinda and 31 others (01/11/2022)	GP/10/2022	R28 829 353.94
18	R09 of 2018 dated 06/04/2018	SIU vs Eskom and Systems Application Products (10/11/2022).	GP/11/2022	R1 011 581 157.66
19	R23 of 2020 dated 23 July 2020	SIU vs Confidence Trading and three others (18/11/2022)	LP/04/2022	R25 296 000
20	R23 of 2020 dated 23 July 2020	SIU vs Czakhele Enterprise and 19 others (07/11/2022)	KN/04/2022	R27 562 500.00 and R4 759 065.00
21	R23 of 2020 dated 23 July 2020	Dr Mhlongo _Ndia Business (A)	LP/03/2022	R838 117.95
22	R23 of 2020 dated 23 July 2020	Dr Mhlongo _ Mobile Telecoms (B)	LP/03/2022	R10 000 000
23	R23 of 2020 dated 23 July 2020	Dr Mhlongo _Prosecure (C)	LP/03/2022	R169 528 666.65
24	R2 of 2020	SIU vs Flyfofa	GP/01/2023	R85 340 000
25	R22 of 2016 and R27 of 2019	SIU vs Schmahl and others	LP/01/2020 – RE: GP/10/2020	Interim interdict granted until finalisation of main action against Legodi, Kilian and Schmahl (R10 242 289.55)
26	R11 of 2018 and R3 of 2020	SIU vs Moyo	GP/09/2022	R24 584 000
27	R41 of 2019	SIU vs Department of Defence and Military Veterans	GP/02/2023	R251 762 430.21
28	R23 of 2020	SIU vs G-Merve Trading	MP/02/2023	R11 500 000
29	R23 of 2020 dated 23 July 2020	SIU vs Jaziel Events Management	MP/04/2023	R2 500 000
30	R23 of 2020 dated 23 July 2020	SIU vs Vigario Consulting	MP/07/2023	R1 147 070.40
31	R23 of 2020 dated 23 July 2020	SIU vs Nozihle Construction	MP/05/2023	R2 427 333.30
32	R23 of 2020 dated 23 July 2020	SIU vs Inkunzi Health Management	MP/03/2023	R1 029 756
33	R23 of 2020 dated 23 July 2020	SIU vs Hlalu Lindzile Construction	MP/03/2023	R6 612 500
34	R23 of 2020 dated 23 July 2020	SIU vs Amukelani Okuhle Trading	MP/08/2023	R638 646.88

ONGOING MATTERS FROM PREVIOUS FINANCIAL YEARS: SPECIAL TRIBUNAL

Matter name	Date issued	Proclamation number	Case number
Shammah House for traumatised person and three others	6/11/2019	R23 of 2017	GP/01/19
One vs Thuli Home and two others	6/11/2019	R23 of 2017	GP/02/19
One vs Ubuhlenkosi Ministries NPO and two others	6/11/2019	R23 of 2017	GP/03/19
One vs San Michele Home NPO and two others	6/11/2019	R23 of 2017	GP/04/19
One vs Goitsi Modimo centre for disabled persons and one other	6/11/2019	R23 of 2017	GP/05/19
One vs Rabafenyi NPO and two others	6/11/2019	R23 of 2017	GP/06/19
Cultivers Investments (Pty) Ltd and three others	20/11/2019	R24 of 2017	GP/07/19
Minister of Correctional Services and six others (Department of Correctional Services fence matter)	20/11/2019	R28 of 2017	GP/08/19
Two vs KG Lekabe	20/11/2019		GP/09/19
Two vs KG Lekabe and two others			GP/10/19
One vs Rybak Properties (Pty) Ltd	13/03/2020	R29 of 2017	GP/01/2020
Kuben Theran and three others	19/03/2020		GP/02/2020
One vs Linyenga Herbert Msagala and seven others	27/07/2020	R11 of 2018	GP/03/2020
One vs System Application Products (SAP)	30/07/2020	R27 of 018 ext R44 of 2019	GP/04/2020
Two vs Linyenga Makainene Herbert Msagala and six others		R11 of 2018	GP/05/2020
Baithusi Trading and two others	18/08/2020	R11 of 2018	GP/06/2020
Ledla Structural Development (Pty) Ltd and 43 others	19/08/2020	R23 of 2020	GP/07/2020
One vs Pandelani Investments Holdings (Pty) Ltd and five others	20/08/2020	R35 of 2017	GP/08/2020
Baithusi Trading and two others	20/08/2020		GP/09/2020

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Matter name	Date issued	Proclamation number	Case number
Municipal Employees Union Retirement Fund and one other (Lepelle Northern Water/Legodi matter)	1/9/2020	R22 of 2016 and R27 of 2019	GP/10/2020
Mantsu Kabelo Lehloenyana and two others	11/9/2020	R23 of 2020	GP/11/2020
Caledon River Properties and five others	23/09/2020	R23 of 2020	GP/12/2020
Minister of Public Works and Infrastructure Patricia de Lille			GP/13/2020
Three vs Paul Cartwright and two others	28/10/2020	R21 of 2018 and R23 of 2019	GP/14/2020
Two vs Nosipho Zibani	14/10/2020	R21 of 2018	GP/15/2020
Three vs Paul Cartwright and one other	13/11/2020	R21 of 2018 and R23 of 2019	GP/16/2020 and GP18/2020
One vs Caledon River Properties (Pty) Ltd and one other	17/11/2020	R23 of 2020	GP/17/2020
Three vs Paul Cartwright and two others	26/11/2020	R21 of 2018 and R23 of 2019	GP/18/2020
One vs Modiko Thabang Phillipine Selemale and two others	27/11/2020	R23 of 2020	GP/19/2020
Jacob Basil Hlatswayo and three others	23/03/2021	R23 of 2020	GP/20/2020
One vs George Hlaudi Motsoeneng	27/11/2020	R23 of 2020	GP/19/2020
One vs Modiko Thabang Phillipine and two others	23/03/2021	R23 of 2020	GP/20/2020
One vs Lapeng Home for the Aged Centre and one other	21/01/2021	R29 of 2017 amended by R19 of 2018	GP/01/2021
One vs Lapeng Home for the Aged Centre and one other	1/2/2021	R23 of 2020	GP/19/2020
One vs Masego Home and two others	15/02/2021	R23 OF 2017	GP/02/2021
Odirile Centre for Persons with Mental and Physical Disabilities	15/02/2021	R23 OF 2017	GP/03/2021
One vs Santa Kamogelo Atteridgeville branch	15/02/2021	R23 OF 2017	GP/04/2021
			GP/05/2021

Matter name	Date issued	Proclamation number	Case number
Jacob Basil Hlatswayo and three others	15/02/2021	R23 OF 2017	GP/06/2021
Mlangeni Brothers Events cc and one other	3/3/2021	R23 of 2020	GP/20/2020
Jacob Basil Hlatswayo and three others	15/02/2021	R23 of 2020	GP/07/2021
Beadica 423 cc	23/03/2021	R23 of 2020	GP/20/2020
Zakheni Strategic	23/04/2021	R23 of 2020	GP/08/2021
Petrus Shaka Mazibuko	23/04/2021	R23 of 2020	GP/09/2021
Minister of Public Works (Lukhele) GEPP	28/04/2021	R11 of 2018	GP/10/2021
Kubwa Kazi Construction cc and nine others	30/04/2021	R23 of 2020	GP/11/2021
Fikile Mpopane and 10 others	12/5/2021	R28 of 2018 and R5 of 2019	GP/12/2021
Prof Mkhuli Lukhele	14/05/2021	R23 of 2020	GP/13/2021
Jhb Social Housing Company and three others	18/05/2021	R23 of 2020	GP/11/2020
Chachulani Group Investments Holdings and nine others	28/05/2021	R23 of 2020	GP/14/2021
Transnet SOC Limited and 17 others	31/05/2021	R23 of 2020	GP/15/2021
CRRC E-loco Supply (Pty) Ltd and seven others	1/7/2021	R11 of 2018	GP/16/2021
Crocia Events (Pty) Ltd	28/05/2021	R118 of 2021	GP/18/2021
Thabiso Hamilton Ndlovu and six others	24/08/2021	R23 of 2020	GP/19/2021
Pro-Serve Consulting and four others (Anglo Gold Ashanti matter)	16/09/2021	R23 of 2020	GP/20/2021
Ndabezitha Sibiyi vs SIU and four others	12/10/2021	R23 of 2020	GP/21/2021
Hassan Ebrahim Kajee	15/11/2021		GP/22/2021
Guwena Construction and Projects Ltd	14/12/2021	R23 of 2020	GP/23/2021
Zulu and two others	14/12/2021	R118 of 2001	GP/24/2021

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Matter name	Date issued	Proclamation number	Case number
Inqaba Yokulinda and 12 others	3/1/2022	R32 of 2020	GP/01/2022
Rich Soil Resources	21/02/2022	R23 of 2020	GP/02/2022
One vs Maczola Tours cc and three others	5/3/2020	R7 of 2019	NW/01/2020
One vs RI Mako Trading and Projects cc and one other	5/3/2020	R02 of 2018	NW/02/2020
One vs Lematshe Distributers Services cc and two others	5/3/2020	R02 of 2018	NW/03/2020
One vs MP2 Trading Enterprise cc and one other	5/3/2020	R02 of 2018	NW/04/2020
One vs Blazepoint Trading 245 (Pty) Ltd and one other	5/3/2020	R02 of 2018	NW/05/2020
One vs Kenlet Educational Projects cc and one other	5/3/2020	R02 of 2018	NW/06/2020
One vs Dr Andrew Thabo Lekalakala and two others	20/03/2020	R23 of 2020	NW/07/2020 and NW12/2020 (same matter)
One vs Iqhawe Resources cc and one other	23/03/2020	R02 of 2018	NW/08/2020
One vs Thito Suppliers 7 Projects and one other	23/03/2020	R02 of 2018	NW/09/2020
Madibeng Local Municipality and one other	10/3/2021	R35 of 2019	NW/10/2020
Moretele Local Municipality and one other	8/9/2020	R7 of 2019	NW/11/2020
Andrew Thabo Lekalakala and two others	30/10/2020		NW/12/2020
Member of Executive Council for Education North West province and three others	6/5/2021		NW/01/2021
North West Corporation and six others	2/6/2021	R30 of 2019	NW/02/2021
SIU vs Ayamah Consulting and Pakiso Mothupi	18/09/2021	No 210 of 2021 dated 12/03/21	NW/03/2021
Phineas Kgahliso Legodi	6/10/2020	R22 of 2016 and R27 of 2019	LP/01/2020 (consolidated with GP/10/2020)

Matter name	Date issued	Proclamation number	Case number
Raymond Malaba Local Municipality, Kwane Capital and one other	5/2/2020	R6 of 2018	EC/01/2020
Alfred Nzo District Municipality, Kwane Capital and one other	5/2/2020	R6 of 2018	EC/02/2020
Mbashe Local Municipality and two others	1/6/2020	R6 of 2018	EC/03/2020
MEC for Health Eastern Cape and three others	4/9/2020	R23 of 2020	EC/04/2020
Sinazo Mqwangqa and six others	14/10/2020	R23 of 2020	EC/05/2020
Phathilizwi Training Institute and one other	12/5/2021	R23 of 2020	EC/06/2020
Ssibulele Damane and one other	22/03/2022	R32 of 2019 & R57 of 2019	EC/01/2022
Rosette Investment (Pty) Ltd and one other	26/10/2020	R23 of 2020	KN/01/2020
Gibela Investment (Pty) Ltd and one other	26/10/2020	R23 of 2020	KN/02/2020
Ina Communications (Pty) Ltd and one other	4/11/2020	R23 of 2020	KN03/2020
Zain Brothers cc and one other	23/11/2020	R23 of 2020	KN/04/2020
MEC for Department of Transport KwaZulu-Natal and one other (Nexor matter)	25/03/2021	R36 of 2018	KN/01/2021
Ngome Steam Pot and one other	7/4/2021	R23 of 2020	KN/02/2021
Digital Vibes Pty Ltd	17/06/2021	R23 of 2020	KN/03/2021
Bhomelela General Trading Enterprise and one other	1/7/2021	R23 of 2020	KN/04/2021
Velakabusha General Trading and one other	1/7/2021	R23 of 2020	KN/05/2021
Ntente Trading and one other	1/7/2021	R23 of 2020	KN/06/2021
Ngome Steam Pot and one other	1/7/2021	R23 of 2020	KN/02/2021
Ibusaphi Trading and one other	1/7/2021	R23 of 2020	KN/07/2021

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Matter name	Date issued	Proclamation number	Case number
Umunyeovou Trading and one other	1/7/2021	R23 of 2020	KN/08/2021
Info Tech Evolution and one other	1/7/2021	R23 of 2020	KN/09/2021
King K Trading and one other	1/7/2021	R23 of 2020	KN/10/2021
Umunyeovou Trading and one other	1/8/2021	R23 of 2020	KN/11/2021
Ntente Trading and one other	1/7/2021	R23 of 2020	KN/12/2021
Mpumelelo Dlaba and one other	1/7/2021	R23 of 2020	KN/13/2021
Inqikithi Trading Enterprise cc and one other	1/7/2021	R23 of 2020	KN/14/2021
Siphiwenkosi Trading and one other	1/7/2021	R23 of 2020	KN/15/2021
Ngezolusha Trading and one other	1/7/2021	R23 of 2020	KN/16/2021
Youth Development 12 and one other	1/7/2021	R23 of 2020	KN/17/2021
Beyond Hospitality Solutions and one other	1/7/2021	R23 of 2020	KZN/18/2021
Mabugana Group cc and one other	1/7/2021	R23 of 2020	KZN/19/2021
Henque 2200 cc and one other	1/7/2021	R23 of 2020	KZN/20/2021
Henque 2200 cc and one other	1/7/2021	R23 of 2020	KN/21/2021
Universal Security Services and two others	14/09/2021		KN/22/2021
Clive Charlton and two others	1/3/2022	R38 of 2010	KZN/01/2022
Bulum Trading Services	27/11/2020	R23 of 2020	KZN/02/2022
MEC of Department of Treasury Free State province	9/7/2021	R23 of 2020	FS/01/2020
Big Five Farming Cooperative Limited and 10 others	23/08/2021	R24 of 2017	WC/01/2021
National Department of Forestry and five others (Kanga)	19/11/2021	R23 of 2020	WC/02/2021

Matter name	Date issued	Proclamation number	Case number
Department of Education and one other (Masiqhame)	19/11/2021		WC/03/2021
Roy's Oil and Gas Inc cc and two others	22/11/2021	R20 of 2018	WC/04/2021
Siyanda and Thabo and three others	7/12/2021	R23 of 2020	MP/01/2021
Silvex 622 cc and three others	7/12/2021	R23 of 2020	MP/02/2021
Aventino matter	11/4/2022	R23 of 2020	LP/01/2022
Thulani Zulu matter from Eskom	14/12/2021	R3 of 2020	GP/04/2022
Cool Ideas matter and Bakerman Food Solutions	9/6/2022	R10 of 2018	KZN03/2022
Duneco cc and others	26/05/2022	R23 of 2020	WC/05/2022
SIU vs Zeelwa Trading (Pty)Ltd	14/12/2021	R23 of 2020 dated 23 July 2020	MP/03/2021
SIU vs MP2 Trading	5/3/2020	R02 of 2018 dated 19/01/2018	NW/04/2020

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HIGH COURT ONGOING MATTERS FROM PREVIOUS FINANCIAL YEARS

PROCLAMATION NUMBER	PROJECT NAME	RELIEF	INSTITUTION NAME	CASE NUMBER	HIGH COURT AT WHICH LEGAL PROCEEDINGS WERE INSTITUTED
R59 of 2013	National Department: Public Works – Nkandla	National Department of Public Works	Declaration of invalidity and just and equitable relief	8/11/2014	KwaZulu-Natal Division (Pietermaritzburg)
R38 of 2010	Empangeni Ramp	Declaration of invalidity and just and equitable relief	Department: Public Works	6428/2015	KwaZulu-Natal Division (Durban)
R38 of 2010	National Department: Public Works – Lebombo Border Post	Declaration of invalidity and just and equitable relief	Department: Public Works	45529/2016	Gauteng Division Pretoria
R38 of 2010 National Department: Public Works – CGO National Department: Public Works – CGO (Llale) National Department: Public Works – CGO (JH System Eng) National Department: Public Works – CGO (Maree Els)		Claim for damages and unjust enrichment	Department: Public Works	96081/16 96083/16 96802/16 96084	Gauteng Division Pretoria
R38 of 2010	National Department: Public Works – Tulbagh	Action proceedings for recovery of losses	Department: Public Works	27563/18	Gauteng Division Pretoria
R20 of 2016	National Department: Correctional Services – MSW	Declaration of invalidity and just and equitable relief	Department: Correctional Services	22307/2018	Gauteng Division Pretoria
R18 of 2016	National Department: Correctional Services – ESS	Declaration of invalidity and just and equitable relief	Department: Correctional Services	2912/2018	Gauteng Division Pretoria
R7 of 2014 amended by 599 of 2015 amended by R32 of 2017	National Department of Rural Development and Land Reform – Gijima	Action proceedings for just equitable relief	Department: Rural Development and Land Reform	90647/2018	Gauteng Division Pretoria

PROCLAMATION NUMBER	PROJECT NAME	RELIEF	INSTITUTION NAME	CASE NUMBER	HIGH COURT AT WHICH LEGAL PROCEEDINGS WERE INSTITUTED
R59 of 2014	National Department: Public Works – National Leases Ocean Pearl	Declaration of invalidity and just and equitable relief	Department: Public Works	21258/16	Gauteng Division Pretoria
R59 of 2014	National Department: Public Works – National Leases Silver Moon	Action proceedings for recovery of losses	Department: Public Works	7998/2016	KwaZulu-Natal Division (Durban)
R59 of 2014	National Department: Public Works National Leases – SALU Building	Declaration of invalidity and just and equitable relief	Department: Public Works	9839/2017	Gauteng Division Pretoria
R59 of 2014	National Department: Public Works – National Leases Silver Moon	Action proceedings for recovery of losses	Department: Public Works	6012/16	KwaZulu-Natal Division (Durban)
R33 of 2011	Midvaal Local Municipality	Action proceedings for recovery of losses	Midvaal Local Municipality	33867/2017	Gauteng Division Pretoria
R59 of 2014	National Department: Public Works – National Leases Henque	Declaration of invalidity and just and equitable relief	Department: Public Works	10110/2017	KwaZulu-Natal Division (Durban)
R59 of 2014	National Department: Public Works – National Leases Easy Does It	To review and set aside the lease for fraud, recover all payment for space; recover all payment for rental that was not market related	Department: Public Works	10927/2018	KwaZulu-Natal Division (Durban)

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PROCLAMATION NUMBER	PROJECT NAME	RELIEF	INSTITUTION NAME	CASE NUMBER	HIGH COURT AT WHICH LEGAL PROCEEDINGS WERE INSTITUTED
R59 of 2014	National Department: Public Works – National Leases Easy Does It	To review and set aside the lease for fraud; recover all payment for space; recover all payment for rental that was not market related	Department: Public Works	1552/2019)	KwaZulu-Natal Division (Durban)
R59 of 2014	National Department: Public Works – National Leases Easy Does It	To review and set aside the lease for fraud; recover all payment for space; recover all payment for rental that was not market related	Department: Public Works	13886/2018	KwaZulu-Natal Division (Durban)
R59 of 2014	National Department: Public Works – National Leases Easy Does It	To review and set aside the lease for fraud; recover all payment for space; recover all payment for rental that was not market related	Department: Public Works	13885/2018	KwaZulu-Natal Division (Durban)

PROCLAMATION NUMBER	PROJECT NAME	RELIEF	INSTITUTION NAME	CASE NUMBER	HIGH COURT AT WHICH LEGAL PROCEEDINGS WERE INSTITUTED
R59 of 2014	NDPW Leases DLI	To review and set aside the lease agreement and recover all rentals; and alternatively recover rental that is not market related	Department: Public Works	2563/19P	KwaZulu-Natal Division (Pietermaritzburg)
R8 of 2011	Land Reform (Western Cape) – Griekwa Burger Trust	Review of administrative decision and claim for restitution	Department: Rural Development and Land Reform	9651/17	Western Cape Division
R8 of 2011	Land Reform (Western Cape) – Welbeloon Boerdery Trust	Recovery of losses	Department: Rural Development and Land Reform	9724/17	Western Cape Division
R29 of 2017 amended by R19 of 2018	SABC Hlaudi Motsoeneng	Action proceedings for recovery of losses	SABC	18/04253	Gauteng Local Division
R54 of 2012	National Department: Water and Sanitation – Vuyani Pipeline	Action proceedings for recovery of losses	Department: Water and Sanitation	7760/18	Gauteng Division Pretoria
R29 of 2017 amended by R19 of 2018	SABC – Vision View	Declaration of invalidity and just and equitable relief	SABC	15870/18	Gauteng Local Division
R54 of 2014 amended by R44 of 2014	National Department: Public Works – Sean Logie Architects and Others (including Good Hope Construction)	Action to recover damages	Department: Public Works	24006/16	Western Cape Division
R29 of 2017 amended by R19 of 2018	SABC – Lornavision and James Aguma	Declaration of invalidity and just and equitable relief	SABC	17/49514	Gauteng Local Division

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PROCLAMATION NUMBER	PROJECT NAME	RELIEF	INSTITUTION NAME	CASE NUMBER	HIGH COURT AT WHICH LEGAL PROCEEDINGS WERE INSTITUTED
R29 of 2017 amended by R19 of 2018	SIU vs K Moodley	Piercing the corporate veil to hold directors of Lornavison liable	SABC	9366/20	
R29 of 2017 amended by R19 of 2018	SABC – TNA Media	SIU to join proceedings. Declaration of invalidity and just equitable relief	SABC	18/16694	Gauteng Local Division
R29 of 2017 amended by R19 of 2018	SABC: Mott MacDonald	Declaration of invalidity and just and equitable relief	SABC	18/29070	Gauteng Local Division
R54 of 2014 amended by R44 of 2014	National Department: Public Works – Good Hope Construction	Action proceedings for recovery of losses	Department: Public Works	20163/18	Western Cape Division
R598 of 2015	Eastern Cape Department: Education -- Siegesmund Trust	Setting aside the contract and just an equitable relief	Department: Education	1127/17	Eastern Cape Local Division (EL) Grahamstown 1127/2017
R31 of 2016	Amahlathi Municipality	Setting aside the contract and just an equitable relief	Amahlathi Local Municipality	2855/17	Eastern Cape Local Division Grahamstown
R52 of 2014	Greater Tubatse Municipality – Mphaphuli matter	Declaration of invalidity and just and equitable relief	Fetakgomo-Greater Tubatse Local Municipality	7226/2017	Limpopo High Court
R19 of 2016	Construction Industry Development Board – Fastmove 1	Setting aside the contract and just and equitable relief	Department: Water and Sanitation	13321/2018	Gauteng Local Division

PROCLAMATION NUMBER	PROJECT NAME	RELIEF	INSTITUTION NAME	CASE NUMBER	HIGH COURT AT WHICH LEGAL PROCEEDINGS WERE INSTITUTED
R18 of 2017	Thabazimbi Local Municipality	Declaration of invalidity and just and equitable relief	Department of Health	5418/2018	Limpopo High Court
	OSA-Mthatha/Mnyibashe	National departments	Department of Health	684/2014	Eastern Cape uMthatha
	OSA-Mthatha/Mdeni	National departments	Department of Health	684/2014	Eastern Cape uMthatha
	OSA-Mthatha/Molose		Department of Health	684/2014	Eastern Cape uMthatha
	OSA-Mthatha/Sikade		Department of Health	684/2014	Eastern Cape uMthatha
R21 of 2016	Msunduzi Local Municipality	Declaration of invalidity and just and equitable relief	Msunduzi Local Municipality	3169/18	KwaZulu-Natal Division (Pietermaritzburg)
R29 of 2017 amended by R19 of 2018	SABC – Sekela Xabiso	Declaration of invalidity and just and equitable relief	SABC	17/49870	Gauteng Local Division
R29 of 2017 amended by R19 of 2018	SABC - Infonomix	Declaration of invalidity and just and equitable relief	SABC	90545/18	Gauteng Division Pretoria
R29 of 2017 amended by R19 of 2018	SABC – Raphela	Claim damages suffered by the SABC	SABC	70881/18	Gauteng Division Pretoria
R29 of 2017 amended by R19 of 2018	SABC – Mjayeli Security	Review and setting aside of contract	SABC	47916/17	Gauteng Local Division
R10 of 2017	Harry Gwala		Harry Gwala District Municipality	22781/18	KwaZulu-Natal Division (Pietermaritzburg)

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PROCLAMATION NUMBER	PROJECT NAME	RELIEF	INSTITUTION NAME	CASE NUMBER	HIGH COURT AT WHICH LEGAL PROCEEDINGS WERE INSTITUTED
R22 of 2016	Lepelle Northern Water	Review and setting aside of contract	Lepelle Northern Water	7209/18	Polokwane High Court
R29 of 2017 amended by R19 of 2018	Bessie Tugwana/Kubendhran Padayachee	Claim for damages	SABC	19/15837	Gauteng Local Division
	SIU vs Chauke Quantity Surveyors		Department: Public Works	45527/16	Gauteng Division Pretoria
R29 of 2017 amended by R19 of 2018	SIU vs Motsoeneng		SABC	40388/19	Gauteng Local Division
R7 of 2014 amended by 599 of 2015 amended by R32 of 2017	SIU vs Hattingh et al – deeds: 170 Hurlingham	Set aside contract and revert property to the state.	Department of Agriculture, Land Reform and Rural Development	2021/30313	Gauteng Division, Pretoria
R29 of 2017 amended by R19 of 2018	SIU vs Pension Fund and Motsoeneng	Review decision to award success fee	SABC	29163/17	Gauteng Local Division
R11 of 2018, as amended by R3 of 2020 and R.97 of 2022	SIU vs 1064 Locomotives	Review application	Transnet	11645/2021	Gauteng Local Division
R10 of 2014	SIU vs Dakile (Media C)	Summons. Claim for damages from director of liquidated company	Department of Communications	25055/2020	Gauteng Local Division, Johannesburg
R7 of 2014 amended by R599 of 2015 amended by R32 of 2017	SIU vs Jordaan et al – deeds: Farm 405 Randjiesfontein	Set aside contract and revert property to the state	Department of Agriculture, Land Reform and Rural Development	23751/21	Gauteng Division Pretoria
R7 of 2014 amended by R599 of 2015 amended by R32 of 2017	SIU vs Hattingh et al. Deeds. Erf 1 Hyde Park	Set aside contract and revert property to the state	Department of Agriculture, Land Reform and Rural Development	2021/37259	Gauteng Division Pretoria

PROCLAMATION NUMBER	PROJECT NAME	RELIEF	INSTITUTION NAME	CASE NUMBER	HIGH COURT AT WHICH LEGAL PROCEEDINGS WERE INSTITUTED
R22 of 2016	Department: Human Settlements	Review and setting aside of contract	Department: Human Settlements	22781/18	Gauteng Division, Pretoria
R23 of 2020	National Department of Health – second claim for defamation by Ndabezinhle Sibiyi vs the SIU, Hesti le Roux (SIU member) and Kaizer Kganyago (SIU member) about Digital Vibes (Pty) Ltd	Defamation damages claim instituted by Sibiyi against the SIU	National Department of Health	63973/2021	Gauteng Division, Pretoria
R49 of 2022	Telkom vs SIU	Review application brought by Telkom against the SIU to review and set aside the proclamation	Telkom SOC Limited	2022-007566	Gauteng Division, Pretoria
R49 of 2022	Telkom vs SIU	Urgent application to Interdict the SIU from proceeding with Section 5 inquiry of a Telkom official	Telkom SOC Limited	2022-013735	Gauteng Division, Pretoria
R23 of 2020	Dr Mkhize vs SIU	Application by Dr Mkhize to review and set aside the SIU's presidential report and executive referral letter	National Department of Health	52006/2021	Gauteng Division, Pretoria

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PROCLAMATION NUMBER	PROJECT NAME	RELIEF	INSTITUTION NAME	CASE NUMBER	HIGH COURT AT WHICH LEGAL PROCEEDINGS WERE INSTITUTED
R29 of 2017 amended by R19 of 2018	SABC – Maguvhe and others	Damages claim against officials of SABC relating to the Lornavision matter	SABC	10124/2020	Gauteng Local Division, Johannesburg
R29 of 2017 amended by R19 of 2018	George Hlaudi Motsoeneng/Public Protector and others	Application by Hlaudi Motsoeneng to review and set aside the Public Protector's report titled 'When governance and ethics fail' and declaring the SABC to be in contempt of Western Cape High Court order under case number 3104/2016 and 18107/2016	SABC	19/76591	Gauteng Local Division, Johannesburg
R11 of 2018, as amended by R3 of 2020 and R97 of 2022	Transnet/Lanele Group (Pty) Ltd and seven others	The SIU applied to intervene in a review application that Transnet had brought against Lanele	Transnet SOC Limited	2020/16122	Gauteng Local Division, Johannesburg

PROCLAMATION NUMBER	PROJECT NAME	RELIEF	INSTITUTION NAME	CASE NUMBER	HIGH COURT AT WHICH LEGAL PROCEEDINGS WERE INSTITUTED
R24 of 2017	Mashudu Jeaneth Tsatsawane vs SIU and four others	Review application seeking to set aside the Special Tribunal case, because the Special Tribunal does not have jurisdiction over labour matters	Department of Rural Development and Land Reform	7571/2022	Gauteng Division, Pretoria
R24 of 2017	Babalwa Magoda vs SIU and six others	Review application seeking to set aside the Special Tribunal case, because the Special Tribunal does not have jurisdiction over labour matters	Department of Rural Development and Land Reform	010477/2022	Gauteng Division, Pretoria
R23 of 2020	Ledla Structural Development (Pty) Ltd and two others vs SIU and five others	Review application brought by Ledla and its directors to set aside the Special Tribunal orders that were granted under case number GP/07/2020	Gauteng Department of Health	2023-046203	Gauteng Division, Pretoria

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26 FACTS ABOUT THE SIU

THE FOLLOWING FAST FACTS REFLECT THE HIGHLIGHTS OF THE SIU'S 26-YEAR HISTORY:

- 1 Formed in 1997 after former-president Nelson Mandela signed Proclamation R24 of 1997
- 2 Proclamation R24 established by the Special Investigating Units and Special Tribunals Act, Act No 74 of 1996
- 3 Initially known as the Heath Commission of Inquiry, it was named after its first Head of the Unit, Judge William Heath
- 4 According to Judge Heath, no other country had an organisation with the legislative powers and distinctive mandate of the SIU
- 5 It is a state agency under the Department of Justice and Correctional Services
- 6 Its mandate is to investigate allegations of corruption, malpractice and maladministration in the administration of state institutions, state assets and public money and any conduct that may seriously harm the interests of the public, and to recover through civil litigation any financial losses suffered by state institutions
- 7 Has the authority to take civil action to correct any wrongdoing it uncovers in its investigations
- 8 First office was in East London, Eastern Cape
- 9 Gauteng and KwaZulu-Natal offices followed in 1999
- 10 In 2001, the SIU ceased to exist because of a Constitutional Court ruling. But thanks to legislative amendments, it was soon back in action
- 11 Services extended to Mpumalanga in 2001, with the opening of an office in now-Mbombela. Services were subsequently extended to other provinces, except Northern Cape, which was serviced by the Free State, North West and Western Cape offices
- 12 Northern Cape office opened in 2021, taking services to citizens in all nine provinces

13

Conducts forensic investigations, civil litigation, forensic data analytics, forensic accounting, lifestyle audits and cyber forensics and takes legal action following investigation outcomes

14

Has had six heads of Unit since inception

15

Current head, Adv Andy Mothibi, was appointed to the SIU by the President on 1 May 2016

16

Has experienced a 240% increase in proclamation numbers over the years

17

Special Tribunal established in 2019 to adjudicate exclusively on matters emanating from SIU investigations, accelerating processing of litigation cases

18

Forty civil matters brought before the Special Tribunal in 2020/21, with the value of R12.8 billion

19

Among its most prominent cases are those related to Covid-19. SIU investigations yielded 62 cases at the Special Tribunal with a value of R2.6 billion

20

Referred evidence in 2020/21 for the institution or defence/opposition of civil proceedings worth R64.8 billion

21

Recovered R2.97 billion in value of actual cash and/or assets between 2019/20 and 2022/23

22

Investigations in 2020/21 set aside or deemed invalid contracts worth R7.169 billion

23

Prevented the state from losing R2.7 billion in 2021/22

24

Is part of the Fusion Centre established by the Department of Justice and Correctional Services. The centre pulls together skills and resources from the SIU, the Financial Intelligence Centre, the Independent Police Investigative Directorate, the National Prosecuting Authority, the Directorate for Priority Crime Investigation (the Hawks), the State Security Agency and the South African Revenue Service

25

Regularly reports to Parliament on the matters it investigates and money it has returned to the state purse

26

Biggest financial recovery in a single investigation was R1.6 billion paid by ABB in December 2020, a service provider appointed to an Eskom power station.

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GOVERNANCE

INTRODUCTION

The Head of the Unit holds overall authority and governance over strategic and ethical leadership, including operations, human capital, internal controls, compliance and financial management. The Accounting Authority is a state-owned entity's structure accountable to the Executive Authority or shareholder for effective and ethical governance practices across the organisation.

In lieu of a board, which is not part of the SIU structure, the Head of the Unit fulfils the role. Thus, he is the Accounting Authority, assisted by the Executive Committee members in line with the Public Finance Management Act (PFMA) Section 49(2).

The Unit reports functionality to the Portfolio Committee on Justice and Correctional Services and to the Presidency, and administratively to the Minister of Justice and Correctional Services. Several corporate governance committees assist in carrying out Accounting Authority duties. These include the statutory Audit and Risk Committee and the Risk Management Committee, Human Capital Committee, Information and Communications Technology Committee, and Governance, Ethics and Social Responsibility Committee.

COMPLIANCE WITH LAWS AND REGULATIONS

The SIU's Legal Compliance Office (LCO) has been delegated and mandated, by the Head of the SIU, to assist the organisation to conduct its operations within the bounds of the law, to the letter. The department is tasked with creating, developing, promoting and inculcating an acceptable compliance culture across the organisation.

The LCO is responsible for ensuring that all regulatory requirements applicable to the SIU are identified, prudently managed through a risk-based approach and embedded into organisational processes. To this end, the LCO has developed an overarching Legal Compliance Framework and Policy, supported by a few sub-frameworks and similar, all of which were approved by the Head of the SIU during the reporting period.

The SIU has adopted a zero-tolerance stance to non-compliance, hence the LCO is constantly designing and developing compliance instruments and tools for the rollout of an effective compliance programme. Hence, in the first year of its existence, the LCO devoted its scant resources primarily to planning activities to create a solid foundation for a robust compliance environment. Much traction has been gained in in the first year of the compliance three-year plan, with most objectives attained.

While the development of compliance processes, instruments and tools is ongoing, the focus of the LCO will start shifting more of its resources in the coming and subsequent years to extending its services to the organisation. These include conducting compliance

monitoring, reviews, reporting and introducing compliance awareness and education measures to be delivered on various internal platforms, including a compliance segment in induction training for new employees. In addition, the LCO uses the SIU intranet to communicate compliance matters with staff, which is augmented by a compliance bulletin published as necessary but quarterly at least.

The second year of the compliance plan will be implemented in the coming year, focusing particularly on compliance monitoring and carrying out risk self-assessments and reviews. All existing compliance processes, instruments and tools are constantly reviewed and refined if necessary. The LCO monitors the SIU's regulatory environment to identify and inform staff of material changes that may affect the organisation. Therefore, the LCO keeps the SIU abreast of developments, alongside its oversight role.

During the reporting period, information officers of the SIU were appointed in accordance with the Promotion of Access to Information Act (2 of 2000) and the Protection of Personal Information Act (4 of 2013). This consists of the Head of the Unit as the Accounting Authority (appointed automatically as the Information Officer by law), and three deputy information officers who were designated and delegated the powers and functions of the Information Officer in line with the provisions of both Acts. All the SIU information officers were registered with the Information Regulator of South Africa, again as required by the Acts.

PORTFOLIO COMMITTEES

The SIU appears before its oversight Portfolio Committee on Justice and Correctional Services, other portfolio committees and the Standing Committee on Public Accounts (SCOPA) on request. The table below details activities during the year under review:

Name of portfolio committee or committee	Reason for the appearance	Date of the meeting	
Portfolio Committee on Justice and Correctional Services	Briefing on the SIU 2022/23 Annual Performance Plan	11 May 2022	
	Overview of annual reports by the Minister of Justice and Correctional Services and briefing by DCS and the Judicial Inspectorate for Correctional Services on annual reports	13 October 2022	
	Briefing by the Office of the Chief Justice on annual report and procurement matters and SIU on annual report	18 October 2022	
	Briefing on Department of Correctional Services	01 November 2022	
	SIU briefing payments by departments/debt collection	8 November 2022	
Other portfolio committees/ Parliament committees	Portfolio Committee on Human Settlements and Portfolio Committee on Home Affairs	25 May 2022	
	Parliamentary Committee on Trade (NLC)	27 September 2022	
	SCOPA	Presentation to SCOPA on various SIU investigations	10 May 2022
			24 May 2022
			07 June 2022
			30 August 2022
			31 August 2022
			07 September 2022
			13 September 2022
			20 September 2022
16 November 2022			
28 February 2023			
01 March 2023			

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INTERNAL COMMITTEES



AUDIT COMMITTEE

Information on the Audit and Risk Committee can be found on page 121

Number of meetings held during period under review:

Four ordinary and two special meetings

Dates:

Refer to Annexure A



RISK MANAGEMENT COMMITTEE

Comprising SIU internal members and two external members, namely Peterlia Ramutsheli, who is the Chairperson, and Lamlani Dube, an ordinary member.

Number of meetings held during period under review:

Four ordinary meetings

Dates:

- 21 April 2022
- 12 July 2022
- 11 October 2022
- 1 February 2023



INFORMATION TECHNOLOGY COMMITTEE

Comprises SIU internal members and during the period under review it was chaired by an external Chairperson namely Dr T Sethibe, and subsequently, Brian Kgosi.

Number of meetings held during period under review:

Three ordinary meetings

Dates:

- 09 June 2022
- 09 September 2022
- 09 February 2023



HUMAN CAPITAL COMMITTEE

Comprised internal members and three external members, Y Mbane (initial Chairperson, last meeting attended 17/05/2022), Zoleka Klaas (current Acting Chairperson) and Phyllicia Kekana, an ordinary member

Number of meetings held during period under review:

Two special and three ordinary meetings

Dates:

Special meetings:

- 27 September
- 16 November 2022

Ordinary meetings:

- 17 May 2022
- 28 October 2022
- 8 February 2023

ENTERPRISE RISK MANAGEMENT

The SIU is well on track to becoming a risk-intelligent entity as risk management is now deeply embedded in planning and performance. As the Unit continues to implement its strategy towards excellence, it is confronted with several risks that threaten the achievement of its objectives. It constantly weighs up the appropriate risk appetite and tolerance levels to fulfil objectives.

The consistent achievement of performance objectives and clean audits over the years bears testimony to risk management efficiency. In 2022/23, the Unit achieved risk maturity level 5 when assessed against the National Treasury Risk Management Maturity Model. This level affirms that the organisation's risk tolerance parameters have been established for all major categories of risk. Management of risk is closely monitored to ensure prudent risk taking and risk management has a significant influence on the control environment in the organisation.

SIU strategic risks progressed well towards maturity, as demonstrated by the improved quarterly residual rating of 60% of the strategic risks.

Below is the risk rating matrix that is used to rate and prioritise risks as per the Enterprise Risk Management Framework:

#	Strategic risks	Risk owner	Quarter one rating	Quarter two rating	Quarter three rating	Quarter four rating	Comments
1	Inability to expedite and timeously process civil matters emanating from SIU investigations for enrolment at the Special Tribunal	Chief Legal Counsel	I	I	II	II	The risk exposure is low as key risk mitigation plans have been implemented. These include appointment of a service provider to provide legal services for civil litigation, which will reduce reliance on OSA. More resources have been added with appointment of five senior managers: Civil litigation.
2	Inability to provide adequate protection of investigators and assist whistleblowers against intimidation and threats emanating from the SIU investigations	Chief Risk Officer	I	I	I	I	Despite implementation of risk mitigation plans, the risk exposure remains high. The SIU is participating actively in the review of Protected Disclosures Act by Department of Justice and the Constitutional Development to bridge the gaps around protection of whistleblowers. The SIU is also working on best collaborative mechanisms with SAPS Crime Intelligence to ensure that threat risk assessments on threats directed at investigators are concluded on time, which will allow timely implementation of recommendations.

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ENTERPRISE RISK MANAGEMENT (CONTINUED)

#	Strategic risks	Risk owner	Quarter one rating	Quarter two rating	Quarter three rating	Quarter four rating	Comments
5	Inability to provide adequate monitoring on the implementation of SIU remedial actions	Chief Legal Counsel	II	II	II	III	The risk exposure is low as there is support from the Executive Authority to assist SIU with monitoring the implementation of legal recommendations. The Department of Planning, Monitoring and Evaluation in the Presidency is now working closely with the SIU to monitor the implementation of legal recommendations.
6	Inability to financially sustain SIU operations in the short- to medium term due to shortcoming in funding model	Chief Risk Officer	II	II	II	II	The risk exposure remains high as National Treasury has indicated that the SIU funding model should remain as it is for now. However, the SIU is intensifying its revenue collection strategy through Operation Khokhela. National Treasury has consistently approved SIU applications to keep cash surpluses, which alleviates the risk exposure.
7	Inadequate human resources capacity to execute and meet the growing demand for SIU services	Chief Human Capital Officer	I	I	II	III	The risk exposure is low as more human resources capacity has been added, particularly in the investigation environment. Division capacitates the SIU not only through conventional recruitment methods but through outsourcing fixed-term contracts and internship programmes to create capacity.
8	Failure to complete investigations as per the approved project plans and timeframes	Chief National Investigations Officer	II	II	II	II	Great improvement has been made in ensuring that investigations are concluded on time. The investigation capacity has been increased through recruitment of forensic investigators and lawyers. Investigations are guided by lawyers from planning until closure phases. Panels of experts have been appointed to provide technical skills required for investigations and investigations are subjected to robust project reviews at nationally and provincially.

ENTERPRISE RISK MANAGEMENT (CONTINUED)

#	Strategic risks	Risk owner	Q1 rating	Q2 rating	Q3 rating	Q4 rating	Comments
9	Inability to assist public institutions to prevent corruption and maladministration	Chief Legal Counsel	II	II	II	III	Risk exposure is low due to various corruption prevention initiatives being rolled out to state institutions. These include corruption risk assessment, corruption education and awareness, monitoring implementation of systemic recommendations and implementation of the data analytics project.
10	Inability to maintain and keep the SIU accumulated cash surplus in the balance sheet to fund budget deficit	Chief Risk Officer	III	IV	IV	IV	The risk remains very low and under control as the National Treasury has consistently approved the applications of SIU to keep cash surpluses.

Rating	Severity	Suggested risk treatment timeframes	Rating	Severity	Suggested risk treatment timeframes
I	Critical	Short term (normally within three months)	II	Medium	Long term (normally above 12 months or more)
II	High	Medium term (normally within six months)	IV	Low	Ongoing controls as part of a management system

BUSINESS CONTINUITY MANAGEMENT

The SIU Business Continuity Plan has identified nine potential business incidents or events that could disrupt operations. They are:

1. Data loss (information technology servers)	4. Loss of evidence	7. Pandemic outbreaks
2. Software failure	5. Power outages	8. Industrial action/social unrest
3. Hardware failure	6. Water outages	9. Fire outbreaks and bomb threats

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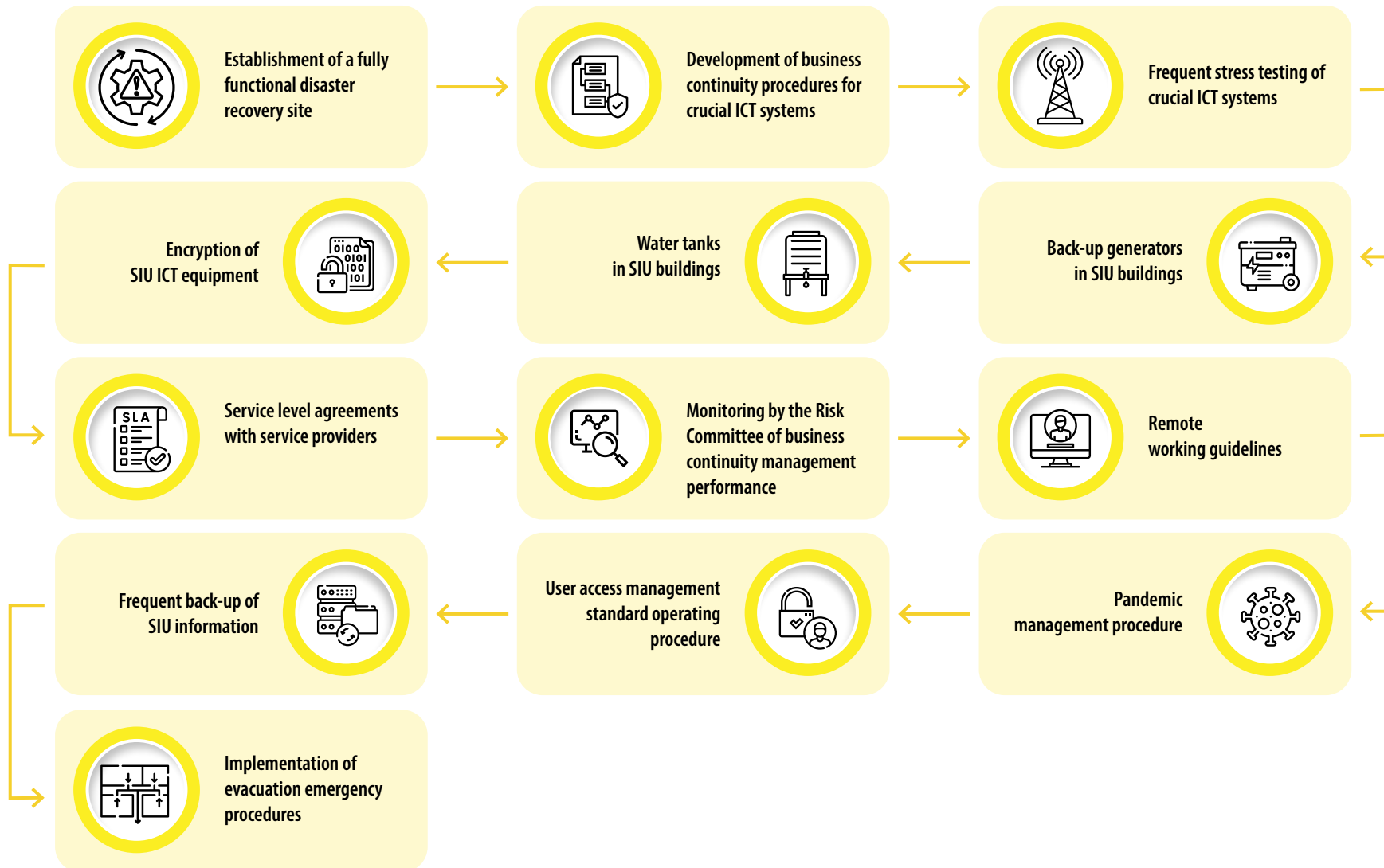
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All these scenarios have been subjected to business impact analysis. This process identifies and evaluates their potential impact on business operations and determines continuity measures required. The SIU has implemented strategic interventions to reduce negative impact to operations should an event occur. These include:



INTERNAL FRAUD AND CORRUPTION

The SIU is integral to the government's combatting and prevention of malpractice, maladministration and corruption. It is, therefore, paramount that employees are not involved in such practices. To this end, the SIU developed an Anti-corruption Strategy and Anti-corruption Plan, whose implementation is monitored by the Enterprise Risk Management Unit. The unit oversees the four aspects of the plan, namely prevention, detection, investigation and resolution.

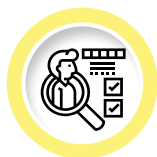


PREVENTION



Ethical culture

The Executive Committee (Exco) and senior management set an ethical tone at the top, which influences how SIU employees respond to ethics challenges. The values of the SIU are lived by its members and honoured through their daily interaction with all stakeholders. One value is integrity, which refers to values, principles and norms in SIU business operations. In achieving a culture of integrity, the SIU has a coherent system of integrity management that is monitored and enforced daily. It also anticipates and counters risks.



Screening

Section 3(2) of the SIU Act states: 'The Head of a Special Investigating Unit may, from time to time, appoint as many other fit and proper persons to the Special Investigating Unit as in his or her opinion are necessary for the effective functioning thereof.' To comply, the SIU ensures that all applicants for vacancies are screened by the Internal Integrity Unit wing of the Enterprise Risk Management Unit, which determines the possible risk a candidate may pose and whether the risk is within the risk tolerance limit. All employees are rescreened regularly, which includes a lifestyle audit to discourage unethical behaviour. Service providers and consultants are also screened before starting work. This rigorous screening has proven to be an effective risk management tool.



Good governance

The Risk Management Committee monitors the Risk Management Operational Plan. The Chief Risk Officer reports directly to the Head of the Unit and any transgressions are reported to the Audit and Risk Committee. The Chief Audit Executive reports to the Head of the Unit administratively and the Audit and Risk Committee functionally. The Governance and Ethics Committee provides an additional enterprise risk management oversight function.

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PREVENTION



Training and awareness

Assistance is given to the Chief Programme Portfolio Officer through workshop presentations on ethics-related topics to SIU clients to enhance knowledge and understanding of fraud and corruption and the role of ethics in their prevention.

All new SIU employees have been trained on policies and procedures, ethics, good governance and reporting transgressions. An e-learning module on ethics and integrity enhances the internal ethics awareness drive.

During international fraud awareness week, screensavers focus on appropriate topics. The presentation made to all SIU provincial offices in the review year covered screening, conflict of interest, ethics communication, internal investigation and classification of information.



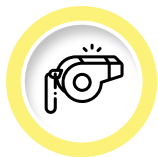
Physical and information security

In 2022/23, the State Security Agency (SSA) conducted information security audits. Some provincial reports were received and recommendations will be implemented in the next two financial years. Technical surveillance countermeasures were conducted and recommendations are to be implemented. The functionality of existing access control was assessed with the assistance of the ICT business partner and the gaps will be also addressed in 2023/24.



Witness protection

Any witness who receives a direct threat is advised to lay a charge with the police. The Enterprise Risk Management Security Unit always escorts a witness to the police station and ensures that a case is opened, and a case number provided. The Witness Protection Unit puts a threatened witness in a witness protection programme after laying a charge with the police.

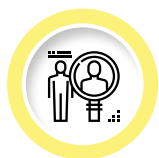


Safety tips for whistleblowers

Safety tips are given to whistleblowers who feel unsafe after having provided the SIU with information on corrupt activities. Some whistleblowers are victimised by line managers and the Unit intervenes in these cases.



PREVENTION



Employee threat and risk assessments

During the year under review, the Enterprise Risk Management Unit conducted a threat risk assessment on a forensic investigator who was offered a bribe to make the criminal case disappear. The individual was arrested during a trap set by the Hawks and the SIU in Mpumalanga. In April 2023, the accused was found guilty and sentenced to four years' imprisonment.

An SIU forensic investigations specialist who received potential threats from suspects is under close protection pending SAPS Crime Intelligence's threat risk assessment report.

A former SIU female forensic investigator was followed by an individual implicated in one of her investigations. He and his co-accused appeared in Bloemfontein District Court and their corruption case was remanded until 8 September 2023. She was afforded close protection, which will be provided again during the next court date.



Employee vetting

SIU members must have security clearance to access classified information of client departments and entities. The SSA vets SIU members, while the Enterprise Risk Management Unit handles administration. A memorandum of understanding has been signed between the SSA and the SIU authorising the Unit to conduct its own vetting fieldwork. The SSA will conduct polygraph assessments and evaluation and issue clearance certificates.



Fraud and ethics risk assessments

The Enterprise Risk Management Unit annually facilitates fraud and ethics risk assessments to identify and address potential fraud and corruption risks that may affect achievement of unit objectives. The assessments are performed across SIU business units every three years, with the next one due in 2024/25. Corrective measures were taken to close the gaps identified during the last assessment.

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DETECTION



Corruption database

Fraud and corruption are detected by analysing ethics and culture surveys, annual declarations, including of gifts, and complaints, audit, screening, whistleblower hotline and investigation reports. Trend analysis is a valuable tool. Transgressions are reported to the oversight bodies, SAPS, the SSA and/or referred internally for investigation.



Whistleblowing and reporting mechanisms

The independent whistleblower hotline is the main mechanism available to members of the SIU and the public to report suspected fraud, corruption or maladministration. It is reached on toll-free number 0800 037 774, fax to email 086 726 1681, SMS number 30916, email address siu@thehotlineapp.co.za and <http://www.thehotline.co.za>. Telephone calls are not recorded, caller identity requested nor tracked nor electronic communications traced. The hotline is available 24 hours a day, seven days a week and services are offered in the 11 official languages.

For the year under review, 1 717 reports were received, compared to 1 384 reports in 2021/22.

Staff can also report suspected wrongdoing to the Enterprise Risk Management Unit, Human Capital Unit or their line managers.



Screening

As mentioned, background screenings are conducted on prospective employees and members who are transferred to other positions. In the year under review, 171 pre-employment screenings were done, with 163 recommended by the Internal Integrity Unit and eight not recommended. Forty-one vendor screenings and 371 pre-interview desktop reports were completed. Sixty-six lifestyle audits for DPWI were completed in 2022/23 and a report submitted to the DPWI Minister.



INVESTIGATIONS

The Chief Risk Officer obtains a mandate from the Head of the Unit to investigate allegations of fraudulent and corrupt practices and misbehaviour internally. He provide post-investigation reports to the Head, making referrals to department line managers and human capital business partner. The reports are also made available to the Internal Audit Division on request. In the year under review, six internal investigations were completed and the reports issued. Seven investigations are in progress and two completed and reports under review.



RESOLUTION

When recommendations for disciplinary action are made in an internal investigation, the Disciplinary Committee decides whether to proceed with disciplinary action. The internal integrity officer who investigates a matter will testify in the disciplinary hearing if necessary. Enterprise Risk Management Unit members also serve other members with suspension letters and recover Unit property such as laptops. If the matter is criminal, such as fraud or theft, the Enterprise Risk Management Unit will report it to SAPS on instruction from the Head of the Unit. The Risk Management unit advises the Head of the Unit on implementation of improved controls and arranging for civil recovery and criminal prosecution, and explores the possibility of related recoveries by engaging other agencies.

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MINIMISING CONFLICT OF INTEREST

The SIU has an approved Conflict of Interest Policy to minimise conflict of interest. The following internal measures are in place:



Members are expected to exercise good judgment and the highest ethical standards in their activities on behalf of the SIU and be mindful of their activities outside.



SIU members are not required nor permitted to receive gifts nor hospitality. Prohibitions on gifts exclude tokens offered or accepted as a courtesy or protocol, including conference packages and promotional material or gifts offered at official functions and events.



All members must declare their assets and interests annually. In the year under review, 601 employees had to submit declarations. Only 79.6% of all SIU employees declared their assets, thus consequence management will be implemented for the remaining 20.4%.



Members are also required to apply for permission for outside remuneration. Each application is considered in detail by the Governance, Ethics and Social Responsibility Committee, which makes a recommendation to the Head of the Unit, who may or may not approve the application. During the year, 12 employees had permission for outside remuneration, 13 applications are with the committee for approval and two are in administration.

CODE OF CONDUCT

The SIU Code of Conduct describes the values and minimum standards for ethical conduct that employees expect of each other. It guides all interactions with internal and external stakeholders.

The code states that the SIU must conduct its business fairly, impartially, ethically and properly, in full compliance with laws and regulations and consistent with its values. Integrity must underlie all SIU relationships—with government, customers, suppliers, media, communities and colleagues.

Adhering to the code enables employees to act honestly, exercise care and diligence and enhance public confidence in the integrity of the SIU. In addition, each employee must understand the level of authority of his or her job.

The code applies to all permanent, temporary and casual employees, those providing services to the SIU, officers, members of oversight bodies such as committees, managers, executives, agency workers and independent contractors.

It is aligned with the Constitution of the Republic of South Africa, 1996, and other legal provisions, such as the Labour Relations Act, 1995, regulations and collective agreements.

Thulani Mkhungo
Chief Risk Officer

INTERNAL AUDIT AND AUDIT AND RISK COMMITTEE REPORT

INTERNAL AUDIT REPORT 2022/23

In 2022/23, the SIU had a co-sourced Internal Audit function led by the Chief Audit Executive.

Roles and responsibilities

Internal Audit fulfilled all its functions and discharged the responsibilities prescribed in the Public Finance Management Act (Act 1 of 1999), King IV and the approved Internal Audit Charter. It reported functionally to the Audit and Risk Committee and administratively to the Head of the Unit.

Summary of main activities

Internal Audit executed the following activities:

Internal control and internal audit:

- Reviewed and had approved by the Audit and Risk Committee the annual internal Audit Charter, which clearly defines the purpose, authority and responsibility of the Internal Audit function.
- Prepared with the Audit and Risk Committee the three-year rolling strategic Internal Audit Plan, including the Annual Audit Plan for the first year of the rolling plan, based on the assessment of key areas of risk for the Unit and its risk strategy. The Internal Audit Plan reflected the scope of each audit and was approved by the Audit and Risk Committee.
- Prepared and presented at all Audit and Risk Committee meetings the following, to the committee's satisfaction:
 - Reports detailing its performance against the plan to allow effective monitoring and intervention where necessary.
 - Reports on internal control systems, including financial controls and maintenance of effective internal control systems.

- The function was independent of management activities, with no consulting services undertaken during the year and no limitations on access to information.
- Internal Audit coordinated activities with other assurance providers within and outside the SIU, including the Auditor-General of South Africa. The Combined Assurance Framework, Combined Assurance Forum with approved terms of reference and Combined Assurance Plan were developed, approved and implemented during the year. Quarterly reports on progress against the Combined Assurance Plan were tabled at the Risk Committee and the Audit and Risk Committee, which were satisfied with progress. The combined assurance implementation maturity assessment conducted during the year pitched the results at level two ('Building structures') based on SIU-defined maturity levels.
- The Internal Audit function assisted the Head of the Unit to maintain effective internal controls required by PFMA Section 27.2.10 by evaluating those controls to determine their effectiveness and efficiency, and by recommending improvements.

These achievements were the result of implementation of the 2022/23 approved Audit Plan, through which the following were finalised:



20 audit
engagements finalised

- Performance information, including annual performance report reviews
- Investigation management audit
- IT security vulnerability assessment
- Civil litigations management audit
- IT security management audit
- Bids continuous audits
- IT general controls review
- Communications and stakeholder management audit
- Security management audit
- Recruitment management audit
- Risk management audit
- Employee performance management audit
- Employee headcount verification
- Employee wellness management audit
- Annual financial statements review
- Operational business plans review
- Annual performance bonus reviews
- Programme portfolio management
- Salary increases implementation review
- Follow-up audits.

INTERNAL AUDIT REPORT 2022/23

Denise In 2022/23, the SIU had a co-sourced Internal Audit function led by the Chief Audit Executive.

Roles and responsibilities

Internal Audit fulfilled all its functions and discharged the responsibilities prescribed in the Public Finance Management Act, (Act 1 of 1999), King IV and the approved Internal Audit Charter. It reported

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AUDIT AND RISK COMMITTEE REPORT 2022/23

The report of the Audit and Risk Committee has been prepared in accordance with Treasury Regulations for Public Entities 3.1; 27.1 issued in terms of the Public Finance Management Act, (Act No 1 of 1999) (PFMA) as amended by Act 29 of 1999 and covers committee activities guided by its terms of reference and King IV. These are approved by the Accounting Authority annually. The committee also oversees risk management in terms of the PFMA, with the support of a Risk Management Committee, as its subcommittee, which is chaired by an independent chairperson. The Risk Management Subcommittee has provided oversight and assurance and the Audit and Risk Committee has had sight of all its reports for the period under review

Committee composition, roles and responsibilities

The Audit and Risk Committee consists of the members listed in the attendance table, annexed hereto, and is required by its terms of reference to meet at least once a quarter. The management team under the leadership of the Head of the Unit, the internal auditors and external auditors, attended Audit and Risk Committee meetings. The committee had closed sessions with internal auditors without management being present in some instances. The internal and external auditors have unrestricted access to the Audit and Risk Committee and are always offered this opportunity.

During the year under review, the Audit and Risk Committee fulfilled all its functions and discharged the responsibilities prescribed in the PFMA, King IV and the terms of reference.

Summary of Main activities

The Audit and Risk Committee considered the following:

Internal control and internal audit:

- Reviewed and approved the annual Internal Audit Charter, annual risk-based Audit Plan, which encompasses a three-year rolling plan, and an annual plan. The Committee also evaluated the

independence, effectiveness and performance of the Internal Audit Business Unit and compliance with its charter and the approved Audit Plan.

- Considered the reports of the internal auditors on the effectiveness of internal controls, including financial controls.
- Reviewed significant issues raised by internal audit including the adequacy and implementation of corrective action in response to internal audit findings.
- Assessed the adequacy of the internal audit performance, its resources including the co-sourced partner and was satisfied.
- Asserted that, while controls were adequate, some were not wholly effective in achieving their purpose in ensuring that the unit's objectives were achieved. However, this did not lead to any material breakdown in internal controls, including financial controls and business risk management.

Risk management and information technology:

- Considered and approved the report from the Risk Management Committee on the Unit's risk assessment and management, including fraud and IT risks as they pertain to financial reporting.
- Oversaw and approved financial reporting risks, internal financial controls, fraud risks and IT risks.

Performance information:

- Oversaw performance information reporting throughout the year, through the quarterly performance reports by management and the internal audit assurance reports. Exercised oversight over the quarterly performance reports and recommended them to the Accounting Authority for approval before submission to the Executive Authority.
- Oversaw the Annual Performance Report and recommended it for approval by the Accounting Authority before submission to the Executive Authority and external auditor within the prescribed timeline.
- Noted the findings raised by the external auditors on the audited annual performance information, in relations to the usefulness of reasons provided for overachieved targets and was satisfied that they were not material, subsequent to being corrected by management. Management has committed to strengthening management control drivers in this regard.

External audit:

- In consultation with Executive Management, reviewed and noted the Auditor-General's engagement letter, the audit strategy, and fees, and recommended them for approval by the Accounting Authority.
- Obtained assurances from the external auditor that somewhat adequate accounting records were maintained, including reports on the effectiveness of the internal control environment, systems, and processes with areas of improvement raised in terms of disclosures on revenue recognition and on the cash flow
- Satisfied itself that although the overall audit results shows a significant regress from the prior year audit results, no reportable irregularities in the annual financial statements in terms of the Auditing Profession Act were raised by the external auditors.
- Recommended corrective actions in response to all the audit findings to the Head of the Unit as the Accounting Authority for control improvement.

External auditor independence:

- Satisfied itself that the external auditor is independent of the entity and demonstrated a high level of professionalism and integrity in engaging with management and Audit and Risk Committee during the audit.

Annual financial statements

- Considered the going-concern assumption and confirmed the assumption was correctly used to prepare the annual financial statements.
- Considered the annual financial statements, the information on which they were prepared and its correctness before submission and approval by the Accounting Authority for submission to the Auditor-General.
- Ensured that the annual financial statements fairly present the financial position of the SIU at year-end.

- Considered accounting treatments, accounting judgments and conclusions.
- Considered the appropriateness of the accounting policies adopted and any changes.
- Created an environment for engagement with the external auditor at every meeting, including closed sessions, to ensure that all parties had an opportunity to raise concerns. No closed sessions had been requested throughout the year. The Auditor-General raised only a projected misstatement regarding revenue on the annual financial statements disclosures with material impact, resulting in an unfavourable audit report outcome.
- Reviewed the external auditor's audit report, including significant legal and tax matters, and satisfied itself that no material issues existed with the exception of matters relating to the accurate recognition of revenue from a financial year cutoff point of view, the Audit and Risk Committee view is the audit opinion must be viewed in context that the only financial impact it has on the 2022/23 financial statements is a reallocation of a projected R12.9 million error (extrapolated on the total population by the Auditor-General from a sample error of R5.7 million) in revenue between 2022/23 and prior financial years, by users of the annual financial statements. The Audit and Risk Committee took note of the qualified opinion and will support the Accounting Authority and management in ensuring that relevant internal controls be further strengthened, specifically as it relates to oversight controls on the annual financial statements, in the role that the Audit and Risk Committee plays in this regard.

Legal and regulatory requirements to the extent that they may have an impact on the financial statements:

- Reviewed with management legal matters that could have a material impact on the annual financial statement.
- Considered progress from the Chief Legal Counsel on procedures to ensure compliance with legal and regulatory responsibilities against the three-year Compliance Framework Plan. The committee was satisfied with management commitments to ensure that outstanding policies will be finalised in the new financial year, significant milestones or progress has been made in this area with the appointment of a Senior Manager Compliance.

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- Confirmed with management that no unauthorised expenditure has been incurred by the organisation and that any irregular and fruitless and wasteful expenditure had been reported in terms of PFMA Section 55(2b).
- Considered compliance reports provided by management, the internal auditors and the external auditor and were satisfied.

Coordination of assurance activities:

- Reviewed the plans and work outputs of the external and internal auditors and concluded they adequately addressed all significant risks facing the business.
- Was satisfied with the implementation of the combined assurance Model, including the Combined Assurance Framework, the Plan, and the functioning of the Combined Assurance Forum and reporting. The Committee considered quarterly reports of the progress made against the Combined Assurance Plan implementation, and improvements thereof. The committee continues to recognise and acknowledge the SIU in its strides to demonstrate the value in implementation of combined assurance, as these reflect management's commitment to combined assurance.

Evaluation of the expertise and experience of the Chief Financial Officer and finance function:

- Is satisfied that the full-time appointed Chief Financial Officer has appropriate financial expertise and experience.
- Notwithstanding the findings raised on the annual financial statement by the external auditors, the committee considered and was fairly satisfied with the appropriateness of the expertise and adequacy of the finance function, including the experience of senior management responsible for financial and supply chain management with some strengthening of the existing skills to be considered to address the findings raised. The committee is confident that the finance function will continue to fulfil its financial management responsibilities for the Unit.
- Noted the external auditor's recommendation on improvements to the audited annual financial statements and was satisfied that management is committed to strengthening controls to address the financial controls gaps identified.

Auditor-General's report:

- Reviewed the SIU implementation plan for audit matters raised in previous years and noted progress, while considering management's reasons for delayed implementation and its commitment to ensure all findings are resolved.
- Considered the Auditor-General's report on the Unit's audit outcome for the period under review and noted with concern the significant regress in the 2022/23 audit opinion of a qualified opinion issued by the Auditor-General to the Unit, which is a qualified audit opinion on the financial statements and material non-compliance finding on key legislation, but with no material findings on performance information and effective internal control measures.
- Even though the committee and management accepted the audit opinion of the Auditor-General, the committee is of the opinion that better engagements could have assisted to resolve and address this matter in relation to revenue recognition to minimise the current position. Management and the Auditor-General demonstrated commitment to strengthen the audit process engagement in future.
- The Committee challenged the SIU Accounting Authority and Executive management to develop a strategy to strengthen the internal control environment around the preparation of the annual financial statement and its disclosures and oversight around compliance and to reclaim the consistent audit results of the past 6 years. The Accounting Authority and Executive Management demonstrated commitment to strive and continue to demonstrate high excellence of good governance and administration.

Meeting attendance

Meeting schedule and attendance appears in Annexure A.



Dr Nandipha Siwahla-Madiba

PhD, CD (SA)

Date: 10/06/2023

AUDIT AND RISK COMMITTEE ATTENDANCE 2022/23 (ANNEXURE A)

AUDIT AND RISK COMMITTEE ATTENDANCE 2022/23										
Name	Qualifications	Role	Appointed	Status	Special Meetings		Ordinary Meetings: Absent (A) Present (P). Retired or new member (-)			
					26 May 2022	28 Jul 2022	28 April 2022	25 Jul 2022	27 Oct 2025	14 Feb 2023
Nandi Madiba	<ul style="list-style-type: none"> • Doctoral Candidate: Doctor of Business Administration • Doctor of Philosophy in Business Leadership and Management (PhD) – South Valley University • Masters in Business Administration: US • Masters in Business Administration: UK • Chartered Director (SA) CD(SA) SAQA Professional Designation • Several non-executive directorship programmes – Institute of Directors South Africa (IoDSA) • Postgraduate Diploma in Financial Management: University of London (MSc Part1) • Postgraduate Certificate: Advanced Taxation Certificate, with dissertation (Unisa) • BCompt (Hons) and (CTA NDP) Unisa • BCom Accounting – UNITRA • Executive Development Programme – Wits Business School 	Audit and Risk Committee Chairperson	28 February 2019	Current	P	P	P	P	P	P

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AUDIT COMMITTEE ATTENDANCE 2022/23											
No	Name	Qualifications	Role	Appointed	Status	Special Meetings		Ordinary Meetings: Absent (A) Present (P). Retired or new member (-)			
						28 May 2022	28 Jul 2022	28 April 2022	25 Jul 2022	27 Oct 2022	14 Feb 2023
2	Zola Fihlani	<ul style="list-style-type: none"> CA(SA) MCom (Tax) Higher Diploma in Tax Law Higher Diploma in International Tax Law BCompt (Hons) BCom in Accounting 	Member	01 October 2020	Current	P	P	P	P	P	P
3	Joshua Motjuwadi	<ul style="list-style-type: none"> Bachelor of Science – Fort Hare University Executive Development Programme – Wits Business School Delivering Information Services – Harvard Business School Non-Executive Directorship Programmes – IoDSA 	Member	28 February 2019	Current	P	P	P	P	P	P
4	Peterlia Ramutsheli	<ul style="list-style-type: none"> Certified Internal Auditor (CIA) Certified Ethics Officer Master's Degree in Internal Auditing BTech Degree in Internal Auditing Assessor Qualification 	Cross Audit and Risk Committee member (Risk Committee Chairperson)	1 November 2020	Current	P	P	P	P	P	P
5	Noziphiwo Lubanga	<ul style="list-style-type: none"> Master's in Business Administration Postgraduate in General Management Postgraduate (BCom Honours) in Internal Auditing Executive Development Programme BCom: Internal Auditing National Diploma: Internal Auditing 	Audit and Risk Committee member	2 July 2021	Current (new)	P	P	P	P	P	P

B-BBEE COMPLIANCE PERFORMANCE INFORMATION

Has the public entity applied any relevant code of good practice (B-BBEE certificate levels 1-8) with regards to the following:

Criteria	Response Yes/No	Discussion																
Determining qualification criteria for issuing of licences, concessions or other authorisations in respect of economic activity in terms of any law?	No	This requirement is not applicable to the SIU.																
Developing and implementing a preferential procurement policy?	Yes	<ul style="list-style-type: none"> The Supply Chain Management Policy includes preferential procurement. The preferential procurement is consistent with the Preferential Procurement Policy Framework Act, its Regulations, the Codes of Good Practice or any other applicable sector code. 																
Determining qualification criteria for sale of state-owned enterprises?	No	This requirement is not applicable to the SIU.																
Developing criteria for entering into partnerships with the private sector?	No	This requirement is not applicable to the SIU.																
Determining criteria for the awarding of incentives, grants and investment schemes in support of broad-based black economic empowerment?	Yes	<p>Support of broad-based black economic empowerment requirements forms part of procurement process.</p> <table border="1"> <tbody> <tr> <td>Small, medium and micro enterprises</td> <td>R22 796 925</td> </tr> <tr> <td>Cooperatives</td> <td>-</td> </tr> <tr> <td>Black township/rural ownership</td> <td>R8 006 201</td> </tr> <tr> <td>Women ownership</td> <td>R27 751 500</td> </tr> <tr> <td>Black people</td> <td>R37 343 236</td> </tr> <tr> <td>Black youth ownership</td> <td>R860 337</td> </tr> <tr> <td>Black disabled ownership</td> <td>R164 938</td> </tr> <tr> <td>Black military veteran</td> <td>-</td> </tr> </tbody> </table>	Small, medium and micro enterprises	R22 796 925	Cooperatives	-	Black township/rural ownership	R8 006 201	Women ownership	R27 751 500	Black people	R37 343 236	Black youth ownership	R860 337	Black disabled ownership	R164 938	Black military veteran	-
Small, medium and micro enterprises	R22 796 925																	
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Black disabled ownership	R164 938																	
Black military veteran	-																	

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HUMAN CAPITAL

INTRODUCTION

The SIU forecasts its future demands in the context of the business planning process in accordance with its strategic objectives and programmes to attract suitable talent to advance its mandate.

Leveraging its brand position as employer of choice, it focuses on improving service through digital transformation, with the new e-Recruit system significantly improving recruitment processes. The Unit continuously builds on retention strategies in the knowledge that the employee value proposition is key to the achievement of its strategic intent of striking corruption.

The SIU recently emerged from a resoundingly successful organisational re-engineering phase, 'Project Siyakha', that redefined its structure, vision and mission and embedded new values. Project Siyakha clearly demonstrated its commitment to embrace a culture change.

Change in efficiencies was a priority, particularly service levels and turnaround times. Significant strides were made in the rollout of the organisational culture and in human capital investments, responding to resourcing demands and building capabilities across the organisation.

The following capacity-building initiatives were launched:

- Development and implementation of cyber-forensic learning in partnership with the French Embassy to strengthen the Unit's digital investigative capabilities.
- The senior management development programme in partnership with Stellenbosch University, a crucial step in the journey towards leadership growth and professional development of the SIU senior management team.
- Forensic accounting internship in partnership with the North-West University (NWU) to 'build own timber' to address the forensic accounting scarce skill.
- Anti-corruption Academy in partnership with the French government through the Ministry of Justice and Correctional Services to develop cyber-investigations capabilities.

- Public service capacity building programme in partnership with the Public Sector Education and Training Authority aimed at collaboration and partnerships in building skills capabilities across the public service. Through this partnership, the SIU will also benefit from the funding of internships outreach, advocacy initiatives, and the accreditation of skills programmes and the Anti-corruption Academy.

DELIVERING ON KEY PRIORITIES

Key priority	Performance at 31 March 2023
Staff complement	Staff complement was 601 (2021/22: 587), of whom 583 (97%) were permanent and 18 (3%) fixed term
Vacancy rate	Vacancy rate was 7.5% (compared to 12% of the previous year) against the 12% planned target
Staff turnover	There were 26 terminations (mostly resignations) , or 4.38% against the target of 4%
Performance agreements	Achievement was 99% against a target of 100% (1% being members on special leave)
Black female transformation	Women in senior and top management numbered 45, which represents 30.4 % of the total management workforce

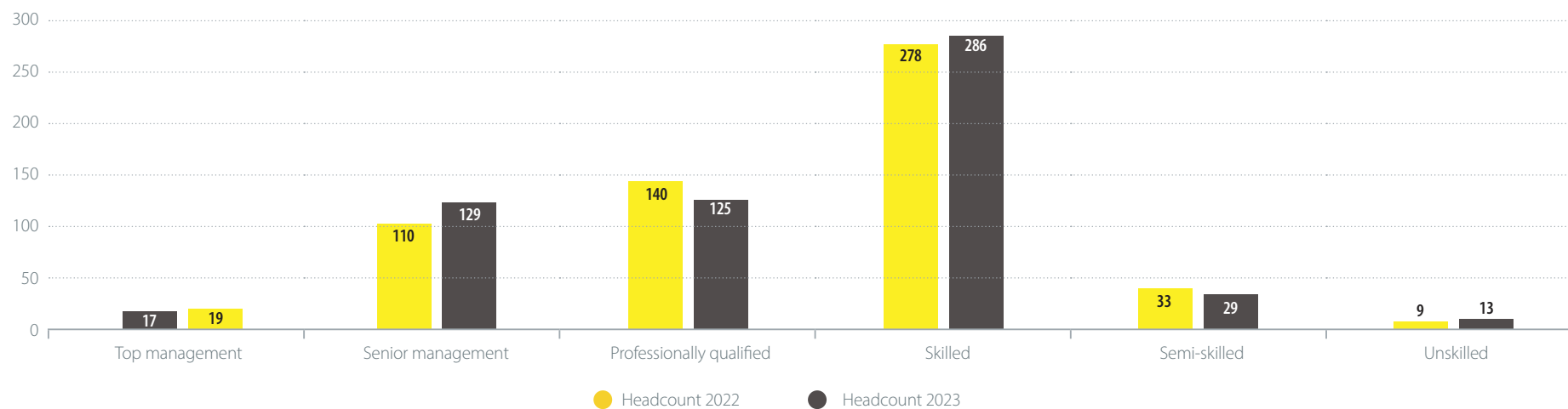
HUMAN CAPITAL OVERSIGHT STATISTICS

Staff complement

Salary band	Actual headcount	Internal staff movements	Transfer to disability payroll	Appointments	Terminations	Employment at end of period
Top management	17	1	-	1	-	19
Senior management	110	17	-	11	-9	129
Professionally qualified	140	-8	-	1	-8	125
Skilled	278	-2	-	18	-8	286
Semi-skilled	33	-7	-	4	-1	29
Unskilled	9	-1	-1	6	-	13
Total	587	-	-1	41	-26	601

Between 2022 and 2023, the SIU's headcount increased by 14 employees, growth of about 2.39%, and a termination rate of 4.38%.

HEADCOUNT



There were 38 movements between salary bands during the 2022/23 financial year.

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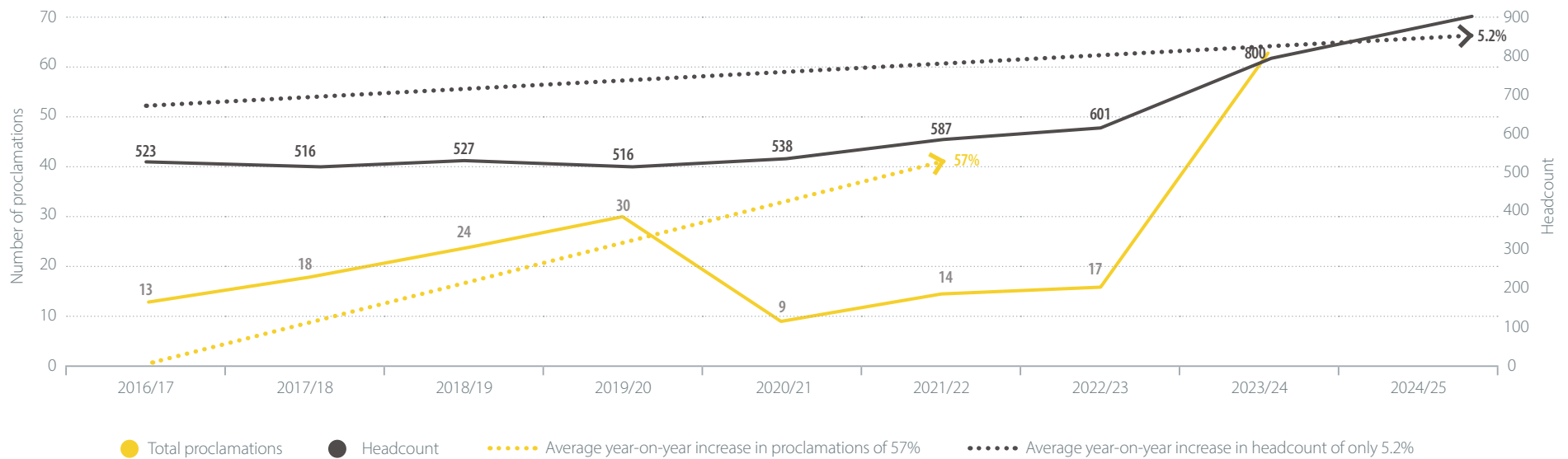
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Headcount growth rate vs proclamations growth

The planned headcount growth over the Medium-term Expenditure Framework period is aligned with operational requirements to ensure that the SIU can deliver on its mandate. The resourcing model will be balanced to have a mix of permanent and fixed-term contracts to manage the risk of unsustainable cost of employment.

SIU: GROWTH IN PROCLAMATIONS INFORMING GROWTH IN HEADCOUNT OVER THE MTEF

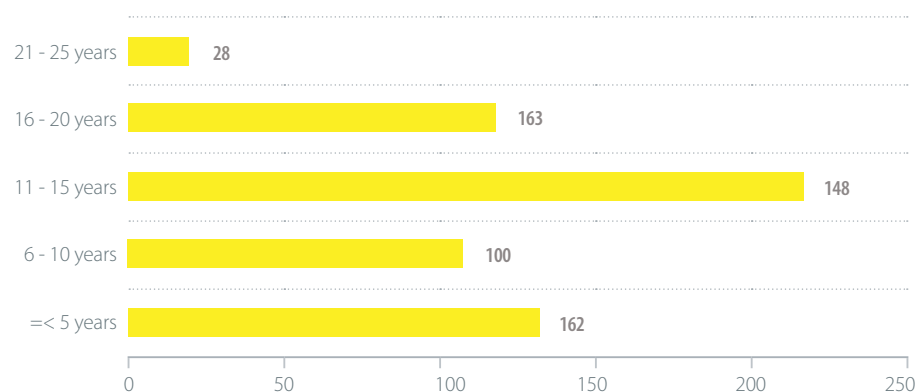


Headcount over the MTEF period grew by a moderate 2.39%, from 587 in 2021/22 to 601 in 2022/23, while the number of projects grew by at least 53% by end-July 2023. The SIU will steadily increase its headcount in line with its business goals and financial considerations.



Years of service and age analysis

BREAKDOWN OF SIU STAFF BY YEARS OF SERVICE

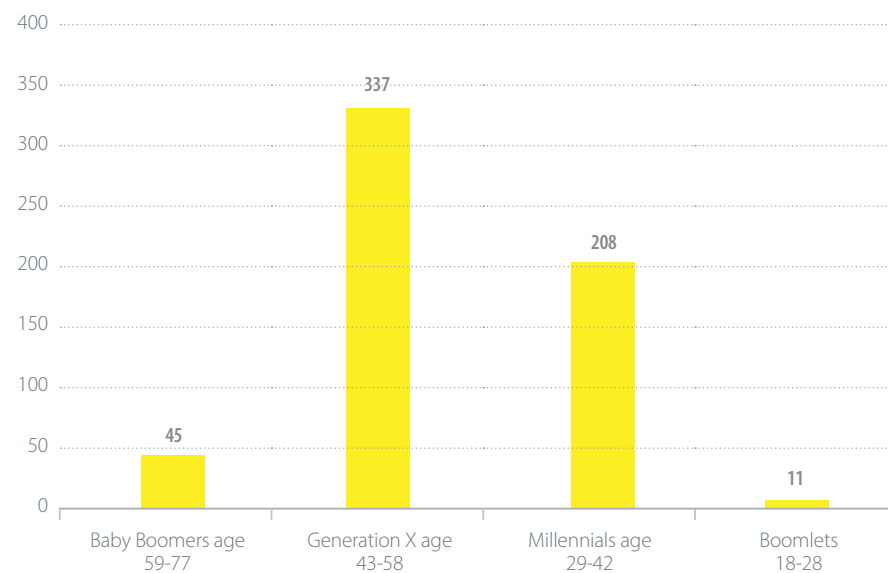


Some 27.12% of the workforce has served between 15 and 20 years, with 24.63% having served between 10 and 15 years. Those having served from 20 to 25 years account for 4.66% of the workforce, suggesting a dedicated and experienced group of long-term employees. The five-to-10-year category constitutes 16.64% of the workforce, indicating a good mix of mid-level employees who are likely to have gained valuable experience during their tenure.

That considerable number of employees that have been with the SIU for 10 years or more suggests a level of workforce stability and potentially a positive work environment. A significant percentage of employees (26.85%) have fewer than five years of service, indicating that the SIU has recruited new talent to 'build its own timber' and also closed all resourcing gaps of recent years caused by higher turnover and the 'war of talent'.

There is a deepening talent pool with potential for advancement and contributing to SIU growth.

BREAKDOWN OF SIU STAFF BY AGE



Baby boomers represent 7.49% of staff, generation x 22.80%, millennials 34.61% and generation z. The SIU will continue to focus on employee retention strategies that address business needs, coaching programmes and contracting of its alumni where needed.

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Personnel-related expenditure

Personnel expenditure by category

The SIU's remuneration policy aims to:

- attract and retain employees;
- ensure equitable pay and rewards;
- motivate and reward performance excellence; and
- support and reinforce a culture of belonging, performance and affinity.

The review year's personnel expenditure was R549 772 729, compared to the R485 494 597 of the previous financial year, an increase of 13.24%. The increase was due to recruitment of 17 senior managers, implementation of a 4.5% cost-of-living adjustment and a medical aid allowance benefit. The additional financial benefits have contributed to the improvements in productivity, efficiency and overall business performance. The organisation will continuously monitor and manage personnel expenditure to ensure it remains sustainable and aligns with financial goals. Implementing cost optimisation strategies, streamlining operations and analysing resourcing needs will maintain a healthy balance.

Category	Personnel expenditure (R'000)	Personnel expenditure as a % of total personnel expenditure	Number of employees	Average personnel cost per employee (R'000)
Core	452 040	82.22%	468	966
Support	97 733	17.78%	128	763
Total	549 773	100%	596	922

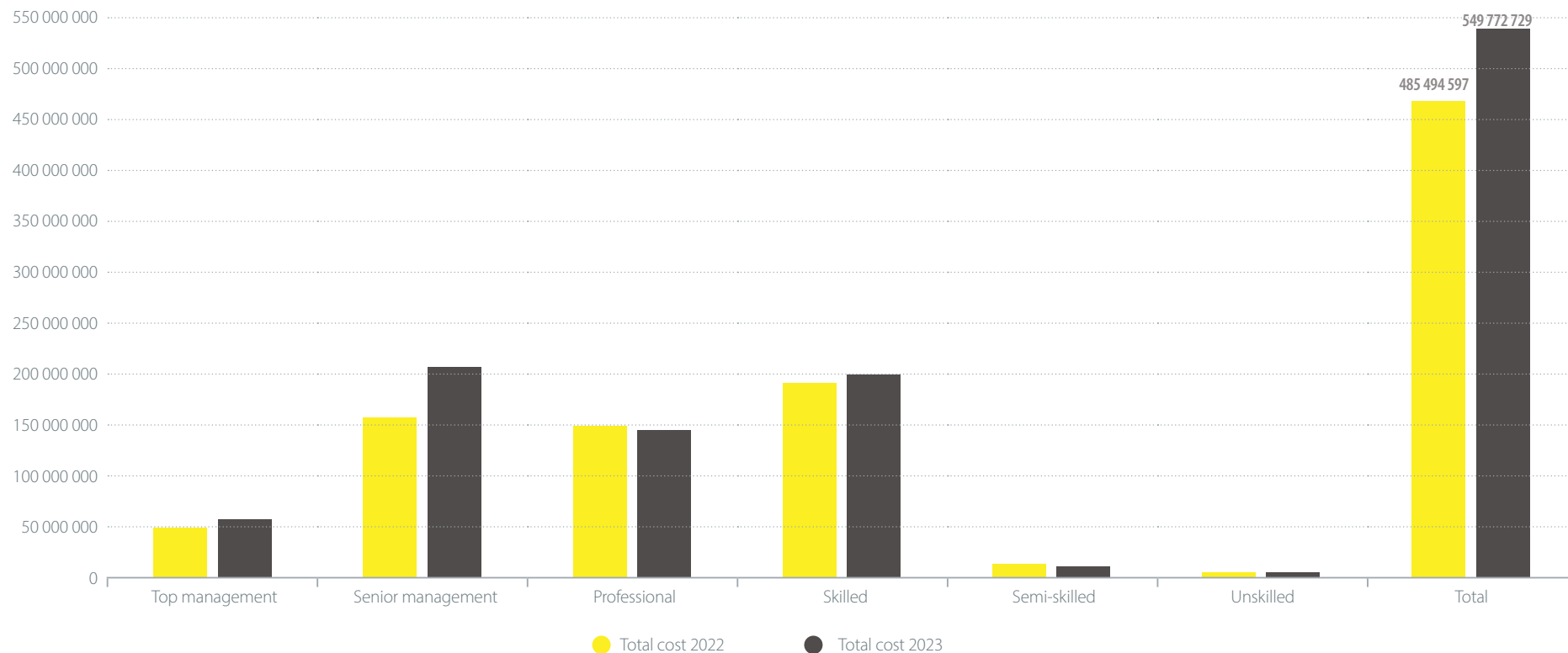
Personnel costs by occupational level

There were 38 movements between job grades during 2022/23.

Occupational level	Personnel expenditure (R'000)	Personnel expenditure as % of total personnel expenditure	Number of employees	Average personnel cost per employee (R'000)
Top management	37 970	6.91%	18	2 109
Senior management	179 561	32.66%	128	1 403
Professionally qualified	148 991	27.10%	130	1 146

Occupational level	Personnel expenditure	Personnel expenditure as % of total personnel expenditure	Number of employees	Average personnel cost per employee
	(R'000)	%		(R'000)
Skilled	172 505	31.38%	282	612
Semi-skilled	9 106	1.66%	28	325
Unskilled	1 640	0.30%	10	164
Total	549 773	100%	596	922

DURING THE 2022/23, THE SIU IMPLEMENTED A 4.5% INCREASE AND LAUNCHED THE MEDICAL AID ALLOWANCE.



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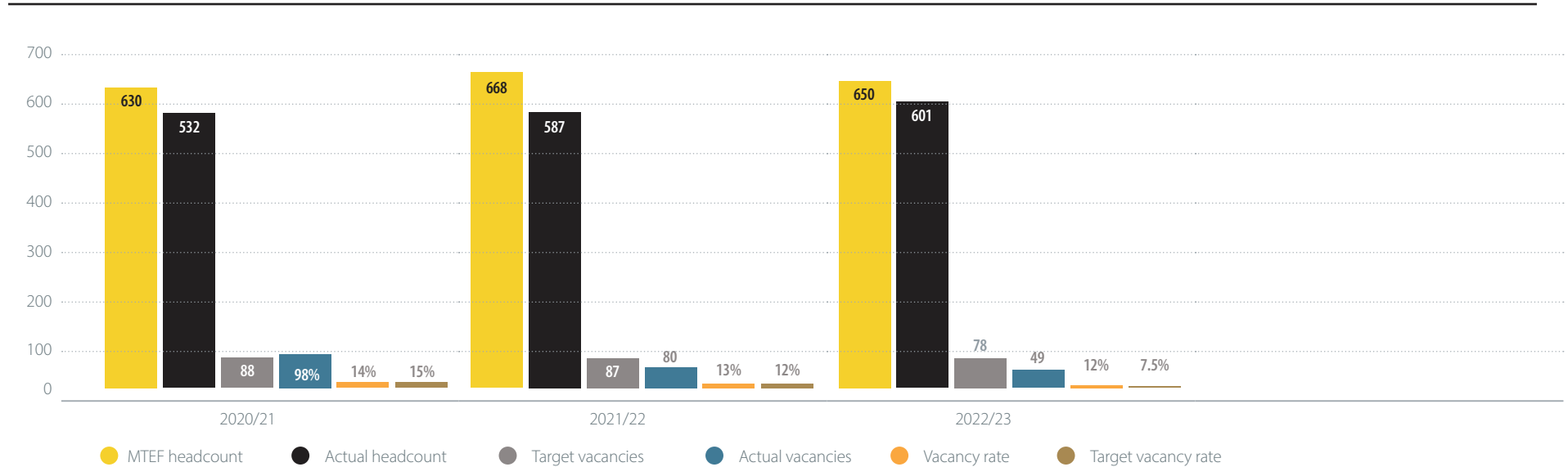
Resourcing model

The SIU has reviewed its resourcing model in line with its headcount growth strategy, which encapsulates the resourcing approach aligned to its funding and business model.

Vacancy rate

The SIU implemented agile recruitment strategies over a short period and achieved notable success, including a vacancy rate of 7.5% by year-end against a target of 12%. This is the lowest rate since 2016/17, which was 31% at the end of March 2017, followed by 20% for 2017/18 and 12% for 2021/22.

VACANCY RATE: 7.5% AGAINST 12% TARGET AT 31 MARCH 2023



It is essential to recruit high-quality candidates to ensure the organisation's long-term success and productivity. Regular evaluation and adjustments to recruitment strategies will help sustain and improve recruitment achievements over time. To ensure optimal functioning and productivity, the Unit will focus on filling these positions with suitable candidates as part of its future planning and resourcing management strategies.

Employment and vacancies by programme at 31 March 2022

Programme	2022/23 approved posts	Number of employees 2022/23	2022/23 vacancies	% of vacancies
Operations	483	464	19	4%
Support	167	137	30	18%
Total	650	601	49	8%

Annually, the SIU commits to vacancy rate vs total vacancies. The vacancy rate accounts for external candidates appointed, with the focus mainly on operations division. Most vacancies in support areas were filled with only a few outstanding and the recruitment processes are underway. The number of approved posts are aligned to the Medium-term Expenditure Framework.

Employment and vacancies by occupational levels at 31 March 2022

Salary band	2022/23 approved posts	Number of employees 2022/23	2022/23 vacancies	% of vacancies
Top management	19	19	-	-
Senior management	139	129	10	7%
Professionally qualified	134	125	9	7%
Skilled	309	286	23	7%
Semi-skilled	35	29	6	17%
Unskilled	14	13	1	7%
Total	650	601	49	8%

Sufficient internal controls are in place to ensure delivery on priorities, hence most targets were achieved. The Human Capital division proactively engages stakeholders on workforce planning, including contingency planning. To supplement resourcing, the organisation is capacitated through interns, secondments, fixed-term contracts, contractors or panel of experts (consultants).

The number of employees (601) at 31 March 2023 excluded one unskilled employee who was placed on disability in October 2022.

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Building SIU timber

Youth unemployment is a major national challenge that demands urgent and coordinated responses. The SIU Youth Employment Strategy facilitates the integration of young people into the economic mainstream activities of the forensic sector through the creation of decent work and unlocking of learning development opportunities to ensure sustainable livelihoods and reduction of income inequalities.

The SIU onboarded 22 interns in the support business units during 2022/23. Employing young people is a strategic SIU focus that addresses the ageing staff complement, demonstrates a commitment to investing in the next generation of workers, promotes diversity in age and enriches the organisation with a broader range of experiences and perspectives that will contribute to a culture of continuous improvement.



Interns placed in communications and stakeholder relations, human capital, supply chain management, enterprise risk, information communication technology, forensic data analytics, internal audit and cyber forensics present their portfolios of evidence on practical knowledge gained during the programme.

Addressing skills shortages

The SIU is addressing the shortage of skills, especially scarce and critical skills, through its internships and learnerships in line with the Skills Development Act. The organisation views the programmes as ideal opportunities to develop and mould SIU-specific skills to create future investigators and forensic investigators etc.



To this effect, the SIU entered into a partnership with North-West University (NWU) to build forensic accounting talent pipeline. This partnership has seen 16 qualifying SIU members enrolled onto the forensic accounting programme in preparation for being migrated into the forensic accounting function. Thirteen NWU students from first to third year and honours have enrolled onto the SIU/NWU learnership and will join the SIU's forensic accounting team on completion of their studies.

The learnership and internship programmes empower young graduates from further education and training institutions and universities through the development of forensic skills. Theoretical and on-the-job training are provided to create a pool of potential candidates for the SIU.

Partnership with French government



SIU and French government cooperation protocol signed by Minister of Justice and the Presidency

EMPLOYMENT CHANGES

Annual turnover rates by occupational level

Salary band	Employment at beginning of period	Internal staff movements	Transfer to disability payroll	Appointments	Terminations	Employment at end of the period
Top management	17	1	-	1	-	19
Senior management	110	17	-	11	-9	129
Professionally qualified	140	-8	-	1	-8	125
Skilled	278	-2	-	18	-8	286
Semi-skilled	33	-7	-	4	-1	29
Unskilled	9	-1	-1	6	-	13
Total	587	-	-1	41	-26	601

The staff turnover rate of 4.38% was well within a target rate of 4% for the year under review, especially compared to the 3.4% of the previous financial year. The organisation has retained a significant portion of its workforce. In recent years, it has become a talent breeding ground for other organisations due to the institutional knowledge carried by long-serving members. A lower turnover rate can be a positive sign, indicating employee satisfaction, engagement and a stable work environment.

Turnover rate: Reasons for staff leaving

Reason	Number	% of staff leaving
Death	3	11.54%
Resignation	17	65.38%
Dismissal	2	7.69%
Retirement	4	15.38%
Ill health	-	-
Expiry of contract	-	-
Retrenched	-	-
Total	26	100.00%

The 'war of talent' poses a huge risk for the SIU, especially at a time when almost every organisation, private and public, has awoken to the call to fight corruption. It takes considerable attention and maintenance to nurture an engaged and loyal staff complement. Policies are being reviewed, with greater focus on retention strategies, identifying potential labour turnover risk and enhancing the employee value proposition.

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PERFORMANCE MANAGEMENT

Performance agreements 2022/23

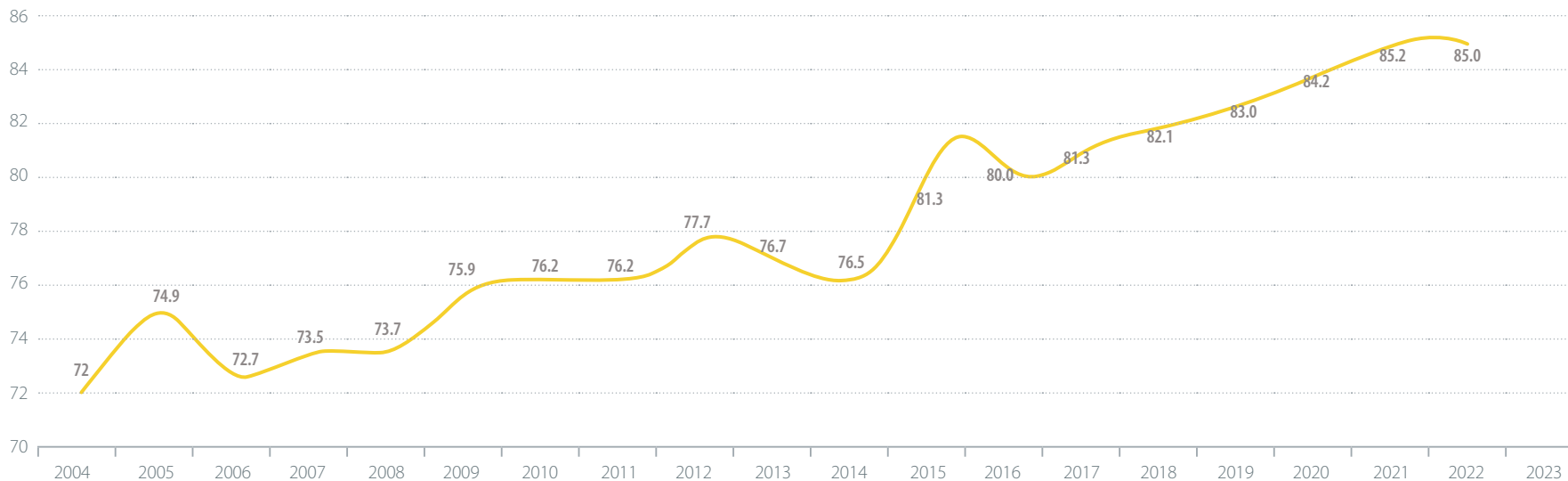
The SIU is geared to build and instil a high-performing culture and improve on its target settings year on year. During the review year, performance agreements were signed with 99% of the staff, the outstanding 1% due to special leave. As this has been accepted by both the Audit and Risk Committee and Human Resources Committee, this equates to a 100% achievement.

Performance appraisals 2021/22 (implemented in the 2022/23)

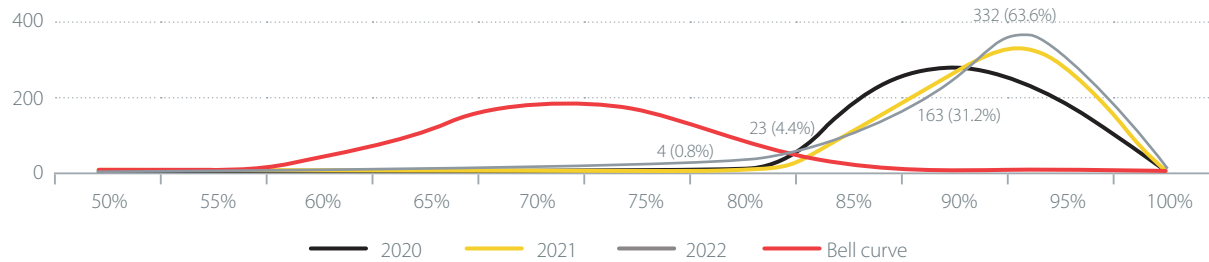
Employee performance is monitored and measured against the SIU's performance management system, which also allows for employee reward and improvement of poor performance to enhance the organisation's efficiency and effectiveness and ensure it achieves its mandate. SIU management and staff are continuously trained to ensure compliance with policies.

During 2021/22, 522 of the 587 staff were eligible to participate in performance appraisals. The average score for the year was 85% compared to 85.2% in the previous period. The table shows a slight downward trend on performance averages.

OVERALL AVERAGE 2004 – 2022



ANNUAL DISTRIBUTION OF PERFORMANCE APPRAISAL RESULTS 2020 – 2022 (NORMALISED)



Bell curve results:

Four (0.8%) delivered unsatisfactory performance, 23 (4.4%) need improvement, 163 (31.2%) met expectations and 332 (63.6%) exceeded expectations.

This bell curve result can be attributed to more than 68% of employees with more than 10 years of service, the maturity of the organisation, with good results over recent financial years, and improved governance controls.

The distribution indicates that most SIU staff perform well and exceed expectations, which is a positive sign for the organisation.

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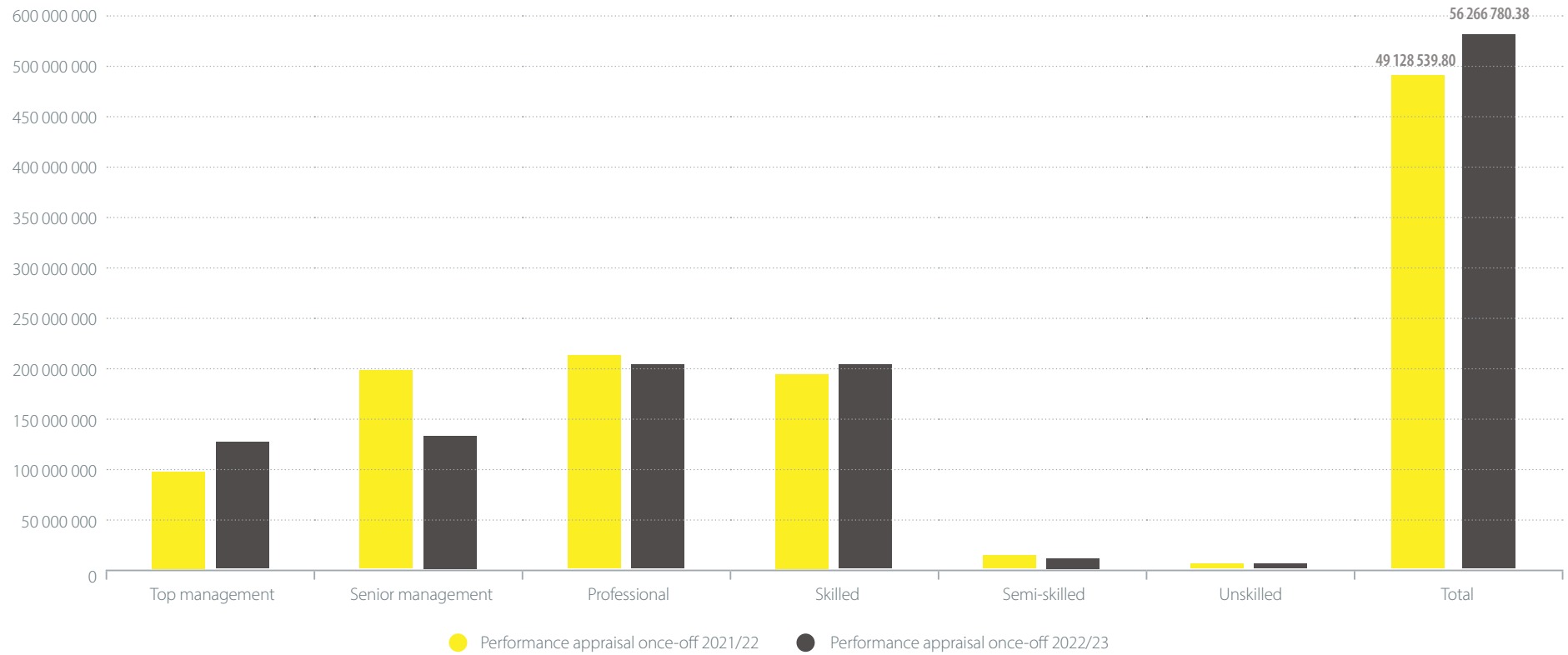
PERFORMANCE REWARDS

Performance rewards by occupational level

Salary band	Performance rewards (R'000)	Personnel expenditure (R'000)	% of performance rewards to total personnel cost (R'000)
Top management	5 668	37 969	14.93%
Senior management	17 111	179 562	9.53%
Professionally qualified	16 960	148 991	11.38%
Skilled	15 476	172 505	8.97%
Semi-skilled	929	9 106	10.20%
Unskilled	123	1 640	7.50%
Total	56 267	549 773	10.23%

In 2022/23, the SIU spent R56 million on bonuses compared to the R49 million of 2021/22. This is an increase of R7 million (14.29%).

PERFORMANCE REWARDS



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Long service awards

During 2022/23, 356 staff members received long-service awards recognising their contribution to the organisation.



**LEARNING AND DEVELOPMENT—
'BUILDING SIU CAPABILITIES'**

At the SIU, we offer both physical and Moodle-based online programmes. During the review year, in terms of its digital transformation initiative, the organisation implemented the following training:



Internet investigation training (OSINT) (five-day course)



Ethics and integrity



SIU Act



Basic course on the SIU strategy



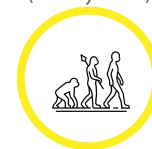
Procurement investigations (five-day course)



Investigative interviewing skills (five-day course)



Cyber-forensics first responder (five-day course)



Darwin tool (five-day course)

SKILLS DEVELOPMENT

Training needs analysis for the period under review

Occupational level	Gender	Number of employees at 1 April 2021	Training needs identified at start of the reporting period			
			Skills programmes	Other short courses	Other forms of training	Total
Top management	Female	6	4	-	1	5
	Male	13	2	-	10	12
Senior management	Female	39	33	-	3	36
	Male	90	80	-	4	84
Professionally qualified	Female	48	44	2	1	47
	Male	77	60	-	5	65
Skilled	Female	173	160	-	5	165
	Male	113	70	23	15	108
Semi-skilled	Female	24	13	11	-	24
	Male	5	2	-	-	2
Unskilled	Female	12	8	-	-	8
	Male	1	-	-	-	-
Sub-total	Female	302	-	-	-	-
	Male	299	-	-	-	-
Total		601	476	36	44	556

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Training provided for the period under review

Occupational level	Gender	Number of employees at 31 March 2023	Training needs identified at start of the reporting period			
			Skills programmes	Other short courses	Other forms of training	Total
Top management	Female	6	4	1	1	6
	Male	13	8	-	3	11
Senior management	Female	39	22	1	6	29
	Male	90	70	3	20	93
Professionally qualified	Female	48	34	1	10	45
	Male	77	43	11	1	55
Skilled	Female	173	99	23	29	151
	Male	113	89	19	2	110
Semi-skilled	Female	24	3	-	21	24
	Male	5	2	-	3	5
Unskilled	Female	12	4	-	2	6
	Male	1	-	-	0	-
Sub-total	Female	302	166	26	69	261
	Male	299	212	33	29	274
Total		601	378	59	98	535

During the year under review, 535 training programmes were provided. Through the SIU's partnership with the French Embassy, forensic/cyber-forensic investigations courses were developed and implemented to strengthen digital investigative capabilities. To address further cyber-related scarce skills gaps, partnerships were forged with organisations such as the International Association of Certified Investigative Specialists.

INTERNET INVESTIGATIONS TRAINING (OSINT)



During the year, the first 100 SIU forensic investigators and specialists were trained on OSINT. In preparation, SIU trainers completed five days of training in Cape Town in July 2022. The course was then rolled out to all provincial offices.



In line with its bid to share expertise with SADC colleagues, the SIU provided cyber-forensic investigation training to personnel of Malawi's anti-corruption agency. The training took place in May 2022 in Salima, Malawi.



The SIU has to date trained 70 investigators of SADC member states' anti-corruption agencies. This initiative forms part of a project piloting a new training model for the standardised regional anti-corruption curriculum.

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Training costs

Occupational level	Personnel expenditure	Training expenditure	Training expenditure as a % of personnel cost	Number of employees trained	Average training cost per employee	Support	Operations
	(R'000)	(R'000)	%		(R'000)		
Top management	34 298	80	0.23%	17	5	7	10
Senior management	131 300	133	0.10%	122	1	21	101
Professionally qualified	162 703	189	0.12%	100	2	21	79
Skilled	145 165	390	0.27%	261	1	33	228
Semi-skilled	10 601	290	2.74%	29	10	12	17
Unskilled	1 428	30	2.10%	6	5	1	5
Total	485 495	1 112	0.23%	535	2	95	440

Training expenditure as a % of payroll is 0.23%.

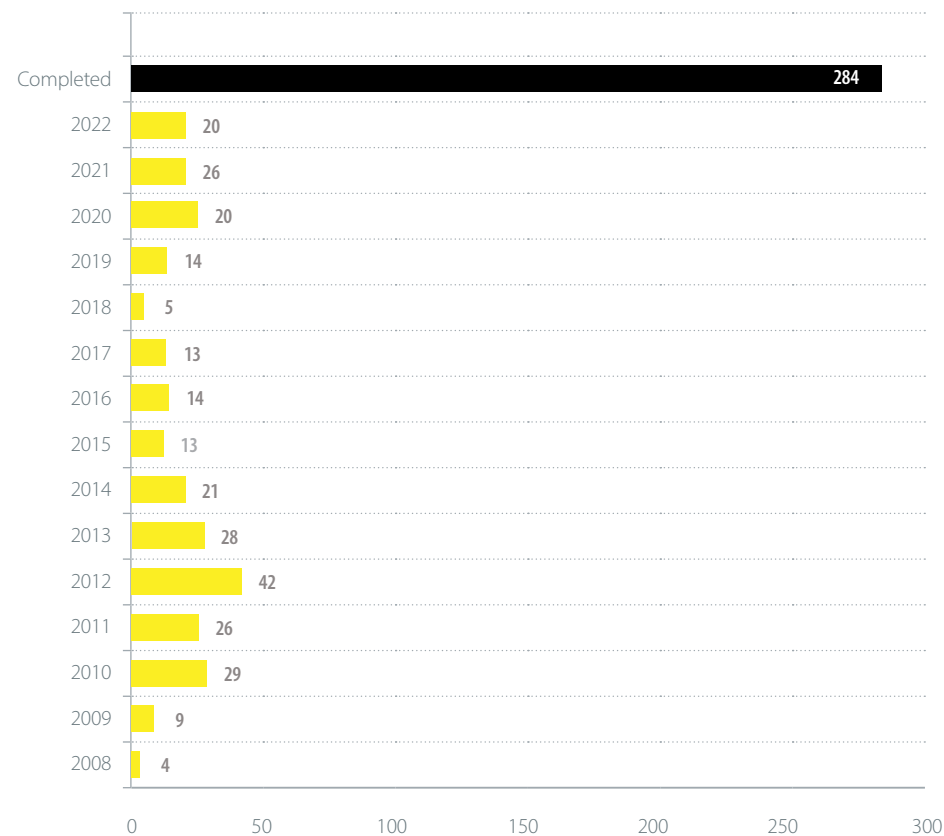
BURSARY SCHEME

The bursary programme funds deserving students who intend to pursue graduate studies in areas that are of value to the SIU. The Bursary and Study Loan Policy sets criteria for, and regulates and guides access to the study, bursary and study loan schemes, with the Bursary Evaluation Committee determining applicant eligibility. In 2022/23, R786 709.53 was spent against a bursary budget of R3 289 277.00.

Bursary budget and actuals for three years

	2021 academic year		2022 academic year		2023 academic year	
	Total number of applications	Bursary Total cost	Total number of applications	Bursary Total cost	Total number of applications	Bursary Total cost
Budget	76	R1 769 792.92	83	R2 196 492.01	114	R3 289 277.00
Actual	56	R851 533.51	40	R747 803.31	46	R786 709.53

STUDENTS WHO COMPLETED QUALIFICATIONS (2008 – 2021)



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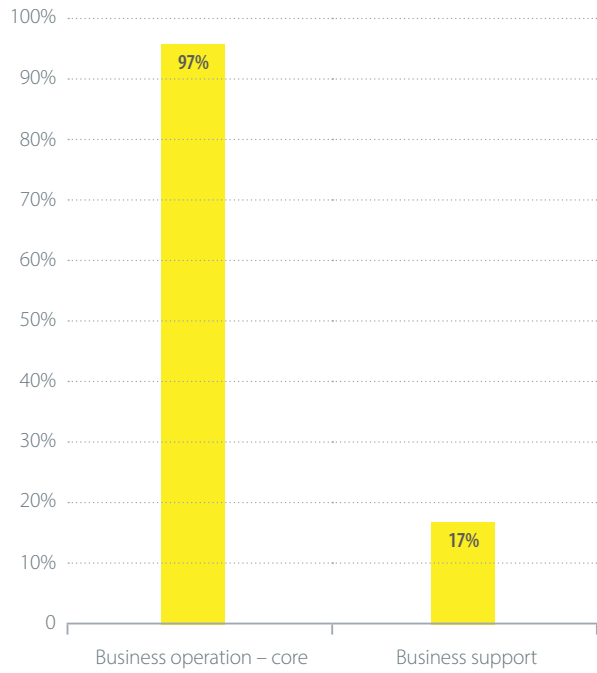
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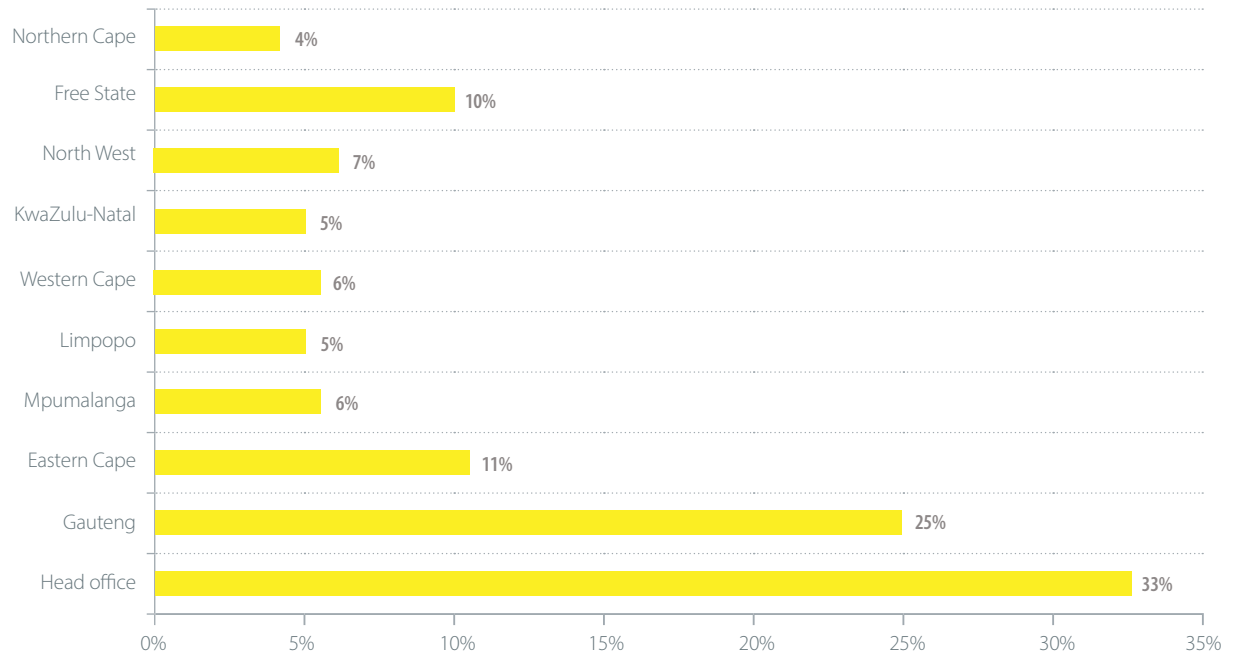
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DISTRIBUTION BY BUSINESS UNIT



DISTRIBUTION BY PROVINCE



The SIU is committed to accelerating development of its management through leadership development programme opportunities for 2023/24.



Employment equity

The current Employment Equity Plan for 1 October 2022 to 30 September 2025 is in its first year. The plan is being enforced and barriers are receiving attention. A concerted effort will be made to appoint people representative of the economically active population through targeted selection methodologies, with particular focus on people living with disabilities. True to this commitment, the organisation has achieved 39% women representation at top management level, while total female representation is 51%.

	Male					Female				
Occupational level	African	Coloured	Indian	White	Total male	African	Coloured	Indian	White	Total female
Top management	7	3	2	1	13	6	-	-	-	6
As % of the total	2%	1%	1%	6%	4%	2%	-	-	-	2%
Senior management	58	5	8	19	90	21	1	6	11	39
As % of the total	19%	2%	3%	15%	30%	7%	-	2%	4%	13%
Professionally qualified	37	11	11	18	77	28	3	6	11	48
As % of the total	12%	4%	4%	18%	26%	9%	1%	2%	4%	16%
Skilled technical	99	7	2	5	113	129	7	12	25	173
As % of the total	33%	2%	1%	2%	38%	43%	2%	4%	8%	57%
Semi-skilled	5	-	-	-	5	19	-	1	4	24
As % of the total	2%	-	-	-	2%	6%	-	-	1%	8%
Unskilled	1	-	-	-	1	11	1	-	-	12
As % of the total	-	-	-	-	0%	4%	-	-	-	4%
Grand total	207	26	23	43	299	214	12	25	51	302
	69%	9%	8%	14%	100%	71%	4%	8%	17%	100%

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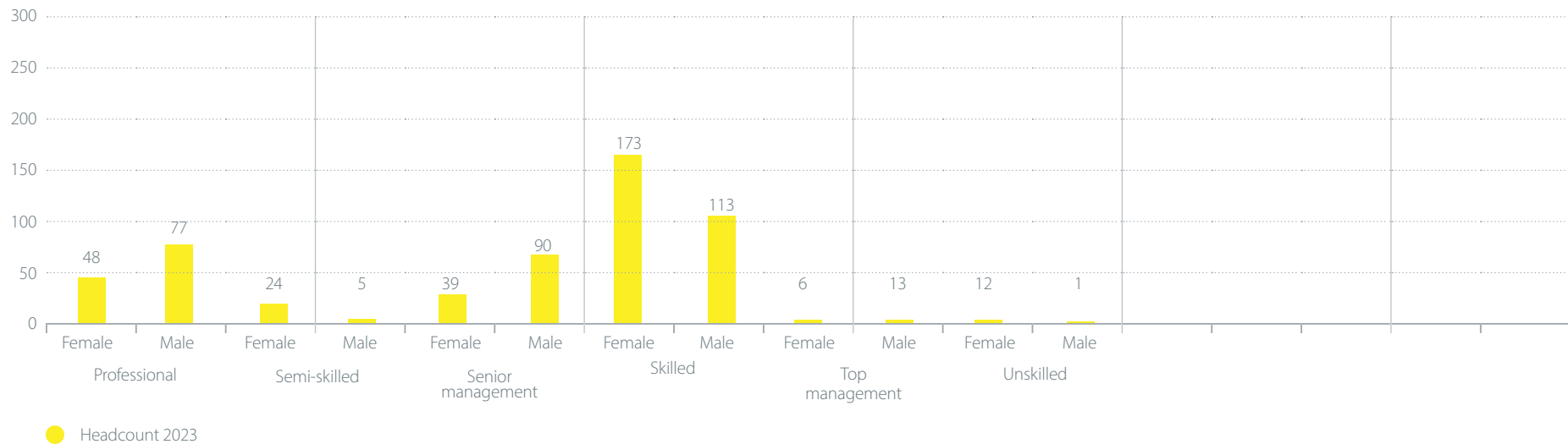
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Economically active population targets vs the SIU workforce profile

Population group	SIU at 1 April 2019	SIU at 31 March 2023	Economically active population targets
African	61.50%	70.05%	79.00%
Coloured	6.60%	6.32%	9.50%
Indian	10.20%	7.99%	2.60%
White	21.70%	15.64%	8.80%
Total	100%	100%	100%

Significant progress is noted in the African category, while there is a decline in the coloured category. There is a need for the appointment of people representative of the economically active population across all occupational levels. Extra measures are being implemented to address the underrepresentation of certain groups and promote diversity and inclusion across all racial categories.

TRANSFORMATION BY GENDER



The SIU has made reasonable transformation progress at top management level in the past three years, with female representation at 51%.

EMPLOYEE RELATIONS

The National Education, Health and Allied Workers Union (Nehawu) is the only union recognised by the SIU, with 68% of staff being members.

The evolving employment regulatory and compliance requirements remained a material matter during the year. The Unit has zero tolerance for non-compliance with its employment policies and is committed to fulfilling all compliance, disclosure and reporting obligations. The organisational review, Project Siyakha, is guiding the ongoing recruitment of new positions. This process significantly increased the number grievances, mainly from employees whose employment applications were unsuccessful. Commission Conciliation, Mediation and Arbitration (CCMA) disputes ensued.

Misconduct and disciplinary hearings finalised

Nature of disputes	2020/21	2021/22	2022/23	Resolved	Active
Grievances	5	37	24	19	5
Disciplinary matters	7	6	11	7	4
CCMA	5	27	23	14	9
Labour court	8	2	10	-	10
Total	25	72	68	40	28

CCMA training

CCMA training is an initial step to enhancing skills in initiating and presiding over disciplinary enquiries.



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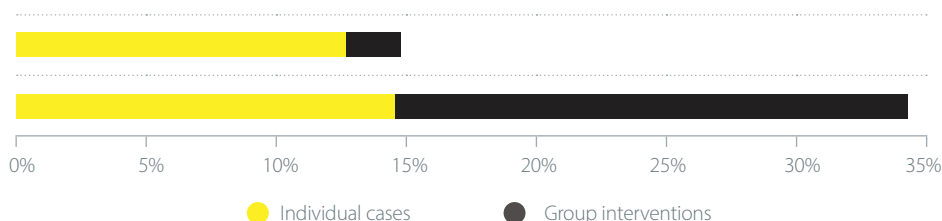
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WELLNESS MANAGEMENT

The SIU focuses constantly on the health and wellbeing of its employees, recognising that personal, family social and work-related problems disrupt lives and can have a negative impact on job performance and consequently, organisational performance. The organisation provides a comprehensive, integrated employee wellness programme through ICAS, which promotes healthy living and provides psychological assistance through agile wellness strategies.

Disputes	Current		Previous		ICAS Ave%
	Number	Projected	Number	Projected	Projected
Staff enrolled on employee wellness programme	513		513		
Total engagement rate	42	33.2%	16	12.3%	11.1%
Adjusted engagement rate (assuming 10% overlap)	38	29.9%	14	11.1%	10%
Comprising the following contributions to total engagement:					
- Individual cases	18	14.2%	14	10.8%	8.2%
- Group intervention participants	24	19%	2	1.5%	2.9%

CONTRIBUTORS TO OVERALL ENGAGEMENT (AS % OF TOTAL STAFF)



Projected annualised engagement rate (% of total staff).

The engagement rate, which includes uptake of all services provided, amounted to 33.2% during the period under review, compared to 12.3% during the previous period. Individual use of core counselling and advisory services was 14.2% compared to 10.8% during the previous period and 8.2% across all ICAS client companies for the review year.

Professional counselling was the most used service during the review and the preceding year, constituting 84.8% in 2022/23 and 90% in 2021/22.

Wellness programmes

SIU employees participated in the following wellness programmes during the reporting period:

- Human Rights Day
- A commemorative campaign for the 16 Days of Activism for no Violence against Women and Children
- Cancer Day
- Employee wellness programme
- Women’s Day celebration
- Financial management programme

SIU partners with the Government Employees Medical Scheme

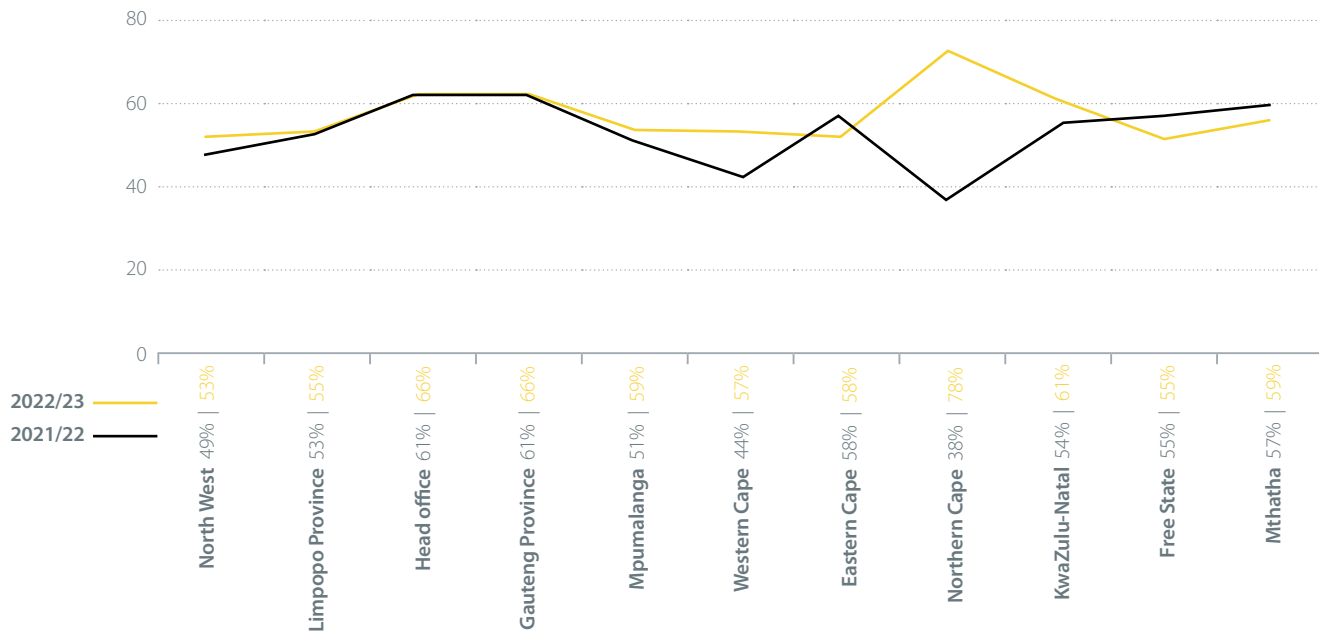


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Occupational health and safety

During the year under review, the SIU strived to provide employees with the safest possible work environment and the knowledge necessary to conduct their duties safely. Evacuation preparedness drills and health and safety workshops continued. Occupational health and safety audits were conducted at all SIU offices.

OCCUPATIONAL HEALTH AND SAFETY AUDITS 2022/23



POINTS ALLOCATION			
30 – 39%	NOT IN PLACE	60 – 69%	FAIRLY COMPLIES
40 – 49%	DOES NOT COMPLY	70 – 79%	COMPLIES
50 – 59%	PARTIALLY COMPLIES	80 – 100%	MEETS ALL REQUIREMENTS



A National Health and Safety Committee monitors the health and safety of employees and their work environment and removes or reduces existing and potential health and safety threats.

Health and safety representatives initiate, develop, promote, maintain and review measures.

Injuries on duty

The SIU is bound by the Occupational Health and Safety Act 85 of 1993 and other regulations to provide a safe and healthy work environment free of hazards. Section 8(1) of the Act states that 'every employer shall provide and maintain, as far as reasonably practicable, a working environment that is safe and without risk to the health and safety of his/her employees'.

The SIU also adheres to the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993).

Nature of injury on duty during 2022/23	Number	% of total
Required basic medical attention only	5	100%
Temporary total disablement	-	
Permanent disablement	-	
Fatal	-	
Total	5	100%

Disaster management

During the first year of the Covid-19 pandemic, the SIU developed relevant and standard protocols and guides. Disaster management controls and measures were refined and published during the year under review and will be points of reference during future pandemics. A 100% compliance rate has, therefore, been maintained.

The Disaster Management Committee continues monitoring the environment for potential disasters.

The role of stakeholders

The SIU's ability to deliver value depends on the contribution and activities of stakeholders including staff, management, Nehawu, the French Embassy and the Public Sector Education, and Training Authority.

Being transparent and responsive to stakeholders' interests is essential in building and maintaining trust (social capital), which is fundamental to the SIU's ability to create value.

Human capital committees

The newly appointed Human Capital Committee comprising an external chairperson and two additional external members, monitors the implementation of the human capital annual performance plan and operational plan, and supports the Unit to achieve its strategic objectives and deliver on its mandate.

Other internal committees within human capital are:

- Skills Development Committee
- National Consultative Forum
- Policy Workshop
- Employment Equity Committee
- Job Grading Committee
- Bursary Committee
- Performance Management Task Team
- Talent Acquisition Committee.





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PFMA COMPLIANCE REPORT

Irregular expenditure

a) Reconciliation of irregular expenditure

Description	2022/2023	2021/2022	2020/2021
	R	R	R
Opening balance	14 833 861 00	14 552 869.00	14 552 869.00
Prior Period Errors	-	-	-
As Restated	14 833 861.00	14 552 869.00	14 552 869.00
Add: Irregular expenditure confirmed	58 789 00	280 992.00	-
Less: Irregular expenditure condoned	-	-	-
Less: Irregular expenditure not condoned and removed	-	-	-
Less: Irregular expenditure recoverable	-	-	-
Less: Irregular expenditure not recovered and written off	-	-	-
Closing balance	14 892 650.00	14 833 861.00	14 552 869.00

Reconciling notes to the annual financial statement disclosure

Description	2022/2023	2021/2022
	R	R
Irregular expenditure for the current year	58 789.00	280 992.00
Total	58 789.00	280 992.00

Notes:

1. Irregular expenditure incurred during the year under review is as a result of a number of payments made out of petty to a value of more the threshold of amount of R2,000 for several reasons. This is in contravention of National Treasury Regulations. Irregular expenditure has been disclosed in the financial statements. Though the total payments came to a value of R58,789, the total amounts that exceeded the R2,000 is R16,789.
2. Condonation for historical transactions up until 31 March 2022 of R11,921,338.31 were submitted to National Treasury during March 2023 following feedback from National Treasury on 30 May 2022, where additional supporting documents were requested to verify compliance to the Irregular Expenditure Framework.

Fruitless and wasteful expenditure

Reconciliation of fruitless and wasteful expenditure

Description	2022/2023	2021/2022	2020/2021
	R	R	R
Opening balance	9 286.00	9 286.00	9 286.00
Prior-period errors	-	-	-
As restated	9 286.00	9 286.00	9 286.00
Add: Irregular expenditure confirmed	-	-	-
Less: Irregular expenditure condoned	-	-	-
Less: Irregular expenditure not condoned and removed	-	-	-
Less: Irregular expenditure recoverable	-	-	-
Less: Irregular expenditure not recovered and written off	-	-	-
Closing balance	9 286.00	9 286.00	9 286.00

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Details of current and previous year irregular expenditure (under assessment, determination and investigation) **N/A**

Description	2022/2023	2021/2022
	R'000	R'000
Irregular expenditure under assessment	-	-
Irregular expenditure under determination	-	-
Irregular expenditure under investigation	-	-
Total	-	-

Details of current and previous year irregular expenditure condoned **N/A**

Description	2022/2023	2021/2022
	R'000	R'000
Irregular expenditure condoned	-	-
Total	-	-

Details of current and previous year irregular expenditure removed - (not condoned) **N/A**

Description	2022/2023	2021/2022
	R'000	R'000
Irregular expenditure not condoned and removed	-	-
Total	-	-



Details of current and previous year irregular expenditure recoverable N/A

Description	2022/2023	2021/2022
	R'000	R'000
Irregular expenditure recovered	-	-
Total	-	-

Details of current and previous year irregular expenditure not recoverable and written off (irrecoverable) N/A

Description	2022/2023	2021/2022
	R'000	R'000
Irregular expenditure written off	-	-
Total	-	-

Additional disclosure relating to Inter-Institutional Arrangements N/A

Details of non-compliance cases where an institution is involved in an inter-institutional arrangement (where such institution is not responsible for the non-compliance)

Description	2022/2023	2021/2022
	R'000	R'000
None	-	-
Total	-	-

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Details of non-compliance cases where an institution is involved in an inter-institutional arrangement (where such institution is responsible for the non-compliance) N/A

Description	2022/2023	2021/2022
	R'000	R'000
The institution procured services of another organ of state to conduct business case analysis for a division that is to be established, and it was found that the supplier awarded the contract did not meet the minimum requirement and entity A was part of the bid committee meeting	-	-
Total	-	-

Details of current and previous year disciplinary or criminal steps taken as a result of irregular expenditure N/A

Description	2022/2023	2021/2022
	R'000	R'000
	-	-
Total	-	-

Information on late and/or non-payment of suppliers

Description	Number of Invoices	Consolidated value	Notes
Valid invoices received	9666	280 646 810.39	1
Invoices paid within 30 days or agreed period	9423	215 092 378.10	
Invoices paid after 30 days or agreed period	153	20 741 107.75	2
Invoices older than 30 days or agreed period (unpaid and without dispute)	-	-	
Invoices older than 30 days or agreed period (unpaid and in dispute)	12	224 512.14	3

Notes:

- Note that included here are invoices received during or after year-end, posted to the financial records on or before 31 March 2023 and only paid after year within 30 days or agreed period. A major portion relates to the Department of Justice and Constitutional Development.
- Invoices paid after 30 days or agreed date relate to instance where there are queries and/ or dispute raised on invoices for several reasons including proof of service being delivered and/ or delivered to the required standards.
- Some of the invoices that were in dispute at year-end were resolved and paid.

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Information on supply chain management

Procurement by other means

Project description	Name of supplier	Type of procurement and others (deviation)	Contract number	Value of contract (R)
Provision of project manager services	TFS Africa (Pty) Ltd	Any other reasons	127483	R2 486 400.00
SAS (1 June 22-31 May 2025 SAS analytics Pro (1 user). SAS/access interface to PC files 1 user	SAS Institute (Pty) Ltd	Sole supplier	127608	R132 872.00
Membership	Institute of Directors South Africa	Single source	127663	R2 510.00
Window envelopes	South African Post Office	Sole supplier	127747	R64 553.50
Renewal of Caseware working papers and Smartsync licence for 2022/23	Adapt IT (Pty) Ltd	Sole supplier	127810	R117 528.39
Licence renewal	Axis (Pty) Ltd	Sole supplier	127877	R933 673.50
Membership fees renewal	The Institute of Internal Audit	Single source	127902	R2 958.38
ACFE 15th annual conference	ACFE	Single source	127923	R76 200.00
Partial wrap on white Toyota Corolla Sedan 2018	Innovation Branding Solutions (Pty) Ltd	Any other reasons	127951	R13 289.00
Membership renewal	Compliance Institute Southern Africa	Sole supplier	127970	R3 500.00
Hydroboiler repairs	Telkom SA SOC Limited	Single source	127986	R1 593.32
Repair of the leaking geyser	Broll	Sole supplier	127985	R698.05
Security	Modise Protection Services (Pty) Ltd	Single source	128144	R11 500.00

Information on supply chain management (continued)

Project description	Name of supplier	Type of procurement and others (deviation)	Contract number	Value of contract (R)
Office equipment	Delta Property Fund Ltd	Any other reasons	128143	R21 407.25
Membership fees	SA Board for People Practices	Single source	128162	R19 560.00
Membership fees	The Institute of Internal Audit	Single source	128292	R8 875.13
Security	Prime African Security	Single source	128556	R78 750.67
Licence fee subscriptions	Corporate Lan Advertising	Single source	128590	R44 353.20
Membership fees	ACFE	Single source	128469	R52 000.00
Membership fees	ACFE	Single source	128496	R2 300.00
Licence renewal	Microsoft Ireland Operation	Sole supplier	128542	R675 195.22
GovTech conference	SITA	Single source	128546	R60 000.00
IRMSA Conference 27-28 Sept 2022	The Institute of Risk Management South Africa	Single source	128589	R23 552.00
Membership fees	The Institute of Internal Audit	Single source	128623	R2 958.38
Conference and seminars	Psychological Society SA	Single source	128770	R8 600.00
Membership fee	CIPS	Any other reasons	128866	R5 773.00
Forensic specialist	Nexus Forensic Services	Any other reasons	128910	R120 000.00
Membership fees	South African Institute of Professional Accountants	Single source	128970	R3 450.00
Quantity surveyor services	Charles Consulting	Any other reasons	129190	R92 552.00
Structural engineer services	Dawik Consulting Engineering	Any other reasons	129191	R87 550.00
Supply of communication services and equipment at SIU Pretoria	Vodacom SA (Pty) Ltd	Any other reasons	129162	R2 000 000.00

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Information on supply chain management (continued)

Project description	Name of supplier	Type of procurement and others (deviation)	Contract number	Value of contract (R)
10th Annual Edition: National Public Sector Clean Audit Turnaround Indaba	Audit Roundtable	Any other reasons	129246	R62 093.10
Licence fees and subscription	Sizwe Africa IT Group	Any other reasons	129357	R5 290.00
Relocation-removal of furniture from East London to Kimberly (Bukelwa Sam)	Afford-A-Move CC	Any other reasons	129362	R16 100.00
Caseware Training	Adapt IT (Pty) Ltd	Sole supplier	129401	R30 649.57
Relocation of Konica Minolta printing machine	Konica Minolta S.A (PTA)	Any other reasons	129460	R2 980.20
Training - learning and development conference	Knowledge Integration Web (Pty) Ltd	Any other reasons	129708	R54 995.00
Contract management principles and practices	Lead Africa Executive (Pty) Ltd	Any other reasons	129612	R29 998.00
Annual licence renewal from 01/03/2023-29/02/2023	SAGE VIP	Any other reasons	129626	R194 031.45
Sage VIP (payroll) tax seminar	SAGE SA	Single source	129631	R16 508.25
Annual licence renewal	Nemesysco Service Centre Africa	Sole supplier	129625	R159 562.50
Licence fees and subscription	Pandacom Distributors	Single source	129736	R517 500.00
Ethics Officer Certification Programme	The Ethics Institute	Any other reasons	129689	R31 521.00
Membership fees	The Institute of Risk Management South Africa	Single source	129679	R24 377.01
Membership fees	South African Institute of Professional Accountants	Single source	129831	R7 891.01

Information on supply chain management (continued)

Project description	Name of supplier	Type of procurement and others (deviation)	Contract number	Value of contract (R)
Membership fees	SA Payroll Association	Single source	129835	R1 330.00
Ethics and human resources governance conference	SA Board for People Practices	Single source	129871	R14 400.00
Membership fees	SAICA	Single source	129968	R4 512.00
Membership fees	Institute of Directors in South Africa	Single source	129971	R28 930.00
Membership fees	SAICA	Single source	129979	R8 606.00

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Information on supply chain management (continued)

Contract variations and expansions

Project description	Name of supplier	Contract modification type (expansion of variation)	Contract number	Original contract value	Value of previous contract expansions of variations (if applicable)	Value of current contract (R)
Provision of cleaning services	Gatthose Trading and Projects cc	Expansion	SCM-PER-KIM-CLEANING AND HYGIENE SERVICES-22.09.2021	R38 814.64	-	R5 822.19
Quantity surveyors	Concost Consulting (Pty) Ltd	Expansion	SCM-MP-KZN Quantity Surveyor-13-09-2021	R186 000.00	-	R27 900.00
Provision of security guards (unarmed)	Fasimba Facilities Management CC	Expansion	RFQ-MP-SECURITY GUARDS-10-05-2021	R355 233.86	-	R32 293.98
Quantity surveyors	Inhouse Quantity Surveyors cc	Variation	SIU-RFQ FOR QS_KZN-11-05-21	R400 000.00	-	R101 249.05
Procurement specialist	Abacus FCA	Expansion	SCM-MON-PROCUREMENT SPECIALIST-30.03.2021	R885 000.00	R132 750.00	R442 500.00
Provision of cleaning services	Gatthose Trading and Projects cc	Expansion	SCM-PER-KIM-CLEANING AND HYGIENE SERVICES-22.09.2021	R38 814.64	R5 822.19	R70 679.74
Provision of security guards (unarmed)	Khensani Security Services and Trading	Expansion	RFQ-MP-3 Security Guards-05 Aug 2021	R244 474.44	-	R40 745.74
Provision of security guards (unarmed)	Strong Guard (Pty) – Security Services	Expansion	RFQ-PER-SECURITY-01/09/2021	R492 960.00	-	R82 160.00

Information on supply chain management (continued)

Project description	Name of supplier	Contract modification type (expansion of variation)	Contract number	Original contract value	Value of previous contract expansions of variations (if applicable)	Value of current contract (R)
Panel of experts	Panel of experts	Expansion	RFP : 010/10/2017	R58 997 973.08	-	R8 849 695.96
Provision of security guards (unarmed)	CR Works (Pty) Ltd	Expansion	RFQ-MP-2 SECURITY GUARDS MAFIKENG-13 AUG 2021	R195 200.00	-	R24 400.00
Transcription services	Gauteng transcribers	Expansion	SCM-MPH-TRANSCRIPTION -CONTRACT-09.10.201	R337 500.00	-	R25 312.50
Transcription services	SCE Productions	Expansion	SCM-MPH-TRANSCRIPTION -CONTRACT-09.10.200	R337 500.00	-	R25 312.50
Remuneration and job evaluation	Work Dynamics	Expansion	RFQ-MP-Remuneration and Job Evaluation Expert-15-09-2021	R397 612.50	-	R59 600.02
Provision of security guards (unarmed)	CR Works (Pty) Ltd	Expansion	RFQ-MP-2 SECURITY GUARDS MAFIKENG-13 AUG 2021	R195 200.00	R24 400.00	R24 400.00
Provision of security guards (unarmed)	Khensani Security Services and Trading	Expansion	RFQ-MP-3 Security Guards-05 Aug 2021	R244 474.44	R40 745.74	R40 745.74
Provision of security guards (unarmed)	Mankwali Security Services (Pty) Ltd	Expansion	RFQ-ZIM-EL-SECURITY SERVICES-OCT28	R294 975.00	-	R49 162.50
Provision of security guards (unarmed)	Fasimba Facilities Management cc	Expansion	RFQ-MP-SECURITY GUARDS-10-05-2021	R355 233.86	R32 293.98	R32 293.98

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Information on supply chain management (continued)

Project description	Name of supplier	Contract modification type (expansion of variation)	Contract number	Original contract value	Value of previous contract expansions of variations (if applicable)	Value of current contract (R)
Provision of security guards (unarmed)	Strong Guard (Pty) – Security Services	Expansion	RFQ-PER-SECURITY-01/09/2021	R492 960.00	R82 160.00	R82 160.00
Procurement specialist	Abacus FCA	Expansion	SCM-MON-PROCUREMENT SPECIALIST-30.03.2021	R1 864 800.00	-	R1 450 400.00
Cleaning services	Yonwabeli Mzantsi Cleaning (Pty) Ltd	Expansion	RFQ-REBS-CPT CLEANING AND HYGIENE-30-APR-21	R126 078.78	-	R10 136.40
Media buying services	Sondlo and Knopp Advertising (Pty) Ltd	Expansion	RFQ-MS-MEDIA BUYING-19/08/2021	R490 000.00	-	R73 255.00
Labour-related matters	Magate Phala and Associates	Expansion	SCM-MPH-LABOUR MATTERS-27-11-2020	R384 000.00	-	R57 600.00
Forensic investigators/profilers	Abacus FCA	Expansion	RFQ-PER-LIFESTYLE AUDIT-07.09.2021 (Sean Fourie)	R1 200 000.00	-	R180 000.00
Forensic investigators/profilers	Abacus FCA	Expansion	RFQ-PER-LIFESTYLE AUDIT-07.09.2021 (Sean Webster)	R1 200 000.00	-	R180 000.00
Forensic consultants/specialists	Deloitte & Touche	Expansion	RFQ-MPH-FORENSIC ACCOUNTANT 12-04-2021	R1 776 000.00	-	R266 400.00
Forensic accountant	Abacus FCA	Expansion	RFQ-PER-SCM-FORENSIC ACCOUNTANTS-10/06/2021	R1 723 200.00	-	R258 480.00

Information on supply chain management (continued)

Project description	Name of supplier	Contract modification type (expansion of variation)	Contract number	Original contract value	Value of previous contract expansions of variations (if applicable)	Value of current contract (R)
SIU Western Cape office accommodation	Acucap Investments (Pty) Ltd	Expansion	Lease Office Accommodation Cape Town	R21 504 499.90	R6 364 170.91	R3 011 643.00
Cleaning services - Eastern Cape	Strong Guard (Pty) – Cleaning Services	Expansion	ZIM-EL-CLEANING SERVICES-JUL/23	R496 437.92	-	R36 259.36
Internal audit	Lunika Incorporated	Expansion	RFP: 001/08/2020	R3 313 263.00	R157 942.40	R25 357.50
Forensic investigators/profilers	Abacus FCA	Expansion	RFQ-PER-LIFESTYLE AUDIT-07.09.2021 (Sean Webster)	R1 200 000.00	R180 000.00	R150 000.00
Forensic investigators/profilers	Abacus FCA	Expansion	RFQ-PER-LIFESTYLE AUDIT-07.09.2021 (Sean Webster)	R1 200 000.00	R180 000.00	R150 000.00
Legal services	Dyason Incorporated	Expansion	PO/128857	R76 556.25	-	R8 050.00
SIU office lease accommodation	Edge Bay Investments 9 (Pty) Ltd	Expansion	RFP03/06/2016	R4 094 004.60	R1 586 233.52	R530 866.54
Forensic profiler/specialist	Abacus FCA	Expansion	RFQ-PER-FORENSIC PROFILER-21/09/2021	R1 998 240.00	-	R299 726.00
Forensic profiler/specialist	CAJV (Pty) Ltd	Expansion	Panel of Experts	R2 760 000.00	-	R414 000.00

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Information on supply chain management (continued)

Project description	Name of supplier	Contract modification type (expansion of variation)	Contract number	Original contract value	Value of previous contract expansions of variations (if applicable)	Value of current contract (R)
Procurement specialist	Abacus FCA	Expansion	SCM-MON-PROCUREMENT SPECIALIST-30.03.2021	R1 864 800.00	-	R1 450 400.00
Office accommodation lease	Broll Property (Pty) Ltd	Expansion	RFPO2/03/2016	R7 528 234.35	R4 156 359.61	R619 489.46
Procurement specialist	Nexus Forensic Services	Expansion	SCM-ZIM-PROCUREMENT SPECIALIST-03/21	R736 000.00	R1 214 450.00	R138 000.00
Cleaning and hygiene services	Bidvest Steiner (Pty) Ltd – Mahikeng	Expansion	RFQ-038 2022/23 – MS 06 June 2022	R47 339.91	-	R6 664.27
Cleaning	Pest Control Hygiene and Cleaning cc	Expansion	RFQ-MS-POLOKWANE-CLEANING SERVICES-12/JAN/2022	R213 320.00	-	R17 776.67
Forensic expert	Deloitte & Touche	Expansion	SCM-MON-PROCUREMENT-DIGITAL_SPECIALIST-15/04/21	R3 135 360.00	-	R470 304.00
Cleaning	Funa lwe Trading Projects (Pty) Ltd	Expansion	SCM-MP-CLEANING SERVICE PTA-04 FEB 2022	R531 337.60	-	R44 278.13
Conference venue	Sun Times Square	Expansion	RFQ 102 2023/24	R189 100.00	-	R51 200.00
Insurance	EKS Vehicle Tracking	Expansion	RT46-2020 VEHICLE TRACKING SYSTEM AND MANAGEMENT SERVICES	R1 317 394.00	-	R1 262 915.28
Telephone rentals	Vodacom	Expansion	PO/130019 _Telephone Services	R2 000 000.00	-	R1 857 733.38

Information on supply chain management (continued)

Project description	Name of supplier	Contract modification type (expansion of variation)	Contract number	Original contract value	Value of previous contract expansions of variations (if applicable)	Value of current contract (R)
Internal audit	Lunika Incorporated	Expansion	RFP: 001/08/2020	R3 313 263.74	R183 299,90	R1 900 504.05
Quantity surveyors	Manzi Quantity Surveyors cc	Expansion	RFQ 133 2022/23	R352 000.00	-	R52 800.00
Media advertising	Kashan Advertising	Expansion	RFQ 103 2022/23	R500 000.00	-	R64 400.00

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FINANCIAL INFORMATION



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ACCOUNTING AUTHORITY'S RESPONSIBILITIES AND APPROVAL

The SIU is required by the Public Finance Management Act (Act 1 of 1999), to maintain adequate accounting records and is responsible for the content and integrity of the annual financial statements and related financial information included in this report. It is the responsibility of the Accounting Authority to ensure that the annual financial statements fairly present the state of affairs of the SIU as at the end of the financial year and the results of its operations and cash flows for the period then ended. The external auditors are engaged to express an independent opinion on the annual financial statements and was given unrestricted access to all financial records and related data.

The annual financial statements have been prepared in accordance with Standards of Generally Recognised Accounting Practice (GRAP) including any interpretations, guidelines and directives issued by the Accounting Standards Board. The financial statements fairly present the SIU's financial position, financial performance and cashflow statement for the year.

The annual financial statements are based upon appropriate accounting policies consistently applied and supported by reasonable and prudent judgments and estimates. The Accounting Authority acknowledges that he is ultimately responsible for the system of internal financial control established by the SIU and place considerable importance on maintaining a strong control environment. To enable the Accounting Authority to meet these responsibilities, the Accounting Authority sets

standards for internal control aimed at reducing the risk of error or deficit in a cost effective manner. The standards include the proper delegation of responsibilities within a clearly defined framework, effective accounting procedures and adequate segregation of duties to ensure an acceptable level of risk. These controls are monitored throughout the SIU and all employees are required to maintain the highest ethical standards in ensuring the SIU's business is conducted in a manner that in all reasonable circumstances is above reproach. The focus of risk management in the SIU is on identifying, assessing, managing and monitoring all known forms of risk across the SIU. While operating risk cannot be fully eliminated, the SIU endeavours to minimise it by ensuring that appropriate infrastructure, controls, systems and ethical behaviour are applied and managed within predetermined procedures and constraints.

The Accounting Authority is of the opinion, based on the information and explanations given by management, that the system of internal control provides reasonable assurance that the financial records may be relied on for the preparation of the annual financial statements. However, any system of internal financial control can provide only reasonable, and not absolute, assurance against material misstatement or deficit.

The Accounting Authority has reviewed the SIU's cash flow forecast for the year to 31 March 2024 and, in the light of this review and the current financial position, he is satisfied that the SIU has or has access to adequate resources to continue

in operational existence for the foreseeable future. The SIU is partly dependent on the National Treasury for its grant income, and also partly dependent on state institutions to pay for the investigation and related services that the SIU has rendered. The annual financial statements are prepared on the basis that the SIU is a going concern and that the SIU has neither the intention nor the need to liquidate or curtail materially the scale of the SIU.

Although the Accounting Authority is primarily responsible for the financial affairs of the SIU, he is supported by the SIU's Audit Committee.

The external auditors are responsible for independently reviewing and reporting on the SIU's annual financial statements. The annual financial statements have been examined by the SIU's external auditors and their report is presented on page (xxxx).

The annual financial statements set out on pages xx to xx, which have been prepared on the going concern basis, were approved by the Accounting Authority on 31 May 2023. Management has concluded that the financial statements fairly present the entity's financial position, financial performance and cashflow for the year ended 31 March 2023.



Adv JL Mothibi
Accounting Authority

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Report of the auditor-general to Parliament on Special Investigating Unit

Report on the audit of the financial statements

Qualified opinion

1. I have audited the financial statements of the Special Investigating Unit set out on pages 199 to 258, which comprise the statement of financial position as at 31 March 2023, statement of financial performance, statement of changes in net assets, cash flow statement and statement of comparison of budget and actual amounts for the year then ended, as well as notes to the financial statements, including a summary of significant accounting policies.
2. In my opinion, except for the effects of the matters described in the basis for qualified opinion section of this auditor's report, the financial statements present fairly, in all material respects, the financial position of the Special Investigating Unit as at 31 March 2023, and its financial performance and cash flows for the year then ended in accordance with the Generally Recognised Accounting Practice (Standards of GRAP) and the requirements of the Public Finance Management Act 1 of 1999 (PFMA).

Basis for qualified opinion

Revenue from exchange transactions: rendering of services – recovery of legal and expert costs

3. The public entity did not recognise revenue from services rendered that accrued to it in the correct financial period in accordance with GRAP 9, Revenue from exchange transactions. The amount disclosed as rendering of services – recovery of legal and expert costs included revenue amounts that do not relate to the current period. Consequently, rendering of services – recovery

of legal and expert costs was overstated by R12 926 394. As a result, the corresponding figure of rendering of services – recovery of legal and expert costs and receivables from exchange transaction were understated by the same amount. Additionally, there was an impact on the surplus for the period.

Context for opinion

4. I conducted my audit in accordance with the International Standards on Auditing (ISAs). My responsibilities under those standards are further described in the responsibilities of the auditor-general for the audit of the financial statements section of my report.
5. I am independent of the public entity in accordance with the International Ethics Standards Board for Accountants' International code of ethics for professional accountants (including International Independence Standards) (IESBA code) as well as other ethical requirements that are relevant to my audit in South Africa. I have fulfilled my other ethical responsibilities in accordance with these requirements and the IESBA code.
6. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

Emphasis of matter

7. I draw attention to the matter below. My opinion is not modified in respect of this matter.

Material impairments – trade and other receivables

8. As disclosed in note 6 and 20 to the financial statements, material impairments of R121 460 593 (2022: 131 455 821) was incurred as a result of a decrease in prospects of recovering such debts..

Other matter

9. I draw attention to the matter below. My opinion is not modified in respect of this matter.

National Treasury Instruction No. 4 of 2022/2023: PFMA Compliance and Reporting Framework

10. On 23 December 2022 National Treasury issued Instruction Note No. 4: PFMA Compliance and Reporting Framework of 2022-23 in terms of section 76(1)(b), (e) and (f), 2(e) and (4)(a) and (c) of the PFMA, which came into effect on 3 January 2023. The PFMA Compliance and Reporting Framework also addresses the disclosure of unauthorised expenditure, irregular expenditure, and fruitless and wasteful expenditure. Among the effects of this framework is that irregular and fruitless and wasteful expenditure incurred in previous financial years and not addressed is no longer disclosed in the disclosure notes of the annual financial statements, only the current year and prior year figures are disclosed in note 32 and 33 to the financial statements. The movements in respect of irregular expenditure and fruitless and wasteful expenditure are no longer disclosed in the notes to the annual financial statements of Special Investigating Unit. The disclosure of these movements (e.g. condoned, recoverable, removed, written off, under assessment, under determination and under investigation) are now required to be included as part of other information in the annual report of the auditees. I do not express an opinion on the disclosure of irregular expenditure and fruitless and wasteful expenditure in the annual report.

Responsibilities of the accounting authority for the financial statements

11. The accounting authority is responsible for the preparation and fair presentation of the financial statements in accordance with the Standards of GRAP and the requirements of the PFMA; and for such internal control as the accounting authority determines is necessary

to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

12. In preparing the financial statements, the accounting authority is responsible for assessing the public entity's ability to continue as a going concern; disclosing, as applicable, matters relating to going concern; and using the going concern basis of accounting unless the appropriate governance structure either intends to liquidate the public entity or to cease operations, or has no realistic alternative but to do so.

Responsibilities of the auditor-general for the audit of the financial statements

13. My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error; and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.
14. A further description of my responsibilities for the audit of the financial statements is included in the annexure to this auditor's report.

Report on the audit of the annual performance report

15. In accordance with the Public Audit Act 25 of 2004 (PAA) and the general notice issued in terms thereof, I must audit and report on the usefulness and reliability of the reported performance against predetermined objectives for the selected programme presented in the annual performance report. The accounting authority is responsible for the preparation of the annual performance report.

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Report of the auditor-general to Parliament on Special Investigating Unit (Continued)

16. I selected the following programme presented in the annual performance report for the year ended 31 March 2023, for auditing. I selected a programme that measures the public entity's performance on its primary mandated functions and that are of significant national, community or public interest.

Programme	Page number	Purpose
Programme 2 – Investigations and Legal Counsel	30-32	To ensure the adequate execution of the mandated service delivery of the SIU

17. I evaluated the reported performance information for the selected programme against the criteria developed from the performance management and reporting framework, as defined in the general notice. When an annual performance report is prepared using these criteria, it provides useful and reliable information and insights to users on the public entity's planning and delivery on its mandate and objectives.
18. I performed procedures to test whether:
- the indicators used for planning and reporting on performance can be linked directly to the public entity's mandate and the achievement of its planned objectives
 - the indicators are well defined and verifiable to ensure that they are easy to understand and apply consistently and that I can confirm the methods and processes to be used for measuring achievements
 - the targets can be linked directly to the achievement of the indicators and are specific, time bound and measurable to ensure that it is easy to understand what should be delivered and by when, the required level of performance as well as how performance will be evaluated
 - the indicators and targets reported on in the annual performance report are the same as what was committed to in the approved initial or revised planning documents
 - the reported performance information is presented in the annual performance report in the prescribed manner

- there are adequate supporting evidence for the achievements reported and for the reasons provided for any over- or underachievement of targets.

19. I performed the procedures for the purpose of reporting material findings only; and not to express an assurance conclusion.
20. I did not identify any material findings on the reported performance information of Programme 2: Investigations and legal counsel.

Other matters

21. I draw attention to the matters below.

Achievement of planned targets

22. The annual performance report includes information on reported achievements against planned targets and provides explanations for over- and under achievements. This information should be considered in the context of the material findings on the reported performance information

Material misstatements

23. I identified material misstatements in the annual performance report submitted for auditing. These material misstatements were in the reported performance information of Programme 2: Investigations and legal counsel. Management subsequently corrected all the misstatements, and I did not include any material findings in this report.

Report on compliance with legislation

24. In accordance with the PAA and the general notice issued in terms thereof, I must audit and report on compliance with applicable legislation relating to financial matters, financial management and other related matters. The accounting authority is responsible for the public entity's compliance with legislation.
25. I performed procedures to test compliance with selected requirements in key legislation in accordance with the findings engagement methodology of the Auditor-General of South Africa (AGSA). This engagement is not an assurance engagement. Accordingly, I do not express an assurance opinion or conclusion.
26. Through an established AGSA process, I selected requirements in key legislation for compliance testing that are relevant to the financial and performance management of the public entity, clear to allow consistent measurement and evaluation, while also sufficiently detailed and readily available to report in an understandable manner. The selected legislative requirements are included in the annexure to this auditor's report.
27. The material findings on compliance with the selected legislative requirements, presented per compliance theme, are as follows:

Annual financial statements

28. The financial statements submitted for auditing were not prepared in accordance with the prescribed financial reporting framework, as required by section 55(1)(b) of the PFMA.
29. Material misstatements of cash flows from operating activities identified by the auditors in the submitted financial statements were corrected, but the uncorrected material misstatements resulted in the financial statements receiving a qualified opinion.

Other information in the report

30. The accounting authority is responsible for the other information included in the annual report, which includes the general information and the audit committee's report. The other information referred to does not include the financial statements, the auditor's report and the selected programme presented in the annual performance report that have been specifically reported on in this auditor's report.
31. My opinion on the financial statements, the report on the audit of the annual performance report and the report on compliance with legislation, do not cover the other information included in the annual report and I do not express an audit opinion or any form of assurance conclusion on it.

32. My responsibility is to read this other information and, in doing so, consider whether it is materially inconsistent with the financial statements and the selected programme presented in the annual performance report, or my knowledge obtained in the audit, or otherwise appears to be materially misstated.
33. I did not receive the other information prior to the date of this auditor's report. When I do receive and read this information, if I conclude that there is a material misstatement therein, I am required to communicate the matter to those charged with governance and request that the other information be corrected. If the other information is not corrected, I may have to retract this auditor's report and re-issue an amended report as appropriate. However, if it is corrected this will not be necessary.

Internal control deficiencies

34. I considered internal control relevant to my audit of the financial statements, annual performance report and compliance with applicable legislation; however, my objective was not to express any form of assurance on it.
35. The matters reported below are limited to the significant internal control deficiencies that resulted in the basis for the qualified opinion and the material findings on the annual performance report and the material findings on compliance with legislation included in this report.
36. Daily and monthly processing controls put in place

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by management were not effective in ensuring that revenue is recognized in the period it relates.

- 37. Management's review and monitoring processes did not adequately ensure that the unit complies with applicable laws and regulations.
- 38. Management's review processes were not adequate to ensure that the reasons for variances presented in annual performance report can be corroborated

Auditor - General



AUDITOR - GENERAL
SOUTH AFRICA

Auditing to build public confidence

Pretoria

6 October 2023

Annexure – Auditor-general’s responsibility for the audit

Professional judgement and professional scepticism

As part of an audit in accordance with the ISAs, I exercise professional judgement and maintain professional scepticism throughout my audit of the financial statements and the procedures performed on reported performance information for selected programmes and on the public entity’s compliance with selected requirements in key legislation.

Financial statements

In addition to my responsibility for the audit of the financial statements as described in this auditor’s report, I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the public entity’s internal control
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made
- conclude on the appropriateness of the use of the going concern basis of accounting in the preparation of financial statements. I also conclude, based on the audit evidence obtained, whether a material uncertainty exists relating to events or conditions that may cast significant doubt on the ability of the public entity to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor’s report to the related

disclosures in the financial statements about the material uncertainty or, if such disclosures are inadequate, to modify my opinion on the financial statements. My conclusions are based on the information available to me at the date of this auditor’s report. However, future events or conditions may cause a public entity to cease operating as a going concern

- evaluate the overall presentation, structure, and content of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation

Communication with those charged with governance

I communicate with the accounting authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I also provide the accounting authority with a statement that I have complied with relevant ethical requirements regarding independence and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and, where applicable, actions taken to eliminate threats or safeguards applied.

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Compliance with legislation – selected legislative requirements

Legislation	Sections or regulations
Public Finance Management Act No1 of 1999 (PFMA)	Section 51(1)(a)(iv); 51(1)(b)(i); 51(1)(b)(ii); 51(1)(e)(iii)
	Section 53(4)
	Section 54(2)(c); 54(2)(d)
	Section 55(1)(a); 55(1)(b); 55(1)(c)(i)
	Section 56(1); 56(2)
	Section 57(b);
	Section 66(3)(c'); 66(5)
Treasury Regulations for departments, trading entities, constitutional institutions, and public entities	Treasury Regulation 8.2.1; 8.2.2
	Treasury Regulation 16A 3.1; 16A 3.2; 16A 3.2(a); 16A 6.1; 16A6.2(a) & (b); 16A6.2(e);16A 6.3(a); 16A 6.3(a)(i); 16A 6.3(b); 16A 6.3(c); 16A 6.3(d); 16A 6.3(e); 16A 6.4; 16A 6.5; 16A 6.6; TR 16A.7.1; 16A.7.3; 16A.7.6; 16A.7.7; 16A 8.2(1); 16A 8.2(2); 16A 8.3; 16A 8.3(d); 16A 8.4; 16A9.1 16A9; 16A9.1(b)(ii); 16A9.1(c); 16A 9.1(d); 16A 9.1(e); 16A9.1(f); 16A 9.2; 16A 9.2(a)(ii); TR 16A 9.2(a)(iii)
	Treasury Regulation 30.1.1; 30.1.3(a); 30.1.3(b); 30.1.3(d); 30.2.1
	Treasury Regulation 31.1.2(c')
	Treasury Regulation 31.2.1; 31.2.5; 31.2.7(a)
	Treasury Regulation 31.3.3
	Treasury Regulation 32.1.1(a); 32.1.1(b); 32.1.1(c')
	Treasury Regulation 33.1.1; 33.1.3
Prevention and Combating of Corrupt Activities Act No12 of 2004 (PRECCA)	Section 34(1)
Preferential Procurement Policy Framework Act	Section 1(i); 2.1(a); 2.1(b); 2.1(f)

Compliance with legislation – selected legislative requirements continued

Legislation	Sections or regulations
Preferential Procurement RegulationsPR 2017	Paragraph 4.1; 4.2
	Paragraph 5.1; 5.3; 5.6; 5.7
	Paragraph 6.1; 6.2; 6.3; 6.5; 6.6; 6.8
	Paragraph 7.1; 7.2; 7.3; 7.5; 7.6; 7.8
	Paragraph 8.2; 8.5
	Paragraph 9.1; 9.2
	Paragraph 10.1; 10.2
	Paragraph 11.1; 11.2
Preferential Procurement RegulationsPPR 2022	Paragraph 12.1 and 12.2
	Paragraph 3.1
	Paragraph 4.1; 4.2; 4.3; 4.4
PFMA Supply Chain Management (SCM) Instruction Note 09 of 2022/2023	Paragraph 5.1; 5.2; 5.3; 5.4
	Paragraph 3.1; 3.3 (b); 3.3 (c); 3.3 (e); 3.6
National Treasury Instruction Note1 of 2015/16	Paragraph 3.1; 4.1; 4.2
National Treasury SCM Instruction Note 03 2021/22	Paragraph 4.1; 4.2 (b); 4.3; 4.4; 4.4 (a); 4.4 (c) -(d); 4.6
	Paragraph 5.4
National Treasury SCM Instruction 4A of 2016/17	Paragraph 7.2; 7.6
	Paragraph 6
National Treasury SCM Instruction Note 03 2019/20	Par 5.5.1 (vi); Paragraph 5.5.1 (x);

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Compliance with legislation – selected legislative requirements continued

Legislation	Sections or regulations
National Treasury SCM Instruction Note 11 2020/21	Paragraph 3.1; 3.4 (a) and (b); 3.9; 6.1;6.2;6.7
National Treasury SCM Instruction Note 2 of 2021/22	Paragraph 3.2.1; 3.2.2; 3.2.4(a) and (b); 3.3.1; 3.2.2
	Paragraph 4.1
PFMA SCM Instruction 04 of 2022/23	Paragraph 4(1); 4(2); 4(4)
Practice Note 5 of 2009/10	Paragraph 3.3
PFMA SCM Instruction 08 of 2022/23	Paragraph 3.2
	Paragraph 4.3.2; 4.3.3
Competition Act	Section 4(1)(b)(ii)
National Treasury Instruction Note 04 of 2015/16	Paragraph 3.4
Second amendment of National Treasury Instruction Note 05 of 2020/21	Paragraph 4.8; 4.9; 5.1; 5.3
Erratum National Treasury Instruction Note 05 of 202/21	Paragraph 1
Erratum National Treasury Instruction Note 05of 202/21	Paragraph 2
Practice Note 7 of 2009/10	Paragraph 4.1.2
Practice Note 11 of 2008/9	Paragraph 3.1
	Paragraph 3.1 (b)
National Treasury Instruction Note 01 of 2021/22	Paragraph 4.1

ANNUAL FINANCIAL STATEMENTS

STATEMENT OF FINANCIAL POSITION

AS AT 31 MARCH 2023

Figures in Rand	Note(s)	2023	2022
ASSETS			
CURRENT ASSETS			
Cash and cash equivalents	5	748 802 443	761 973 211
Receivables from exchange transactions*	6	326 252 884	299 519 822
Receivables from non-exchange transactions	7	-	5 000 000
Bank balances - recoveries	8	223 049 993	142 520 221
		1 298 105 320	1 209 013 254
NON-CURRENT ASSETS			
Property, plant and equipment	3	54 433 751	38 584 529
Intangible assets	4	2 454 787	2 648 608
		56 888 538	41 233 137
TOTAL ASSETS		1 354 993 858	1 250 246 391

STATEMENT OF FINANCIAL POSITION (CONTINUED)

Figures in Rand	Note(s)	2023	2022
LIABILITIES			
CURRENT LIABILITIES			
Payables – recoveries	8	223 049 993	142 520 221
Payables from exchange transactions*	9	90 693 430	117 176 337
Payables from non-exchange transactions	10	-	8 058 930
Operating lease liability	11	4 355 959	4 127 502
Other financial liabilities	12	621 400	507 900
Provisions	13	60 402 244	56 669 025
		379 123 026	329 059 915
TOTAL LIABILITIES		379 123 026	329 059 915
NET ASSETS		975 870 832	921 186 476
Accumulated surplus		975 870 832	921 186 476
TOTAL NET ASSETS		975 870 832	921 186 476

*The comparative figures for the financial year 2021/2022 have been restated in the annual financial statements. Refer to note 28 for detail.

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STATEMENT OF FINANCIAL PERFORMANCE

AS AT 31 MARCH 2023

Figures in Rand	Note(s)	2023	2022
REVENUE			
REVENUE FROM EXCHANGE TRANSACTIONS			
Rendering of services - Investigations	14	388 369 509	372 563 681
Rendering of services - Recovery of legal and expert costs*	14	46 803 949	94 296 055
Interest received	14	40 796 975	24 462 958
Gain on disposal of assets	14	196 413	66 989
TOTAL REVENUE FROM EXCHANGE TRANSACTIONS		476 166 846	491 389 683
REVENUE FROM NON-EXCHANGE TRANSACTIONS			
TRANSFER REVENUE			
Rental of premises paid on behalf of the SIU	14	6 183 368	5 830 812
Government grants	15	452 060 000	437 878 000
CARA funds	16	7 941	2 014 582
TOTAL REVENUE FROM NON-EXCHANGE TRANSACTIONS		458 251 309	445 723 394
TOTAL REVENUE	14	934 418 155	937 113 077
EXPENDITURE			
EXPENDITURE			
Operating lease expenses	17	(41 024 941)	(39 313 210)
Employee-related costs	18	(552 314 145)	(488 011 272)
Depreciation and amortisation	19	(8 562 185)	(6 656 536)
Debt impairment	20	(121 460 593)	(131 455 821)
Professional fees	21	(1 890 313)	(1 099 782)
General expenses*	22	(154 481 622)	(185 314 464)
TOTAL EXPENDITURE		(879 733 799)	(851 851 085)
SURPLUS FOR THE YEAR		54 684 356	85 261 992

STATEMENT OF CHANGES IN NET ASSETS

AS AT 31 MARCH 2023

Figures in Rand	Accumulated surplus, deficit	Total net assets
OPENING BALANCE AS PREVIOUSLY REPORTED	835 867 284	835 867 284
Prior year adjustments*	57 200	57 200
BALANCE AT 01 APRIL 2021 AS RESTATED*	835 924 484	835 924 484
CHANGES IN NET ASSETS		
Surplus for the year		
Total changes	85 261 992	85 261 992
	85 261 992	85 261 992
OPENING BALANCE AS PREVIOUSLY REPORTED	921 243 676	921 243 676
Prior year adjustments*	(57 200)	(57 200)
RESTATED* BALANCE AT 01 APRIL 2022 AS RESTATED*	921 186 476	921 186 476
CHANGES IN NET ASSETS		
Surplus for the year	54 684 356	54 684 356
Total changes	54 684 356	54 684 356
BALANCE AT 31 MARCH 2023	975 870 832	975 870 832

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CASH FLOW STATEMENT

AS AT 31 MARCH 2023

Figures in Rand	Note(s)	2023	2022
CASH FLOWS FROM OPERATING ACTIVITIES			
RECEIPTS			
Proceeds from services rendered		287 211 151	240 220 613
Government grants		452 060 000	437 878 000
Interest income		40 796 975	24 462 958
		780 068 126	702 561 571
PAYMENTS			
Employee costs		(549 838 260)	(483 934 742)
Suppliers*		(219 174 754)	(197 013 295)
		(769 013 014)	(680 948 037)
NET CASH FLOWS FROM OPERATING ACTIVITIES	24	11 055 112	21 613 534
CASH FLOWS FROM INVESTING ACTIVITIES			
Purchase of property, plant and equipment	3	(24 670 609)	(1 454 661)
Proceeds from sale of property, plant and equipment	3	444 729	194 712
NET CASH FLOWS FROM INVESTING ACTIVITIES		(24 225 880)	(1 259 949)
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS			
		(13 170 768)	20 353 585
Cash and cash equivalents at the beginning of the year		761 973 211	741 619 626
CASH AND CASH EQUIVALENTS AT THE END OF THE YEAR	5	748 802 443	761 973 211

STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS

AS AT 31 MARCH 2022

BUDGET ON ACCRUAL BASIS						
Figures in Rand	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Difference between final budget and actual	Reference
STATEMENT OF FINANCIAL PERFORMANCE						
REVENUE						
REVENUE FROM EXCHANGE TRANSACTIONS						
Rendering of services	369 940 000	4 559 000	374 499 000	435 173 458	60 674 458	34.1
Interest received	20 060 000	-	20 060 000	40 796 975	20 736 975	34.2
Gains on disposal of assets	-	-	-	196 413	196 413	
TOTAL REVENUE FROM EXCHANGE TRANSACTIONS	390 000 000	4 559 000	394 559 000	476 166 846	81 607 846	
REVENUE FROM NON-EXCHANGE TRANSACTIONS						
TRANSFER REVENUE						
Government grants and subsidies	452 060 000	-	452 060 000	452 060 000	-	
CARA funds	-	-	-	7 941	7 941	34.3
Rental of premises paid on behalf of the SIU	8 000 000	-	8 000 000	6 183 368	(1 816 632)	34.4
TOTAL REVENUE FROM NON-EXCHANGE TRANSACTIONS	460 060 000	-	460 060 000	458 251 309	(1 808 691)	
TOTAL REVENUE	850 060 000	4 559 000	854 619 000	934 418 155	79 799 155	

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STATEMENT OF COMPARISON OF BUDGET AND ACTUAL AMOUNTS (CONTINUED)

AS AT 31 MARCH 2023

BUDGET ON ACCRUAL BASIS						
Figures in Rand	Approved budget	Adjustments	Final Budget	Actual amounts on comparable basis	Difference between final budget and actual	Reference
EXPENDITURE						
Employee related costs	(722 636 000)	146 484 000	(576 152 000)	(552 314 145)	23 837 855	34.5
Depreciation and amortisation	(13 260 000)	(5 740 000)	(19 000 000)	(8 562 185)	10 437 815	34.6
Debt impairment	-	-	-	(121 460 593)	(121 460 593)	34.7
Lease rentals on operating lease	(41 061 714)	(8 975 046)	(50 036 760)	(41 024 941)	9 011 819	34.8
Professional Services	(1 562 516)	-	(1 562 516)	(1 890 313)	(327 797)	
General Expenses	(197 662 692)	(27 067 785)	(224 730 477)	(154 481 622)	70 248 855	34.9
TOTAL EXPENDITURE	(976 182 922)	104 701 169	(871 481 753)	(879 733 799)	(8 252 046)	
SURPLUS	(126 122 922)	109 260 169	(16 862 753)	54 684 356	71 547 109	
ACTUAL AMOUNT ON COMPARABLE BASIS AS PRESENTED IN THE BUDGET AND ACTUAL COMPARATIVE STATEMENT	(126 122 922)	109 260 169	(16 862 753)	54 684 356	71 547 109	

ACCOUNTING POLICIES

1. PRESENTATION OF ANNUAL FINANCIAL STATEMENTS

The annual financial statements have been prepared in accordance with the Standards of Generally Recognised Accounting Practice (GRAP), issued by the Accounting Standards Board in accordance with Section 91(1) of the Public Finance Management Act (Act 1 of 1999).

These annual financial statements have been prepared on an accrual basis of accounting and are in accordance with historical cost convention as the basis of measurement, unless specified otherwise. They are presented in South African Rand.

Assets, liabilities, revenues and expenses were not offset, except where offsetting is either required or permitted by a Standard of GRAP.

Management has concluded that the Financial Statements fairly present the entity's financial position, financial performance and cash flow for the year ended 31 March 2023.

A summary of the significant accounting policies, which have been consistently applied in the preparation of these annual financial statements, are disclosed below.

1.1 Presentation currency

These annual financial statements are presented in South African Rand, which is the functional currency of the entity.

1.2 Going-concern assumption

These annual financial statements have been prepared based on the expectation that the SIU will continue to operate as a going concern for at least the next 12 months.

1.3 Materiality

Material omissions or misstatements of items are material if they could, individually or collectively, influence the decisions or assessments of users made on the basis of the financial statements. Materiality depends on the nature or size of the omission or misstatement judged in the surrounding circumstances. The nature or size of the information item, or a combination of both, could be the determining factor.

Assessing whether an omission or misstatement could influence decisions of users, and so be material, requires consideration of the characteristics of those users. The Framework for the Preparation and Presentation of Financial Statements states that users are assumed to have a reasonable knowledge of government, its activities, accounting and a willingness to study the information

with reasonable diligence. Therefore, the assessment takes into account how users with such attributes could reasonably be expected to be influenced in making and evaluating decisions.

1.4 Significant judgments and sources of estimation uncertainty

In preparing the annual financial statements, management is required to make estimates and assumptions that affect the amounts represented in the annual financial statements and related disclosures. Use of available information and the application of judgment is inherent in the formation of estimates. Actual results in the future could differ from these estimates which may be material to the annual financial statements. Significant judgments include:

Other significant judgments, sources of estimation uncertainty and/or relating information, have been disclosed in the relating notes.

Trade receivables

The SIU assesses its trade receivables for impairment at the end of each reporting period. In determining whether an impairment loss should be recorded in surplus or deficit, the SIU makes judgments as to whether there is observable data indicating a measurable decrease in the estimated future cash flows from a

1.4 Significant judgments and sources of estimation uncertainty (continued)

financial asset. The impairment for debtors is calculated on an individual debtor basis. For amounts due to the entity, significant financial difficulties of the debtor, probability that the debtor will enter bankruptcy and default of payments are all considered indicators of impairment.

Provisions

Provisions were raised and management determined an estimate based on the information available. Additional disclosure of these estimates of provisions are included in note 13 - Provisions.

Contingent liabilities

Contingent liabilities are recognised in the notes to the financial statements when there is a possible obligation that arises from a past event and whose existence will be confirmed at the occurrence or non-occurrence of one or more uncertain future events beyond the control of the entity or where there is a present obligation that is not recognised because it is not probable that an outflow of resources will be required to settle the obligation or where there is a liability that cannot be recognised because it cannot be measured reliably.

Useful lives of property, plant and equipment

The entity's management determines the estimated useful lives and related depreciation charges for property, plant and equipment and other assets. This estimate is based on industry

norm and on the pattern in which an asset's future economic benefit to service potential is expected to be consumed by the entity. Management will increase the depreciation charge where useful lives are less than previously estimated useful lives and decrease depreciation charge where useful lives are more than previously estimated useful lives.

Effective interest rate

The SIU used the prime interest rate to discount future cash flows where applicable.

Allowance for doubtful debts

On debtors an impairment loss is recognised in surplus and deficit when there is objective evidence that it is impaired. The impairment is measured as the difference between the debtors carrying amount and the expected amount to be received in future. The present value of estimated future cash flows is not calculated, as the potential timeframes of receiving future payments are unknown and can vary materially, based on past experience.

1.5 Property, plant and equipment

Property, plant and equipment are tangible non-current assets (including infrastructure assets) that are held for use in the production or supply of goods or services, rental to others, or for administrative purposes, and are expected to be used during more than one period.

The cost of an item of property, plant and equipment is recognised as an asset when:

- it is probable that future economic benefits or service potential associated with the item will flow to the entity; and
- the cost of the item can be measured reliably.

Property, plant and equipment is initially measured at cost.

The cost of an item of property, plant and equipment is the purchase price and other costs attributable to bring the asset to the location and condition necessary for it to be capable of operating in the manner intended by management. Trade discounts and rebates are deducted in arriving at the cost.

Where an asset is acquired through a non-exchange transaction, its cost is its fair value as at date of acquisition.

Where an item of property, plant and equipment is acquired in exchange for a nonmonetary asset or monetary assets, or a combination of monetary and nonmonetary assets, the asset acquired is initially measured at fair value (the cost). If the acquired item's fair value was not determinable, it's deemed cost is the carrying amount of the asset(s) given up.

When significant components of an item of property, plant and equipment have different useful lives, they are accounted for as separate items (major components) of property, plant and equipment.

1.5 Property, plant and equipment (continued)

Costs include costs incurred initially to acquire or construct an item of property, plant and equipment and costs incurred subsequently to add to, replace part of, or service it. If a replacement cost is recognised in the carrying amount of an item of property, plant and equipment, the carrying amount of the replaced part is derecognised.

The initial estimate of the costs of dismantling and removing the item and restoring the site on which it is located is also included in the cost of property, plant and equipment, where the entity is obligated to incur such expenditure, and where the obligation arises as a result of acquiring the asset or using it for purposes other than the production of inventories.

Recognition of costs in the carrying amount of an item of property, plant and equipment ceases when the item is in the location and condition necessary for it to be capable of operating in the manner intended by management.

Items such as spare parts, standby equipment and servicing equipment are recognised when they meet the definition of property, plant and equipment.

Property, plant and equipment is carried at cost less accumulated depreciation and any impairment losses.

The useful lives of items of property, plant and equipment have been assessed as follows:

Item	Depreciation method	Average useful life
Furniture and fixtures	Straight line	20 years
Motor vehicles	Straight line	08 years
Office equipment	Straight line	15 years
IT equipment	Straight line	10 years
Leasehold improvements	Straight line	Over the period of the property lease

The depreciable amount of an asset is allocated on a systematic basis over its useful life.

Each part of an item of property, plant and equipment with a cost that is significant in relation to the total cost of the item is depreciated separately.

The depreciation method used reflects the pattern in which the asset's future economic benefits or service potential are expected to be consumed by the SIU. The depreciation method applied to an asset is reviewed at least at each reporting date and, if there has been a significant change in the expected pattern of consumption of the future economic benefits or service potential embodied in the asset, the method is changed to reflect the changed pattern. Such a change is accounted for as a change in an accounting estimate.

The SIU assesses at each reporting date whether there is any indication that the SIU expectations about the residual value and the useful life of an asset have changed since the preceding reporting date. If any such indication exists, the SIU revises the expected useful life and/or residual value accordingly. The change is accounted for as a change in an accounting estimate of the Standard of GRAP on Accounting Policies, Changes in Estimates and Errors.

The depreciation charge for each period is recognised in surplus or deficit unless it is included in the carrying amount of another asset.

Items of property, plant and equipment are derecognised when the asset is disposed of or when there are no further economic benefits or service potential expected from the use of the asset.

The gain or loss arising from the derecognition of an item of property, plant and equipment is included in surplus or deficit when the item is derecognised. The gain or loss arising from the derecognition of an item of property, plant and equipment is determined as the difference between the net disposal proceeds, if any, and the carrying amount of the item.

The SIU separately discloses expenditure to repair and maintain property, plant and equipment in the notes to the financial statements (see note 3).

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1.5 Property, plant and equipment (continued)

Compensation from third parties for an item of property, plant and equipment that was impaired, lost or given up is recognised in surplus or deficit when the compensation becomes receivable.

1.6 Intangible assets

An asset is identifiable if it either:

- is separable, i.e. is capable of being separated or divided from an entity and sold, transferred, licensed, rented or exchanged, either individually or together with a related contract, identifiable assets or liability, regardless of whether the entity intends to do so; or
- arises from binding arrangements (including rights from contracts), regardless of whether those rights are transferable or separable from the entity or from other rights and obligations.

A binding arrangement describes an arrangement that confers similar rights and obligations on the parties to it as if it were in the form of a contract.

An intangible asset is recognised when:

- it is probable that the expected future economic benefits or service potential that are attributable to the asset will flow to the entity; and
- the cost or fair value of the asset can be measured reliably.

The SIU assesses the probability of expected future economic benefits or service potential using reasonable and supportable assumptions that represent management’s best estimate of the set of economic conditions that will exist over the useful life of the asset.

Where an intangible asset is acquired through a non-exchange transaction, its initial cost at the date of acquisition is measured at its fair value as at that date.

Intangible assets are initially measured at cost. Intangible assets are carried at cost less any accumulated amortisation and any impairment losses.

An intangible asset is regarded as having an indefinite useful life when, based on all relevant factors, there is no foreseeable limit to the period over which the asset is expected to generate net cash inflows or service potential. Amortisation is not provided for these intangible assets, but they are tested for impairment annually and whenever there is an indication that the asset may be impaired. For all other intangible assets amortisation is provided on a straight-line basis over their useful life.

The amortisation period and the amortisation method for intangible assets are reviewed at each reporting date.

Internally generated brands, mastheads, publishing titles, customer lists and items similar in substance are not recognised as intangible assets.

Internally generated goodwill is not recognised as an intangible asset.

Amortisation is provided to write down the intangible assets, on a straight line basis, to their residual values as follows:

Item	Depreciation method	Average useful life
Computer software	Straight line	25 years

Intangible assets are derecognised:

- on disposal; or
- when no future economic benefits or service potential are expected from its use or disposal.

The gain or loss arising from the derecognition of intangible assets is included in surplus or deficit when the asset is derecognised.

1.7 Financial instruments

A financial instrument is any contract that gives rise to a financial asset of one SIU and a financial liability or a residual interest of another entity.

A financial asset is:

- cash;
- a residual interest of another entity; or
- a contractual right to:



1.7 Financial instruments (continued)

- receive cash or another financial asset from another entity; or
- exchange financial assets or financial liabilities with another entity under conditions that are potentially favourable to the entity. The amortised cost of a financial asset or financial liability is the amount at which the financial asset or financial liability is measured at initial recognition minus principal repayments, plus or minus the cumulative amortisation using the effective interest method of any difference between that initial amount and the maturity amount, and minus any reduction (directly or through the use of an allowance account) for impairment or uncollectibility.

A financial liability is any liability that is a contractual obligation to:

- deliver cash or another financial asset to another entity; or
- exchange financial assets or financial liabilities under conditions that are potentially unfavourable to the entity. A concessionary loan is a loan granted to or received by SIU on terms that are not market related.

The effective interest method is a method of calculating the amortised cost of a financial asset or a financial liability (or group of financial assets or financial liabilities) and of allocating the interest income or interest expense over the relevant period.

The effective interest rate is the rate that exactly discounts estimated future cash payments or receipts through the expected life of the financial instrument or, when appropriate, a shorter period to the net carrying amount of the financial asset

or financial liability. When calculating the effective interest rate, an entity shall estimate cash flows considering all contractual terms of the financial instrument (for example, prepayment, call and similar options) but shall not consider future credit losses. The calculation includes all fees and points paid or received between parties to the contract that are an integral part of the effective interest rate (see the Standard of GRAP on Revenue from Exchange Transactions), transaction costs, and all other premiums or discounts.

There is a presumption that the cash flows and the expected life of a group of similar financial instruments can be estimated reliably. However, in those rare cases when it is not possible to reliably estimate the cash flows or the expected life of a financial instrument (or group of financial instruments), the entity shall use the contractual cash flows over the full contractual term of the financial instrument (or group of financial instruments).

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates.

Liquidity risk is the risk encountered by an entity in the event of difficulty in meeting obligations associated with financial liabilities that are settled by delivering cash or another financial asset.

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk comprises three types of risk: currency risk, interest rate risk and other price risk.

Classification

The entity has the following types of financial assets (classes and category) as reflected on the face of the statement of financial position or in the notes thereto:

Class	Category
Cash and cash equivalents	Financial asset measured at amortised cost
Receivables from exchange transactions	Financial asset measured at amortised cost
Receivables from non-exchange transactions	Financial asset measured at amortised cost

The entity has the following types of financial liabilities (classes and category) as reflected on the face of the statement of financial position or in the notes thereto:

Class	Category
Payables from exchange transactions	Financial liability measured at amortised cost
Payables from non-exchange transactions	Financial liability measured at amortised cost
Other financial liabilities	Financial liability measured at amortised cost

Financial instruments at amortised cost are non-derivative financial assets or non-derivative financial liabilities that have fixed or determinable payments, excluding those instruments that:

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1.7 *Financial instruments (continued)*

- the entity designates at fair value at initial recognition; or
- are held for trading.

Initial recognition

The entity recognises a financial asset or a financial liability in its statement of financial position when the entity becomes a party to the contractual provisions of the instrument.

The entity recognises financial assets using trade date accounting.

Measurement

Initial measurement of financial assets and financial liabilities

The entity measures a financial asset and financial liability initially at its fair value plus transaction costs that are directly attributable to the acquisition or issue of the financial asset or financial liability. Where:

- Fair value is the amount for which an asset could be exchanged, or a liability settled, between knowledgeable willing parties in an arm's length transaction.
- Transaction costs are incremental costs that are directly attributable to the acquisition, issue or disposal of a financial asset or financial liability. An incremental cost is one that would not have been incurred if the entity had not acquired, issued or disposed of the financial instrument.

Subsequent measurement of financial assets and financial liabilities

The entity measures all financial assets and financial liabilities after initial recognition using the following categories:

- Financial instruments at amortised cost.

All financial assets measured at amortised cost, or cost, are subject to an impairment review.

Gains and losses

For financial assets and financial liabilities measured at amortised cost, a gain or loss is recognised in surplus or deficit when the financial asset or financial liability is derecognised or impaired, or through the amortisation process.

For financial assets and financial liabilities measured at amortised cost or cost, a gain or loss is recognised in surplus or deficit when the financial asset or financial liability is derecognised or impaired, or through the amortisation process.

Impairment and uncollectibility of financial assets

Credit risk is the risk that one party to a financial instrument will cause a financial loss for the other party by failing to discharge an obligation.

A financial asset is past due when a counterparty has failed to make a payment when contractually due.

The entity assesses at the end of each reporting period whether there is any objective evidence that a financial asset or group of financial assets is impaired.

- Financial assets measured at amortised cost:

If there is objective evidence that an impairment loss on financial assets measured at amortised cost has been incurred, the amount of the loss is measured as the difference between the asset's carrying amount and expected future cash flows. The impairment is measured as the difference between the debtors carrying amount and the expected amount to be received in future. The future present value of estimated future cash flows is not calculated, as the potential timeframes of receiving future payments are unknown and can vary materially, based on past experience. The carrying amount of the asset is reduced directly or through the use of an allowance account. The amount of the loss is recognised in surplus or deficit.

If, in a subsequent period, the amount of the impairment loss decreases and the decrease can be related objectively to an event occurring after the impairment was recognised, the previously recognised impairment loss is reversed directly or by adjusting an allowance account. The reversal does not result in a carrying amount of the financial asset that exceeds what the amortised cost would have been had the impairment not been recognised

1.7 *Financial instruments (continued)*

at the date the impairment is reversed. The amount of the reversal is recognised in surplus or deficit.

Derecognition

Derecognition is the removal of a previously recognised financial asset or financial liability from an entity's statement of financial position. The SIU derecognises financial assets using trade date accounting.

Financial assets

The SIU derecognises a financial asset only when:

- the contractual rights to the cash flows from the financial asset expire, are settled or waived.

On derecognition of a financial asset in its entirety, the difference between the carrying amount and the sum of the consideration received is recognised in surplus or deficit.

Financial liabilities

The entity removes a financial liability (or a part of a financial liability) from its statement of financial position when it is extinguished, i.e. when the obligation specified in the contract is discharged, cancelled, expires or waived.

The difference between the carrying amount of a financial liability (or part of a financial liability) extinguished or transferred

to another party and the consideration paid, including any noncash assets transferred or liabilities assumed, is recognised in surplus or deficit. Any liabilities that are waived, forgiven or assumed by another entity by way of a non-exchange transaction are accounted for in accordance with the Standard of GRAP on Revenue from Non-exchange Transactions (Taxes and Transfers).

1.8 Employee benefits

Short term employee benefits

Short-term employee benefits are employee benefits (other than termination benefits) that are due to be settled within 12 months of the end of the period in which the employees render the related service.

Short-term employee benefits include items such as:

- wages, salaries and social security contributions;
- short-term compensated absences (such as paid annual leave and paid sick leave) where the compensation for the absences is due to be settled within 12 months of the end of the reporting period in which the employees render the related employee service;
- bonus, incentive and performance related payments payable within 12 months of the end of the reporting period in which the employees render the related service; and
- non-monetary benefits (for example, medical care, and free or subsidised goods or services such as housing, cars and cellphones for current employees.

When an employee has rendered service to the entity during a reporting period, the entity recognise the undiscounted amount of short-term employee benefits expected to be paid in exchange for that service:

- as a liability (accrued expense), after deducting any amount already paid. If the amount already paid exceeds the undiscounted amount of the benefits, the entity recognises that excess as an asset (prepaid expense) to the extent that the prepayment will lead to, for example, a reduction in future payments or a cash refund; and
- as an expense, unless another standard requires or permits the inclusion of the benefits in the cost of an asset.

The expected cost of compensated absences is recognised as an expense as the employees render services that increase their entitlement or, in the case of non-accumulating absences, when the absence occurs. The entity measures the expected cost of accumulating compensated absences as the additional amount that the entity expects to pay as a result of the unused entitlement that has accumulated at the reporting date.

The entity recognise the expected cost of bonus, incentive and performance related payments when the entity has a present legal or constructive obligation to make such payments as a result of past events and a reliable estimate of the obligation can be made. A present obligation exists when the entity has no realistic alternative but to make the payments.

1.7 *Financial instruments (continued)*

Post-employment benefits: Defined contribution plans

Defined contribution plans are postemployment benefit plans under which an entity pays fixed contributions into a separate entity (a fund) and will have no legal or constructive obligation to pay further contributions if the fund does not hold sufficient assets to pay all employee benefits relating to employee service in the current and prior periods.

When an employee has rendered service to the entity during a reporting period, the entity recognise the contribution payable to a defined contribution plan in exchange for that service:

- as a liability (accrued expense), after deducting any contribution already paid. If the contribution already paid exceeds the contribution due for service before the reporting date, an entity recognise that excess as an asset (prepaid expense) to the extent that the prepayment will lead to, for example, a reduction in future payments or a cash refund; and
- as an expense, unless another standard requires or permits the inclusion of the contribution in the cost of an asset.

1.9 Provisions and contingencies

Provisions

Provisions are recognised when:

- the entity has a present obligation as a result of a past event;

- it is probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; and

- a reliable estimate can be made of the obligation.

•

The amount of a provision is the best estimate of the expenditure expected to be required to settle the present obligation at the reporting date.

Where the effect of time value of money is material, the amount of a provision is the present value of the expenditures expected to be required to settle the obligation.

The discount rate is a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the liability.

Provisions are reviewed at each reporting date and adjusted to reflect the current best estimate. Provisions are reversed if it is no longer probable that an outflow of resources embodying economic benefits or service potential will be required, to settle the obligation.

Where discounting is used, the carrying amount of a provision increases in each period to reflect the passage of time. This increase is recognised as an interest expense.

A provision is used only for expenditures for which the provision was originally recognised. Provisions are not recognised for future operating surplus (deficit).

Contingencies

Contingent assets and contingent liabilities are not recognised. Contingencies are disclosed in note 26.

1.10 Commitments

Items are classified as commitments when an entity has committed itself to future transactions that will normally result in the outflow of cash.

Disclosures are required in respect of unrecognised contractual commitments.

Commitments for which disclosure is necessary to achieve a fair presentation should be disclosed in a note to the financial statements, if both the following criteria are met:

- Contracts should be non-cancellable or cancellable only at significant cost (for example, contracts for computer or building maintenance services); and
- Contracts should relate to something other than the routine, steady, state business of the entity – therefore salary commitments relating to employment contracts or social security benefit commitments are excluded.

1.11 Revenue from exchange transactions

An exchange transaction is one in which the entity receives assets or services, or has liabilities extinguished, and directly gives approximately equal value (primarily in the form of goods, services or use of assets) to the other party in exchange.

The SIU's major revenue from exchange transactions is from the following sources:

- Rendering of services:
 - Rendering of services: Investigations - consists of billing for hours spent by SIU members on investigation performed by SIU on state institutions
 - Rendering of services: Recovery of legal and expert costs - consists of invoicing by experts, including Senior Council, used by the SIU the on investigations.
- Investment Income:

The investment income relates to the interest received by the SIU earned on it cash reserves.

Recognition

- Rendering of services:

Service revenue is recognised by reference to the number of hours spent multiplied by the rates per resource. When the outcome of a transaction involving the rendering of services can be estimated reliably, revenue associated with the transaction is recognised by reference to the stage of completion of the transaction at the reporting date. The

outcome of a transaction can be estimated reliably when all the following conditions are satisfied:

- the amount of revenue can be measured reliably;
 - it is probable that the economic benefits or service potential associated with the transaction will flow to the entity;
 - the stage of completion of the transaction at the reporting date can be measured reliably; and
 - the costs incurred for the transaction and the costs to complete the transaction can be measured reliably.
- Additional text.

When the outcome of the transaction involving the rendering of services cannot be estimated reliably, revenue is recognised only to the extent of the expenses recognised that are recoverable.

- Investment income:

Investment income is recognised on a time-proportion basis using the effective interest method.

Measurement

Revenue is measured at the fair value of the consideration received or receivable, net of trade discounts and volume rebates.

1.12 Revenue from non-exchange transactions

Non-exchange transactions are transactions that are not exchange transactions. In a non-exchange transaction, an entity either receives value from another entity without directly giving

approximately equal value in exchange, or gives value to another entity without directly receiving approximately equal value in exchange.

Transfers are inflows of future economic benefits or service potential from non-exchange transactions, other than taxes.

Recognition

An inflow of resources from a non-exchange transaction recognised as an asset is recognised as revenue, except to the extent that a liability is also recognised in respect of the same inflow. As the entity satisfies a present obligation recognised as a liability in respect of an inflow of resources from a non-exchange transaction recognised as an asset, it reduces the carrying amount of the liability recognised and recognises an amount of revenue equal to that reduction.

The SIU's revenue non-exchange transactions is from the following sources:

- Government grant:

The SIU receives an annual grant from the central fiscus, that is governed by National Treasury's budgeting cycles and is allocated as part of the grants to the SIU's Executive Authority, the Department of Justice and Constitutional Development.
- CARA Funds:

In terms of section 68 of the Prevention of Organised Crime Act, 1998 (Act No 121 of 1998), (POCA), Cabinet may approve, based on recommendations by the Criminal Asset Recovery

1.9 Employee benefits (continued)

Committee (CARC), amounts for use by law enforcement agencies in the fight against crime. The SIU is allowed to apply for funding for specific projects as a law enforcement agency. The overall administration of the Criminal Asset Recovery Account (CARA) is handled by the Department of Justice and Constitutional Development.

Measurement

Revenue from a non-exchange transaction is measured at the amount of the increase in net assets recognised by the SIU.

When, as a result of a non-exchange transaction, the SIU recognises an asset, it also recognises revenue equivalent to the amount of the asset measured at its fair value as at the date of acquisition, unless it is also required to recognise a liability. Where a liability is required to be recognised it will be measured as the best estimate of the amount required to settle the obligation at the reporting date, and the amount of the increase in net assets, if any, recognised as revenue.

Interest is recognised using the effective interest rate method for financial instruments, and using the nominal interest rate method for statutory receivables. Interest levied on transactions arising from exchange or non-exchange transactions is classified based on the nature of the underlying transaction.

Services in-kind

The SIU recognise services in-kind that are significant to its operations and/or service delivery objectives as assets and recognise the related revenue when it is probable that the future economic benefits or service potential will flow to the SIU and the fair value of the assets can be measured reliably.

Where services in-kind are not significant to the SIU's operations and/or service delivery objectives and/or do not satisfy the criteria for recognition, the SIU entity disclose the nature and type of services in-kind received during the reporting period.

Transfers

Apart from Services in kind, the SIU recognises an asset in respect of transfers when the transferred resources meet the definition of an asset and satisfy the criteria for recognition as an asset.

The SIU recognises an asset in respect of transfers when the transferred resources meet the definition of an asset and satisfy the criteria for recognition as an asset.

Transferred assets are measured at their fair value as at the date of acquisition.

Identification

An agent is an entity that has been directed by another entity (a principal), through a binding arrangement, to undertake transactions with third parties on behalf of the principal and for the benefit of the principal.

A principal is an entity that directs another entity (an agent), through a binding arrangement, to undertake transactions with third parties on its behalf and for its own benefit.

A principal-agent arrangement results from a binding arrangement in which one entity (an agent), undertakes transactions with third parties on behalf, and for the benefit of, another entity (the principal).

Identifying whether an entity is a principal or an agent

When the entity is party to a principal-agent arrangement, it assesses whether it is the principal or the agent in accounting for revenue, expenses, assets and/or liabilities that result from transactions with third parties undertaken in terms of the arrangement.

The assessment of whether an entity is a principal or an agent requires the entity to assess whether the transactions it undertakes with third parties are for the benefit of another entity or for its own benefit.

1.10 Provisions and contingencies (continued)

Binding arrangement

The entity assesses whether it is an agent or a principal by assessing the rights and obligations of the various parties established in the binding arrangement.

Where the terms of a binding arrangement are modified, the parties to the arrangement re-assess whether they act as a principal or an agent.

Assessing which entity benefits from the transactions with third parties

When the entity in a principal-agent arrangement concludes that it undertakes transactions with third parties for the benefit of another entity, then it is the agent. If the entity concludes that it is not the agent, then it is the principal in the transactions.

The entity is an agent when, in relation to transactions with third parties, all three of the following criteria are present:

- It does not have the power to determine the significant terms and conditions of the transaction.
- It does not have the ability to use all, or substantially all, of the resources that result from the transaction for its own benefit.
- It is not exposed to variability in the results of the transaction.

Where the entity has been granted specific powers in terms of legislation to direct the terms and conditions of particular transactions, it is not required to consider the criteria of whether it

does not have the power to determine the significant terms and conditions of the transaction, to conclude that is an agent. The entity applies judgment in determining whether such powers exist and whether they are relevant in assessing whether the entity is an agent.

Recognition

The entity, as a principal, recognises revenue and expenses that arise from transactions with third parties in a principal-agent arrangement in accordance with the requirements of the relevant Standards of GRAP.

The entity, as an agent, recognises only that portion of the revenue and expenses it receives or incurs in executing the transactions on behalf of the principal in accordance with the requirements of the relevant Standards of GRAP.

The entity recognises assets and liabilities arising from principal-agent arrangements in accordance with the requirements of the relevant Standards of GRAP.

1.14 Comparative figures

Where necessary, comparative figures have been reclassified to conform to changes in presentation in the current year.

1.15 Fruitless and wasteful expenditure

Fruitless expenditure means expenditure which was made in vain and would have been avoided had reasonable care been exercised.

All expenditure relating to fruitless and wasteful expenditure is recognised as an expense in the statement of financial performance in the year that the expenditure was incurred. The expenditure is classified in accordance with the nature of the expense, and where recovered, it is subsequently accounted for as revenue in the Statement of Profit or Loss and Other Comprehensive Income

Treasury Regulations 11.2 requires an accounting officer of a department or constitutional institution to take effective and appropriate steps to timeously collect all money due to the department or constitutional institution. The accounting authority of a public entity is required to do the same in terms of the debt management policy of the public entity.

In 2022 National Treasury issued the PFMA Compliance and Reporting Framework replacing previous guidance and strengthens the identification, investigation, management, condonation and reporting functions. The transitional provisions in terms of the new guidance requires fruitless and wasteful expenditure disclosed in the annual financial statements of the SIU in the previous financial year must be disclosed as a comparative amount in the annual financial statements. This results that fruitless and wasteful expenditure when incurred

1.11 Commitments (continued)

and confirmed is recorded in the annual financial statements disclosure and relates to fruitless and wasteful expenditure incurred in the current financial year with a one financial year comparative analysis.

National Treasury does not require the SIU to report a cumulative balance, however the analysis for previous financial years must be recorded in the register and dealt with in terms of its recovery process. Refer to note 32.

1.16 Irregular expenditure

Irregular expenditure as defined in section 1 of the PFMA is expenditure other than unauthorised expenditure, incurred in contravention of or that is not in accordance with a requirement of any applicable legislation, including -

- a. this Act; or
- b. the State Tender Board Act, 1968 (Act No 86 of 1968), or any regulations made in terms of the Act; or
- c. any provincial legislation providing for procurement procedures in that provincial government.

Irregular expenditure is recorded in the notes to the financial statements when confirmed. The amount recorded is equal to the value of the irregular incurred, unless it is impractical to determine, in which case reasons thereof are provided in the notes.

Irregular expenditure receivables are measured at the amount

that is expected to be recovered and are de-recognised when settled or written off as irrecoverable.

Irregular expenditure must be removed from the balance of the irregular expenditure notes when is either

- a. condoned by the relevant authority if no official was found to be liable in law;
- b. recovered from an official liable in law;
- c. written-off if it is irrecoverable from an official liable in law;
- d. written-off if it is not condoned and not recoverable.

Treasury Regulation 11.2 requires an accounting officer of a department or constitutional institution to take effective and appropriate steps to timeously collect all money due to their relevant institutions. The accounting authority of a public entity must do the same in terms of the debt management policy of the public entity.

In 2022 National Treasury issued the PFMA Compliance and Reporting Framework replacing previous guidance and strengthens the identification, investigation, management, condonation and reporting functions. The transitional provisions in terms of the new guidance requires irregular expenditure disclosed in the annual financial statements of the SIU in the previous financial year must be disclosed as a comparative amount in the annual financial statements. This results that irregular expenditure when incurred and confirmed is recorded in the annual financial statements disclosure and relates to irregular expenditure incurred in the current financial year with

a one financial year comparative analysis National Treasury does not require the SIU to report a cumulative balance, however the analysis for previous financial years must be recorded in the register and dealt with in terms of its recovery process. Refer to note 33.

1.17 Budget information

Entity are typically subject to budgetary limits in the form of appropriations or budget authorisations (or equivalent), which is given effect through authorising legislation, appropriation or similar.

The approved budget is prepared on an accrual basis and presented by economic classification linked to performance outcome objectives.

The approved budget covers the fiscal period from 2022/04/01 to 2023/03/31.

The budget for the economic entity includes all the entities approved budgets under its control.

The annual financial statements and the budget are on the same basis of accounting therefore a comparison with the budgeted amounts for the reporting period have been included in the Statement of comparison of budget and actual amounts.

The budget variances above 10% are investigated and explained. Refer to Note 34.

1.13 Revenue from non-exchange transactions (continued)

1.18 Related parties

A related party is a person or an entity with the ability to control or jointly control the other party, or exercise significant influence over the other party, or vice versa, or an entity that is subject to common control, or joint control.

Control is the power to govern the financial and operating policies of an entity so as to obtain benefits from its activities.

Joint control is the agreed sharing of control over an activity by a binding arrangement, and exists only when the strategic financial and operating decisions relating to the activity require the unanimous consent of the parties sharing control (the venturers).

Related party transaction is a transfer of resources, services or obligations between the reporting entity and a related party, regardless of whether a price is charged.

Significant influence is the power to participate in the financial and operating policy decisions of an entity, but is not control over those policies.

Management are those persons responsible for planning, directing and controlling the activities of the entity, including those charged with the governance of the entity in accordance with legislation, in instances where they are required to perform such functions. Close members of the family of a person are those family members who may be expected to influence, or be influenced by that person in their dealings with the entity.

The entity is exempt from disclosure requirements in relation to related party transactions if that transaction occurs within normal supplier and/or client/recipient relationships on terms and conditions no more or less favorable than those which it is reasonable to expect the entity to have adopted if dealing with that individual entity or person in the same circumstances and terms and conditions are within the normal operating parameters established by that reporting entity's legal mandate.

Where the entity is exempt from the disclosures in accordance with the above, the entity discloses narrative information about the nature of the transactions and the related outstanding balances, to enable users of the entity's financial statements to understand the effect of related party transactions on its annual financial statements.

1.19 Events after reporting

Events after reporting date are those events, both favourable and unfavourable, that occur between the reporting date and the date when the financial statements are authorised for issue. Two types of events can be identified:

- those that provide evidence of conditions that existed at the reporting date (adjusting events after the reporting date); and
- those that are indicative of conditions that arose after the reporting date (non-adjusting events after the reporting date).

The entity will adjust the amount recognised in the financial statements to reflect adjusting events after the reporting date once the event occurred.

The entity will disclose the nature of the event and an estimate of its financial effect or a statement that such estimate cannot be made in respect of all material non-adjusting events, where non-disclosure could influence the economic decisions of users taken on the basis of the financial statements.

1.20 Leases

A lease is classified as finance lease if it transfers substantially all the risks and rewards incidental to ownership. A lease is classified as an operating lease if it does not transfer substantially all the risks and rewards incidental to ownership.

Operating lease payments are recognised as an expense on a straight line basis over the lease term. The difference between the amounts recognised as an expense and the contractual payments are recognised as an operating lease asset or liability.

The aggregate benefit of incentives is recognised as a reduction of rental expense over the lease term on a straight line basis.

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NOTES TO THE ANNUAL FINANCIAL STATEMENTS

2. NEW STANDARDS AND INTERPRETATIONS

2.1 Standards and interpretations issued, but not yet effective

The entity has not applied the following standards and interpretations, which have been published and are mandatory for the entity's accounting periods beginning on or after 01 April 2023 or later periods:

Standard/ Interpretation:	Effective date: Years beginning on or after	Expected impact:
GRAP 25 (as revised): Employee Benefits	1 April 2025	Unlikely there will be a material impact
GRAP 104 (as revised): Financial Instruments	1 April 2025	Impact is currently being assessed
GRAP 21: The Effect of Past Decisions on Materiality	1 April 2023	Unlikely there will be a material impact
GRAP 2020: Improvements to the standards of GRAP 2020	1 April 2023	Unlikely there will be a material impact
GRAP 1 (amended): Presentation of Financial Statements	1 April 2023	Unlikely there will be a material impact

3. PROPERTY, PLANT AND EQUIPMENT

	2023			2022		
	Cost/Valuation	Accumulated depreciation and accumulated impairment	Carrying value	Cost/Valuation	Accumulated depreciation and accumulated impairment	Carrying value
Leasehold improvements	11 714 174	(8 977 262)	2 736 912	11 309 253	(6 773 342)	4 535 911
Furniture and fixtures	3 212 896	(1 533 931)	1 678 965	2 838 103	(1 385 483)	1 452 620
Motor vehicles	42 636 683	(12 777 639)	29 859 044	21 483 351	(11 089 140)	10 394 211
Office equipment	11 237 315	(6 359 494)	4 877 821	10 750 406	(5 837 740)	4 912 666
IT equipment	53 405 050	(38 124 041)	15 281 009	52 118 029	(34 828 908)	17 289 121
Total	122 206 118	(67 772 367)	54 433 751	98 499 142	(59 914 613)	38 584 529

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

3. PROPERTY, PLANT AND EQUIPMENT (CONTINUED)

Figures in Rand	Opening balance	Additions	Disposals	Depreciation	Total
RECONCILIATION OF PROPERTY, PLANT AND EQUIPMENT – 2023					
Leasehold improvements	4 535 911	404 921	-	(2 203 920)	2 736 912
Furniture and fixtures	1 452 620	374 831	-	(148 486)	1 678 965
Motor vehicles	10 394 211	21 895 573	(298 079)	(2 132 661)	29 859 044
Office equipment	4 912 666	486 985	-	(521 830)	4 877 821
IT equipment	17 289 121	1 508 300	(154 944)	(3 361 467)	15 281 009
Total	38 584 529	24 670 610	(453 023)	(8 368 364)	54 433 751

	Opening balance	Additions	Disposals	Depreciation	Total
RECONCILIATION OF PROPERTY, PLANT AND EQUIPMENT – 2022					
Leasehold improvements	4 544 450	330 727	-	(339 266)	4 535 911
Furniture and fixtures	1 381 552	206 867	-	(135 799)	1 452 620
Motor vehicles	12 300 113	-	-	(1 905 901)	10 394 211
Office equipment	4 551 126	874 930	-	(513 390)	4 912 666
IT equipment	20 945 731	42 135	(127 722)	(3 571 023)	17 289 121
Total	43 722 972	1 454 659	(127 722)	(6 465 379)	38 584 529

None of the assets above are pledged as security.

Financial year end	2023	2022
REPAIRS AND MAINTENANCE		
Repairs and maintenance during the year	1 426 057	569 672

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4. INTANGIBLE ASSETS

Figures in Rand	2023			2022		
	Cost/Valuation	Accumulated amortisation and accumulated impairment	Carrying value	Cost/Valuation	Accumulated amortisation and accumulated impairment	Carrying value
Computer software	5 491 459	(3 036 672)	2 454 787	5 491 459	(2 842 851)	2 648 608

	Opening balance	Amortisation	Total
RECONCILIATION OF INTANGIBLE ASSETS – 2023			
Computer software	2 648 608	(193 821)	2 454 787

RECONCILIATION OF INTANGIBLE ASSETS – 2022			
Computer software	2 839 765	(191 157)	2 648 608

PLEGGED AS SECURITY

None of the assets above are pledged as security.

NOTES TO THE ANNUAL FINANCIAL STATEMENTS

5. CASH AND CASH EQUIVALENTS

Figures in Rand	2023	2022
CASH AND CASH EQUIVALENTS CONSIST OF:		
Cash on hand	87 000	72 131
Bank balances	748 715 443	761 901 080
	748 802 443	761 973 211

Included in the above bank balance of R748 715 443 (2022: R761 901 080) is an employee saving scheme of R621 400 (2022: R507 900). Deductions are made from employee's net salaries and are saved by the SIU. This is done on a voluntary basis and are paid upon request. Refer to note 12 for further details.

In terms of section 53(3) of the PFMA, the SIU as a public 3A entity may not accumulate a surplus without prior written approval of National Treasury being obtained. In order to give guidance to public entities and to operationalise this section of the PFMA, National Treasury had issued Instruction Note 12 of 2020/21 on 02 September 2020, that indicates that a public entity must declare all surpluses to the relevant treasury from 01 August to 30 September of each year, after the financial year-end. The SIU will submit a motivation and request to retain all of its surpluses to National Treasury by 30 September 2023 once the annual financial statements have been audited and approved.

Bank balances are as per cashbook and bank statement balances.

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6. RECEIVABLES FROM EXCHANGE TRANSACTIONS

Figures in Rand	2023	2022
Trade debtors***	322 773 511	296 313 834
Deposits	70 733	70 733
Prepaid expenses	2 657 796	2 639 095
Staff study loans	120 476	56 691
Other staff debt *	425 661	439 469
Insurance claims**	204 707	-
	326 252 884	299 519 822

NOTES ON TRADE AND OTHER RECEIVABLES

*Other staff debtors relate to debt owed by former and current SIU employees that are different in nature including negative leave, overpayments and these are recovered from the said employees on agreed terms.

** The receivable relates to insurance claims not yet settled at the end of the financial year.

*** The comparative figures for the financial year 2021/2022 have been restated in the annual financial statements. Refer to note 28 for detail.

CREDIT QUALITY OF TRADE AND OTHER RECEIVABLES

The credit quality of trade and other receivables that are neither past nor due nor impaired can be assessed by reference to external credit ratings (if available) or to historical information about counterparty default rates:

TRADE AND OTHER RECEIVABLES PAST DUE BUT NOT IMPAIRED

Trade and other receivables which are less than three months past due are not considered to be impaired. At 31 March 2023, R69 439 026 (2022: R54 345 522) were past due but not impaired.

The ageing of amounts past due is disclosed under note 29 risk management.

6. RECEIVABLES FROM EXCHANGE TRANSACTIONS (CONTINUED)

Figures in Rand	2023	2022
3 months past due	69 439 026	54 345 522

TRADE AND OTHER RECEIVABLES IMPAIRED

As of 31 March 2023, trade and other receivables of R 1 005 575 872 (2022: R 857 655 602) were impaired and provided for.

The amount of the provision was (R682 802 361) as of 31 March 2023 (2022: R561 341 768).

COMPOSITION OF NET TRADE DEBTORS

Gross trade debtors	1 005 575 872	857 655 602
Provision for doubtful debts	(682 802 361)	(561 341 768)
	322 773 511	296 313 834

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6. RECEIVABLES FROM EXCHANGE TRANSACTIONS (CONTINUED)

The table below is the analysis of the growth in trade debtors between 2022/23, 2021/22 and the related provisions.

Figures in Rand	2023	2022 *Restated	Difference
GROSS TRADE DEBTORS PER SPHERE OF GOVERNMENT			
Local government	216 467 620	189 350 149	27 117 471
National departments	206 131 014	188 838 489	17 292 526
Provincial government	254 412 323	246 246 083	8 166 240
Public entities	328 564 914	233 220 881	95 344 034
	1 005 575 872	857 655 602	147 920 271
PROVISION FOR DOUBTFUL DEBT PER SPHERE OF GOVERNMENT			
Local government	(206 194 704)	(169 355 154)	(36 839 550)
National departments	(63 676 759)	(101 164 416)	37 487 657
Provincial government	(204 836 155)	(162 555 895)	(42 280 261)
Public entities	(208 094 743)	(128 266 303)	(79 828 440)
	(682 802 361)	(561 341 768)	(121 460 593)
NET TRADE DEBTORS PER SPHERE OF GOVERNMENT			
Local government	10 272 916	19 994 995	(9 722 079)
National departments	142 454 255	87 674 073	54 780 183
Provincial government	49 576 168	83 690 189	(34 114 021)
Public entities	120 470 171	104 954 577	15 515 594
	322 773 511	296 313 834	26 459 678

6. RECEIVABLES FROM EXCHANGE TRANSACTIONS (CONTINUED)

Figures in Rand	2023	2022
RECONCILIATION OF PROVISION FOR IMPAIRMENT OF TRADE AND OTHER RECEIVABLES		
Opening balance	561 341 768	429 885 946
Provision for impairment	121 460 593	131 455 822
	682 802 361	561 341 768

7. RECEIVABLES FROM NON-EXCHANGE TRANSACTIONS

The Criminal Assets Recovery Account (CARA) funds	-	5,000,000
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NOTES

The previous year balance represents CARA funds that were allocated to the SIU for a three-year period for specific projects. The three-year period expired on 31 December 2022 resulting in unspent funds being due to Department of Justice. The unspent CARA funds are no longer available as a receivable from the Department of Justice. Refer to notes 10 and 16 for detail.

None of the receivables from non-exchange transactions is pledged as security.

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8. BANK BALANCES – RECOVERIES/PAYABLES

	Opening balance	Collections	Payments during the period	Net movement in interest and bank charges	Total
BANK BALANCE – RECOVERIES					
Movements – 2022/23	142 520 221	191 166 578	(119 349 401)	8 712 595	223 049 993
PAYABLES – RECOVERIES					
Movements – 2021/22	67 311 196	80 303 828	(5 101 239)	6 435	142 520 221

The SIU has several agreements with state institutions to recover funds from recipients who received financial assistance that they were not entitled to or committed acts of fraud / corruption and that originated as a result of SIU investigations. The funds are recovered through the SIU acknowledgement of debt section within finance and is kept in trust accounts. The SIU periodically prepares reconciliations of what has been recovered and pays over these funds to relevant institutions. Funds not yet paid over to such entities at financial year end are disclosed as 'payable recoveries' on the face of the statement of financial position.

9. PAYABLES FROM EXCHANGE TRANSACTIONS

Figures in Rand	2023	2022
Trade payables *	64 890 362	90 115 937
Income received in advance	152 685	152 685
Accrued leave pay	25 650 383	26 907 715
	90 693 430	117 176 337

*The comparative figures for the financial year 2021/2022 have been restated in the annual financial statements. Refer to note28 for detail.

10. PAYABLES FROM NON-EXCHANGE TRANSACTIONS

CARA income received in advance	-	8,058,930
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CARA income received in advance R0,00 (2022: R8,058,930) relates to payments received from The Department of Justice.

CARA Funds were allocated to the SIU for a three-year period for specific projects but not all the funds were utilised as the projects were not yet finalised as of 31 December 2022. The unspent CARA funds are no longer available as receivable. The portions of funds previously received in advance are payable back to The Department of Justice. Refer to note 16.

11. OPERATING LEASE LIABILITIES

Operating lease	(4 355 959)	(4 127 502)
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This balance represents the difference between the contractual amounts payable over the lease period and the straight lined amounts as per the requirements of GRAP 13.

12. OTHER FINANCIAL LIABILITIES

Figures in Rand	2022	2021
AT AMORTISED COST		
Employee savings scheme	621 400	507 900

The balance represents employee savings scheme. Refer to note 8 for more details.

CURRENT LIABILITIES		
At amortised cost	621 400	507 900

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13. PROVISIONS

	Opening Balance	Additions	Utilised during the year	Total
RECONCILIATION OF PROVISIONS – 2023				
Performance bonuses	56 669 025	58 330 975	(54 597 756)	60 402 244
RECONCILIATION OF PROVISIONS – 2022				
Performance bonuses	50 888 206	54 909 409	(49 128 590)	56 669 025

In terms of the SIU's current performance appraisal policy, all employees are assessed once a year based on their work output. For both the 2022 and 2023 financial years, an approach was followed whereby a realistic total pool of funds was determined by management, and approved by the Accounting Authority, which was then split amongst qualifying employees, considering the relevant performance scores and their total salary packages, relative to each other in relation to the total payroll costs of the SIU.

This was mainly done to ensure fairness and parity between all the employees bonus payments, and to ensure that given the current fiscal pressures on government, the payroll is not unnecessarily increased with performance related increases that would burden the future payroll costs out of proportion.

14. REVENUE

Figures in Rand	2023	2022
Rendering of services - investigations**	388 369 509	372 563 681
Rendering of services - recovery of legal and experts costs**	46 803 949	94 296 055
Interest received	40 796 975	24 462 958
Gain on disposal of assets	196 413	66 989
Government grants	452 060 000	437 878 000
CARA funds	7 941	2 014 582
Rental of premises paid on behalf of the SIU *	6 183 368	5 830 812
	934 418 155	937 113 077

Figures in Rand	2023	2022
The amount included in revenue arising from exchanges of goods or services are as follows:		
Rendering of service - investigations	388 369 509	372 563 681
Rendering of services - recovery of legal and experts costs	46 803 949	94 296 055
Interest received	40 796 975	24 462 958
Gain on disposal of assets	196 413	66 989
	476 166 846	491 389 683

The amount included in revenue arising from non-exchange transactions is as follows:

TRANSFER REVENUE		
Government grants and subsidies	452 060 000	437 878 000
CARA funds	7 941	2 014 582
Rental of premises paid on behalf of the SIU*	6 183 368	5 830 812
	458 251 309	445 723 394

*The East London and Mthatha office leases are paid for by the Department of Public Works and are not refundable by the SIU.

** During the current financial year, revenue from rendering of services has been split to disclose revenue from rendering of services – investigation and recovery of costs. Revenue from rendering of services – investigations, consists of billing for hours spent by SIU members on investigation, whilst recovery of costs consists of invoicing by experts, including Senior Counsel, used by the SIU on investigations. State institutions investigated by the SIU are invoiced for these costs. Comparative figures were also split to reflect different categories of revenue.

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15. GOVERNMENT GRANTS

OPERATING GRANTS

Government grant	452 060 000	437 878 000
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The SIU relies partly on a Government Grant received from National Treasury through the Department of Justice and Constitutional Department. The Grant is determined and allocated to the SIU during the annual MTEF budgeting processes, and ultimately approved by Parliament during the governance processes. The grant is allocated to assist the SIU with exercising its mandate and, in so doing, defray operational and capital expenditure incurred by the SIU.

There are no conditions attached to the Grant except for it being utilized in the execution of the SIU's mandate

16. CARA FUNDS

Figures in Rand	2023	2022
Transfers received from Department of Justice	7 941	2 014 582

In terms of section 68 of the Prevention of Organised Crime Act, 1998 (Act No 121 of 1998), (POCA), Cabinet approved on 3 December 2019, the recommendation of the Criminal Asset Recovery Committee (CARC), to allocate an amount of R16 million to the SIU to support corruption fighting activities (R5 million) and activities relating to the SIU Special Tribunal (R11 million).

Movement of the amount during the 2022/23 financial year are as follows:

R5 million for activities that forms part of the National Anti-Corruption Strategy Action Plan, including the resuscitation of the National Anti-Corruption Forum. As of 31 March 2023, no expenses have yet been incurred on these activities. Projects funded by CARA funds are allocated a maximum of three years to be finalised and this period was reached on 31 March 2023. The funds were therefore reversed out of income received in advance and receivables. In 2017, R4 450 000 was allocated to the Department of Planning, Monitoring and Evaluation for the National Anti-Corruption strategy development, managed by the SIU and has been transferred by the DoJ&CD in full. R178 164 of this amount was used during the 2018/19 financial, a further R843 013.12 in the 2019/20 financial year, R357 339.14 in the 2020/21 financial year and R12 554.48 in the 2021/22 financial year. An amount of R7 941 was used in the 2022/23 financial year. These amounts have been recognised as income and expenditure in the Statement of Financial Performance.

The balance of R3 050 989 as of 31 March 2023 has been disclosed as a payable to DOJ&CD, as this amount is no longer available to be utilised for this project. Projects funded through CARA funds are allocated a maximum number of three years to be finalised. The total CARA income recognised in the 2022/23 financial year is therefore R7 941.

17. OPERATING LEASE EXPENSES

Figures in Rand	2023	2022
PREMISES		
Straight-lined lease expenditure	39 163 334	37 565 837
OFFICE EQUIPMENT		
Printing equipment	1 825 274	1 713 499
OTHER		
Office plant rentals	36 333	33 874
	41 024 941	39 313 210

18. EMPLOYEE RELATED COSTS

Figures in Rand	2023	2022
Basic salaries	440 596 171	387 327 951
Performance bonuses paid and/ or accrued for	58 330 975	54 909 409
Medical aid - company contributions*	3 105 018	159 912
UIF	2 068 412	1 841 124
Provident fund contributions	46 163 015	42 386 563
Leave pay provision charge	(1 262 278)	(1 707 913)
Funeral benefits	129 815	70 059
Travel related allowances and costs	2 033 018	1 856 557
Acting allowances	1 149 999	1 167 610
	552 314 145	488 011 272

*The SIU has implemented a medical aid subsidy for its employees with effect from March 2023, after having received the necessary approvals from the Executive Authority and National Treasury.

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Figures in Rand	2023	2022
ADV JL MOTHIBI – HEAD OF THE UNIT		
Annual remuneration	2 420 691	2 282 768
Performance bonus - 2018	371 226	-
Performance bonus - 2019	483 825	-
Performance bonus - 2020	437 941	-
Performance bonus - 2021	376 034	-
Contributions to UIF, medical and pension funds	358 588	342 959
Other	21 816	21 816
	4 470 121	2 647 543

The performance bonus amounts relating to previous financial years had been accrued in those financial years, but paid out only in 2022/23 once all the governance processes had been completed.

A GERNANDT – CHIEF FINANCIAL OFFICER		
Annual remuneration	1 825 001	1 743 342
Car allowance	24 000	24 000
Performance bonus	300 193	280 633
Contributions to UIF, medical and pension funds	206 851	197 818
Other	29 439	21 693
	2 385 484	2 267 486

18. EMPLOYEE-RELATED COSTS (CONTINUED)

Figures in Rand	2023	2022
MT MKHUNGO - CHIEF RISK OFFICER		
Annual remuneration	1 644 210	1 540 172
Car allowance	94 584	94 584
Performance bonus	273 443	255 626
Contributions to UIF, medical and pension funds	188 627	180 386
Other	27 840	20 340
	2 228 704	2 091 108
LG LEKGETHO - NATIONAL CHIEF INVESTIGATIONS OFFICER		
Annual remuneration	1 729 818	1 632 184
Car allowance	14 688	14 688
Performance bonus	289 712	270 835
Contributions to UIF, medical and pension funds	258 923	247 626
Other	28 578	20 340
Long Service Award	5 000	-
	2 326 719	2 185 673
DR JO WELLS - CHIEF LEGAL COUNSEL		
Annual remuneration	1 711 826	1 632 773
Performance bonus	300 193	280 633
Contributions to UIF, medical and pension funds	342 445	327 517
Other	29 439	21 693
Long Service Award	5 000	-
	2 388 903	2 262 616

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18. EMPLOYEE RELATED COSTS (CONTINUED)

Figures in Rand	2023	2022
PR MAHARAJ - CHIEF PROGRAMME PORTFOLIO OFFICER		
Annual remuneration	1 811 740	1 725 510
Performance bonus	292 328	273 280
Contributions to UIF, medical and pension funds	201 493	192 693
Other	29 439	21 693
Long Service Award	5 000	-
	2 340 000	2 213 176
KT ZWANE - CHIEF INFORMATION OFFICER		
Annual remuneration	1 686 218	1 606 010
Performance bonus	223 130	191 208
Contributions to UIF, Medical and Pension Funds	188 627	180 386
Other	27 840	20 340
	2 125 815	1 997 944
MN MASOMBUKA - CHIEF HUMAN CAPITAL OFFICER		
Annual remuneration	1 451 052	1 368 104
Car allowance	90 000	90 000
Performance bonus	248 097	189 256
Contributions to UIF, medical and pension funds	181 313	163 869
Other	28 578	20 340
	1 999 040	1 831 569

18. EMPLOYEE RELATED COSTS (CONTINUED)

Figures in Rand	2023	2022
BH LESHOPPE - CHIEF AUDIT EXECUTIVE		
Annual remuneration	1 317 346	1 256 601
Car allowance	64 752	64 752
Performance bonus	232 484	217 335
Contributions to UIF, Medical and Pension Funds	208 238	199 145
Other	27 840	20 340
	1 850 660	1 758 173
MK KGANYAGO - HEAD: COMMUNICATION AND STAKEHOLDER RELATIONS	1 402 987	1 266 653
Annual remuneration	232 484	217 335
Performance Bonuses	269 683	254 139
Contributions to UIF, medical and pension funds	27 340	20 340
	1 932 494	1 758 467
ZL MGULI - HEAD: STRATEGY, MONITORING & REPORTING		
Annual remuneration	-	738 728
Contributions to UIF, medical and pension funds	85	56 445
Other*	8 475	-
	8 560	795 173

Mr Mguli resigned on 31 August 2021.

* The amounts paid in 2022/23 related to non-pensionable cash allowance R8 475 and company contributions R84.75.

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18. EMPLOYEE RELATED COSTS (CONTINUED)

Figures in Rand	2023	2022
T DLAMINI - HEAD: STRATEGY, MONITORING AND REPORTING		
Annual remuneration	238 384	-
Contributions to UIF, medical and pension funds	27 889	-
Other	10 890	-
	277 163	-

Ms Dlamini was appointed on 1 February 2023.

19. DEPRECIATION AND AMORTISATION

Property, plant and equipment	8 368 364	6 465 379
Intangible assets	193 821	191 157
	8 562 185	6 656 536

20. DEBT IMPAIRMENT

Figures in Rand	2023	2022
IMPAIRMENTS		
Trade and other receivables	121 460 593	131 455 821

The SIU makes an assessment of debtors accounts on an ongoing basis in line with the debtors management policy to determine whether there are any prospects of recovering such debts. Factors taken into account include payment history, engagement with Institutions being investigated, financial position of such institutions and any other factors that may assist management in determining whether the debts are recoverable or not.

The current years' impairment amount is based on assessments performed on balances outstanding at the end of the financial year and the growth is largely due to the fact that the debt book has been growing materially with relatively low payments received during the 2022/23 financial year:

Management has engaged in various follow-up actions to assist in recovering the outstanding debt, including National Treasury and other governance structures.

21. PROFESSIONAL FEES

Figures in Rand	2023	2022
Internal audit fees	1 890 313	1 099 782

Some internal audit functions are outsourced to an external service provider. These expenses represent the fees incurred and paid to the service provider.

22. GAIN/LOSS ON DISPOSAL OF ASSETS

Gains on disposal of assets	196 413	66 989
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Gains on disposal of assets represents the net of assets written off due to damage or theft and insurance proceeds.

23. GENERAL EXPENSES

Consulting and professional fees (1) *	65 560 602	117 941 727
Travel - local (2)	32 114 035	22 132 257
Software and other licences (3)	9 878 725	7 649 033
Electricity, water and municipal rates *	7 126 258	6 884 219
Security (4)	7 095 865	5 013 932
Telephone and fax	4 002 424	3 483 058

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Auditors remuneration (6)	3 724 974	5 394 009
Printing and stationery	2 879 463	2 122 767
Placement fees (5)	2 777 689	1 987 605
Cleaning	2 604 446	2 199 584
Official functions and meetings (12)	2 331 354	818 818
Relocation costs	1 813 563	1 734 391
Insurance	1 717 290	1 639 720
Repairs and maintenance (7)	1 452 686	584 374
Advertising (8)	1 153 314	617 832
Bursaries (9)	1 135 878	833 645
Travel - overseas (10)	1 128 840	5 928
Uniforms (11)	1 024 680	578 777
Consumables (15)	978 454	263 285
Office expenses	956 984	1 092 691
Staff welfare (13)	772 399	239 374
Training (14)	499 755	74 240
Data scanning, traces and deed searches	435 995	870 964
Bank charges	305 650	217 480
Courier services (16)	253 457	163 019
Conferences and seminars (17)	217 550	100 705
Storage fees (18)	202 064	244 677
Membership fees and subscriptions (19)	199 867	303 818
Postage and courier*	65 844	57 200
Motor vehicle expenses	55 637	35 838
Magazines, books and periodicals	15 880	29 497
	154 481 622	185 314 464

*The comparative figures for the financial year 2021/2022 have been restated in the annual financial statements. Refer to note 28 for detail.

23. GENERAL EXPENSES (CONTINUED)

(1) CONSULTING AND PROFESSIONAL FEES

The drastic decrease in consulting and professional fees is because of restatement of previous years legal fees to recognise invoices submitted to the SIU by Department of Justice at the end of the 2022/23 financial year that related to previous financial periods. These costs could not be recognised in correct financial periods because they were presented only after the 2021/22 financials were finalised and signed off. Given the materiality of these costs, management took a decision to restate the previous year's figures to reflect the true reflection of activities that took place during such periods. Refer to note 28 for the relevant amounts per financial year.

(2) TRAVEL COSTS

The Increase in travel costs is as a result of increase in travel after restrictions on travel due to Covid-19 were cancelled. Restrictions during the 2021/2022 financial year were still in force in some cases. There has also been an increase in personnel involved in investigations during the year under review which has a direct influence on travel costs.

(3) SOFTWARE AND OTHER LICENCES

Increase in licence fees is as a result of additional licences bought from Microsoft and contracts signed with service providers for legal library services and profile searches on investigations.

(4) SECURITY

Increase in security costs is due to deployment of additional security personnel in SIU offices in line with security strategy to secure premises, members and assets of the SIU.

(5) PLACEMENT AND SCREENING FEES

Increase in credit and qualification checks is as a result of searches made mainly with regards to the National Student Financial Aid Scheme investigation project.

(6) AUDIT REMUNERATION

Significant decrease in audit remuneration is as a result of the external audit during the 2022/23 financial year starting later than the previous financial year meaning less hours spent.

(7) REPAIRS AND MAINTENANCE

Increase is due to the increase in costs incurred in maintaining the old ageing SIU fleet.

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(8) ADVERTISING

Increase is due to more advertisement placed through different media for vacant SIU positions.

(9) BURSARIES

Increase is directly due to increase in applications by SIU personnel.

(10) TRAVEL - OVERSEAS

Increase in overseas travel is as a result of lifting of COVID-19 restrictions during the year under review as compared to previous financial periods.

(11) UNIFORMS (BRANDED ITEMS)

Increase due to newly promotional material procured during the year under review. This includes banners, diaries and posters.

(12) OFFICIAL FUNCTIONS AND MEETINGS

Increase in official functions and meetings is as a result of many more face-to-face meetings taking place during the year under review as compared to the previous year. There has also been an increase in the number on interviews that took place.

(13) STAFF WELFARE

Increase due to long service awards held by the SIU for the first time during the year under review.

(14) TRAINING

Training during the year under review was increased as a results of opportunities created for members to train and the fact that COVID-19 restrictions were removed completely as compared to the previous financial year.

(15) CONSUMABLES

Increase due to small assets expensed that are below the capitalisation threshold. (16) Courier services

Increase due to normal inflationary increase plus several urgent same day deliveries, including long service awards that had to be in Provincial offices on time for ceremonies.

(17) CONFERENCES AND SEMINARS

Increase due to relaxed Covid-19 restrictions that led to more face to face conferences being arranged and attended by the SIU members in this case.

(18) STORAGE FEES

Decrease due to the document warehouse strategy being implemented where archived documents with service providers are scanned, saved and hard copies destroyed or send back to institutions being investigated.

(19) MEMBERSHIP FEES AND SUBSCRIPTIONS

There was a substantial amount paid for Commonwealth membership during the 2022 financial year, hence the decrease.

24. CASH GENERATED FROM OPERATIONS

Figures in Rand	2023	2022
Surplus	54 684 356	85 261 992
ADJUSTMENTS FOR:		
Depreciation and amortisation	8 562 185	6 656 536
Gains on disposal of assets	(196 413)	(66 989)
Debt impairment growth	121 460 593	131 455 821
Movements in provisions	3 733 219	5 780 819
CHANGES IN WORKING CAPITAL:		
Increase in receivables from exchange transactions	(147 970 247)	(230 653 704)
Other receivables	5 000 000	2 000 000
Decrease in prepayments	(18 701)	(1 964 160)
Increase in payables from exchange transactions	(26 140 950)	25 157 801
Decrease in payables from non-exchange transaction	(8 058 930)	(2 014 582)
	11 055 112	21 613 534

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NOTES TO THE ANNUAL FINANCIAL STATEMENTS

25. COMMITMENTS

Figures in Rand	2023	2022
OPERATING LEASES		
ALREADY CONTRACTED FOR BUT NOT PROVIDED FOR:		
- Minimum lease payments due – within 1 year	30 222 735	23 928 647
- Minimum lease payments due – within 2–5 years	42 722 572	44 234 708
	72 945 307	68 163 355
TOTAL COMMITMENTS		
Authorised operational expenditure	72 945 307	68 163 355

Operating lease payments represent rentals payable by the entity for some of its office properties. Leases are negotiated for an average term ranging between one and five with an average escalation rate of between 5% and 8.5%. No contingent rent is payable.

26. CONTINGENCIES

CONTINGENT LIABILITIES

Claims against the SIU	4 180 643	4 630 643
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26.1 Claims against the SIU

The contingent liability for the current year comprises three members of the SIU and a company investigated under a SIU Proclamation for defamation. In the list and in certain cases, the SIU disputes the merits and in others is of the view that the merits do not favour the SIU in projecting an outcome. The SIU forms an opinion on the possible liability of the SIU upon finalisation of the matter and based on the probability, projects the possible financial impact. The probability is based on counsel's opinion on merits and quantum. Trial dates have not been set and consequently the SIU is unable to provide dates of finalisation of these cases, thereby giving rise to the uncertainty relating to the amount or timing of any financial outflows.

26.2 Accumulated surplus

In terms of section 53(3) of the PFMA, the SIU as a public 3A entity may not accumulate a surplus without prior written approval of National Treasury being obtained. In order to give guidance to public entities and to operationalise this section of the PFMA, National Treasury had issued Instruction Note 12 of 2020/21 on 02 September 2020, that indicates that a public entity must declare all surpluses to the relevant treasury from 01 August to 30 September of each year, after the financial yearend. The SIU will submit a motivation and request to retain all of its surpluses to National Treasury by 30 September 2023 once the annual financial statements have been audited and approved.

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27. RELATED PARTIES

RELATIONSHIPS	
Executive Authority	Department of Justice and Constitutional Development
Entities in the same portfolio	Aid South Africa (Legal Aid SA) Public Protector South Africa
	South African Human Rights Commission Justice Modernisation
	Presidents Funds Guardian's Fund
	Criminal Asset Recovery Account (CARA) Office of the Chief Justice
	Rules Board for Courts Law Council for Debt Collectors South African Board for Sheriffs
	South African Law Reform Commission
	Criminal Asset Recovery Account (CARA)
	Office of the Chief Justice
	Rules Board for Courts Law
	Council for Debt Collectors
	South African Board for Sheriffs
	South African Law Reform Commission
	Members of key management
MT Mkhungo	
LK Lekgetho	
Dr JO Wells	
P Maharaj	
B Leshope	
T Zwane	
N Masombuka	
MK Kganyago	
T Dlamini	

The SIU has been established by Government in terms of national legislation, act 74 of 1996, as amended. The Minister of Justice and Correctional Services is the Executive Authority of the SIU. The SIU is ultimately controlled by the National Executive.

Parties are considered to be related if one party has the ability to control the other party or to exercise significant influence or join the SIU in making operational or operating decisions.

As a result of the constitutional independence of all three spheres of Government, within the National Sphere of government, public sector entities (national departments, national trading entities, schedule 2, 3A and 3B public entities, constitutional institutions, Parliament, etc) are related parties. Entities in the national sphere of government are considered related parties of the SIU by virtue of the common control through Parliament.

In terms of the SIU's mandate to investigate any fraud & corruption or maladministration in any organ of state as provided for in the Special Investigating Unit and Special Tribunal Act 74 of 1996 (SIU Act), the national sphere of government and/or Public entities as referred to in paragraph three above, being related parties, may have been charged for investigation services fees and expenses for any work done in terms of the Special Investigating Unit and Special Tribunal Act 74 of 1996 (SIU Act). Such charges are included in revenue in the statement of financial performance and any outstanding balances at the reporting date are included in trade receivables in the statement of financial position.

27. RELATED PARTIES (CONTINUED)

Figures in Rand	2023	2022
RELATED PARTY TRANSACTIONS AND BALANCES (CONTROLLING AND RELATED ENTITIES)		
LOAN ACCOUNTS – OWING (TO) BY RELATED PARTIES		
Debtors balances - owing to the SIU by DoJ&CD	11 744 481	73 287 657
Accounts payable - owing by the SIU to DoJ&CD*	(53 397 958)	(81 264 168)
Amounts included in revenue invoiced by the SIU to DoJ&CD	(30 039 834)	(38 364 401)
Legal costs included in expenses invoiced by the DoJ&CD to the SIU*	36 352 288	86 986 283

During the normal course of business, there have been proclamations within the Department of Justice where investigations have been done or are still ongoing.

With regards to legal costs paid to DoJ (Office of the State Attorney – OSA), it's important to note that, from an accounting point of view, the relationship between the OSA and the SIU is governed under the ambit of GRAP 109 – Accounting by Principles and Agents, where the SIU is defined as the 'principal' and the DoJ is defined as the 'agent'. The OSA in the DoJ (the agent) procures legal services and undertake transactions on behalf and for the benefit of the SIU (the principal), in the SIU carrying out its legal mandate to enter into civil litigation in order to recover funds for the state.

*Refer to note 28 for the 2022 restated figures.

AMOUNTS INCLUDED IN TRADE RECEIVABLE (TRADE PAYABLE) REGARDING RELATED PARTIES		
Debtors balance owing to the SIU by the NPA	-	515 459

As at 31 March 2023, an amount of R0 (2022: R515 459) was owed to the SIU by the NPA as the outstanding balance by the NPA at end of March 2022 was settled during the year under review.

CRIMINAL ASSET RECOVERY ACCOUNT		
Revenue recognised in the statement of financial performance	7941	2 014 582

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27. RELATED PARTIES (CONTINUED)

CARA FUNDS ALLOCATED IN 2022/23 FINANCIAL YEAR:

CARA funds were allocated to the SIU for a three-year period for specific projects. Refer to note 16 for details.

Figures in Rand	2023	2022
SERVICES IN KIND TRANSACTIONS BETWEEN THE SIU AND DPW		
Rental of premises on behalf of the SIU by the Department of Public Works and Infrastructure	6 183 368	5 830 812

The amount represents payment made by the Department of Public Works and Infrastructure for premises occupied by the SIU in East London and Mthatha. Refer to note 14.

Figures in Rand	2023	2022
RELATED PARTY TRANSACTIONS – NATIONAL AND PUBLIC ENTITIES		
REVENUE		
National departments*	112 664 562	142 896 582
Public entities	216 141 885	185 419 529
GROSS TRADE DEBTORS		
National departments*	206 131 014	188 838 489
Public entities	328 564 914	233 220 881
PROVISION FOR DOUBTFUL DEBTS		
National departments	(63 676 759)	(101 164 416)
Public entities	(208 094 743)	(128 266 303)
NET TRADE DEBTORS		
National departments*	142 454 255	87 674 072
Public entities	120 470 171	104 954 577

The comparative figures for the financial year 2021/22 have been restated in the annual financial statements. Refer to note 28 for detail.

28. PRIOR YEAR ADJUSTMENTS

Presented below are those items contained in the statement of financial position, statement of financial performance and cash flow statement that have been affected by prior-year adjustments:

Statement of financial position

Figures in Rand				
2021	Notes	As previously reported	Correction of error	Restated
Receivables from exchange transactions	6	190 200 139	8 157 641	198 357 780
Payables from exchange transactions	9	(84 134 902)	(8 100 441)	(92 235 343)
Accumulated Surplus		835 867 281	57 200	835 924 481

Figures in Rand				
2022	Notes	As previously reported	Correction of error	Restated
Receivables from exchange transactions	6	272 011 439	27 508 382	299 519 821
Payables from exchange transactions	9	(89 667 955)	(27 508 382)	(117 176 337)
Accumulated Surplus		921 186 476	-	921 186 476

Statement of financial performance

Figures in Rand						
2021	Notes	As previously reported	Correction of error	Reclassification	Reclassification	Restated
General expenses	23	(118 842 661)	(8 100 441)	166 991	(166 991)	(126 943 102)
Revenue from exchange transactions	14	324 670 285	8 157 641			(332 827 926)

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28. PRIOR YEAR ADJUSTMENTS (CONTINUED)

Figures in Rand					
2022	Notes	As previously reported	Correction of error	Reclassification	Restated
General expenses	23	(166 073 514)	(19 407 941)	166 991	(185 314 464)
Revenue from exchange transactions	14	472 038 941	19 350 741	-	491 389 682
Operating lease expenses		39 146 219	-	166 991	39 313 210

Unrecorded revenue and expenses

During the 2022/23 financial year, the SIU received invoices from Department of Justice to the value R27,508,382 relating to the previous financial periods. Of this amount, R19 350 741 relates to the 2021/22 financial year while R8 157 641 relates to periods prior to the 2020/21 financial year.

When concluding the annual financial statements for the 2021/22 financial year, SIU management were not aware of the costs as they were presented to the entity only towards the end of the 2022/23 financial year. Given the materiality of the amounts, management made a decision to restate previous years figures in terms of GRAP 3 to reflect the true reflection of costs relating to the relevant financial periods.

Expenses recorded in the incorrect accounting period

During the 2020/21 financial year, SIU incorrectly recorded postage cost invoices for 2021/22 in the 2020/21 financial year. This cut-off error resulted in the overstatement of postage cost expense and payables from exchange transactions in the 2020/21 financial year by R57 200 and understatement of postage cost expense and payables from exchange transactions in the 2021/22 financial by the same amount. Given the materiality of the amounts, management made a decision to restate previous years figures in terms of GRAP 3 to reflect the true reflection of costs relating to the relevant financial periods.

Incorrect classification of expenses

During the 2021/22 financial year, SIU incorrectly classified rental expenses of R166 991 to the water and electricity expense. The comparative amounts have been reclassified to correct the disclosure. Please refer to note 23.

29. RISK MANAGEMENT

FINANCIAL RISK MANAGEMENT

The SIU's activities expose it to a variety of financial risks: market risk (including currency risk, fair value interest rate risk, cash flow interest rate risk and price risk), credit risk and liquidity risk.

LIQUIDITY RISK

The SIU's risk to liquidity is a result of the funds available to cover future commitments. The SIU manages liquidity risk through an ongoing review of future commitments and credit facilities.

The table below analyses the SIU's financial liabilities and net-settled derivative financial liabilities into relevant maturity groupings based on the remaining period at the statement of financial position to the contractual maturity date. The amounts disclosed in the table are the contractual undiscounted cash flows. Balances due within 12 months equal their carrying balances as the impact of discounting is not significant

	Less than 1 year	Between 1 and 2 years	Between 2 and 5 years	Over 5 years
AT 31 MARCH 2023				
- Other financial liabilities	(621 400)	-	-	-
- Payables from exchange transactions	(90 693 430)	-	-	-
	(91 314 830)	-	-	-
	Less than 1 year	Between 1 and 2 years	Between 2 and 5 years	Over 5 years
AT 31 MARCH 2022				
- Other financial liabilities	(507 900)	-	-	-
- Payables from exchange transactions	(117 176 337)	-	-	-
	(117 684 237)	-	-	-

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CREDIT RISK

Credit risk consists mainly of cash deposits, cash equivalents, derivative financial instruments and trade debtors. The SIU deposits cash only with major banks with high-quality credit standing and limits exposure to any one counterparty.

Financial assets exposed to credit risk at year end were as follows:

Figures in Rand	2023	2022
FINANCIAL INSTRUMENT		
Receivables from exchange transactions	326 252 884	299 519 822
Cash and cash equivalents	748 802 443	761 973 211
	1 075 055 327	1 061 493 033

29. RISK MANAGEMENT (CONTINUED)

Provision for doubtful debts criteria:

1. Amounts over 120 days will be provided for, unless there are payments made towards these invoices post-31 March.
2. Total debts, i.e. balance at year-end, will be provided for where no payment was received during the financial year under review.

The age analysis of receivables as at reporting date that are past due but not impaired:

Age analysis of amounts past due but not impaired - 2023

	32 - 59 days	60 - 90 days	91 - 121 days	More than 121 days	Total
AT 31 MARCH 2023					
Receivables from exchange transactions	17 188 884	7 114 735	4 215 473	40 919 935	69 439 026

Age analysis of amounts past due but not impaired - 2022

	32 - 59 days	60 - 90 days	91 - 121 days	More than 121 days	Total
AT 31 MARCH 2023					
Receivables from exchange transactions	27 238 744	6 154 248	6 011 235	14 941 295	54 345 522

THE AGE ANALYSIS OF RECEIVABLES IMPAIRED AT THE REPORTING DATE:

	1 - 31 days	32 - 59 days	60 - 90 days	91 - 121 days	More than 121 days	Total
AT 31 MARCH 2023						
Receivables from exchange transactions	68 398 856	6 394 590	4 379 625	2 261 303	601 367 987	682 802 361

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28. RISK MANAGEMENT (CONTINUED)

THE AGE ANALYSIS OF RECEIVABLES IMPAIRED AT THE REPORTING DATE:

	1 - 31 days	32 - 59 days	60 - 90 days	91 - 121 days	More than 121 days	Total
AT 31 MARCH 2022						
Receivables from exchange transactions	21 839 010	6 728 999	2 072 946	3 200 129	527 500 684	561 341 768

MARKET RISK

MARKET RISK ANALYSIS

The entity is affected by market risk in certain instances. It could compete for human resources that are in the forensic investigation industry. In order to mitigate the risk, the SIU seeks to remunerate at market related packages.

INTEREST RATE RISK

The SIU's only significant interest-bearing assets are cash and cash equivalents where interest is earned at market rates. The accounts are held with reputable financial institutions that comply fully with the PFMA. Any market changes would not significantly affect the entity's income and operating cash flows.

At 31 March 2023, if interest rates on the Rand-denominated cash surpluses held in call accounts had been 0.1% higher/lower with all other variables held constant, the surplus for the year would have been R748,802 (2022: R761,963) lower/higher, mainly as a result of higher/lower interest received on the cash surpluses on call accounts.

29. GOING CONCERN

The annual financial statements have been prepared based on accounting policies applicable to a going concern. This basis presumes that SIU will have enough funds available to fund its short to medium term operations. The ability of the entity to continue as a going concern is mainly dependent on the entity being a public entity created by statute, and that Government as the shareholder will continue to make funds available to fund its operations in the future.

31. EVENTS AFTER THE REPORTING DATE

The SIU is not aware of any material event that occurred subsequent to the compiling of the annual financial statements that may significantly affect the position of the organisation or the results of its operations.

32. FRUITLESS AND WASTEFUL EXPENDITURE

Figures in Rand	2023	2022
Opening balance as previously reported	-	-

There was no fruitless and wasteful expenditure incurred in the 2022/2023 financial year.

Changes in comparative figures

Fruitless and wasteful expenditure reported in the prior year was restated due to changes in the reporting framework. National Treasury Instruction No.4 of 2022/2023 states that Fruitless and wasteful expenditure is recorded in the annual financial statements disclosure when incurred and confirmed. This relates to Fruitless and wasteful expenditure incurred in the current financial year, with a one financial year comparative analysis. Fruitless and wasteful expenditure for the previous financial year (comparative amounts) must be recognised in the period in which they occurred.

National Treasury does not require entities to report on a cumulative balance, however the analysis for previous financial years must be recorded in the register and dealt with in terms of its recovery process

33. IRREGULAR EXPENDITURE

Irregular expenditure	58 789	280 992
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Irregular expenditure incurred during the year under review is as a result of a number of payments made out of petty to a value of more the threshold of amount of R2,000 for several reasons. This is in contravention of National Treasury Regulations. Management is in the process of assessing the transactions in line with relevant National Treasury prescripts on Fruitless, wasteful and irregular expenditure.

Though the total payments came to a value of R58,789, the total amounts that exceeded the R2 000 is R16 789.

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Condonations for historical transactions up until 31 March 2022 of R11 921 338.31 were resubmitted to National Treasury during March 2023 following feedback received from National Treasury on 30 May 2022, where additional supporting documents were requested in order to verify compliance to the Irregular Expenditure Framework

Changes in comparative figures

Irregular expenditure reported in the prior year was restated due to changes in the reporting framework. National Treasury Instruction No.4 of 2022/2023 states that Irregular expenditure is recorded in the annual financial statements disclosure when incurred and confirmed. This relates to Irregular expenditure incurred in the current financial year, with a one financial year comparative analysis. Irregular expenditure for the previous financial year (comparative amounts) must be recognised in the period in which they occurred.

National Treasury does not require entities to report on a cumulative balance, however the analysis for previous financial years must be recorded in the register and dealt with in terms of its recovery process

34. DIFFERENCE BETWEEN BUDGET VS ACTUAL AMOUNTS

34.1 Rendering of Services

The over-recovery in revenue from rendering of services is due to the accrual of legal fees costs incurred by the SIU in providing forensic services to various state institutions as well as for specialists procured on various matters being investigated. These costs are recoverable by the SIU from the relevant institutions. Due to the high number of investigations and litigation cases being undertaken by the SIU and the increased requirements for specialists' services in investigations undertaken, this has led to an increase in legal services and specialists' costs, which in turn resulted in an increase in income recovered from various state institutions.

34.2 Interest Received

The increase in interest received is because of the high interest rates during the year under review as compared to the previous financial year. Reserve bank has been increasing rates in the last year and this had a direct influence on the higher interest rates being offered by financial institutions on positive bank balances

34.3 CARA Fund

This SIU does not budget for this income in the normal course of business because the funding is not guaranteed.

34.4 Rental of premises paid on behalf of the SIU

The rental of premises paid on behalf of the SIU is determined by the Department of Public Works and the parties they contract with. The SIU has no control over these contracts. The budget is based on active contracts at any given time and increased with expectation from the SIU on additional space to be taken up. During the year under review, the SIU planned to take up additional space in the Eastern Cape province but this did not materialize. The plan has been moved to the 2023/24 financial year.

34.5 Employee-related Costs

The SIU is still in the process of capacitating its new Organizational Structure. The recruitment process continued in earnest during the 2022/23 financial year, however not all positions earmarked to be filled were successfully filled. Positions linked to the delivery of the SIU's mandate were prioritized during the year.

The SIU planned for the procurement new furniture, ICT-related assets and to replace the existing fleet of pool vehicles. The procurement of a new fleet of pool vehicles was finalised at the end of the financial year. The capital expenditure planned for ICT expenditure and furniture renewals did not materialise as planned hence the positive variance in depreciation and amortisation.

34.7 Debt impairment

The SIU received guidance from National Treasury that it should not budget for debt impairment during the estimates for expenditure budgeting cycles hence the variance between actual and budgeted expenditure.

34.8 Lease rentals on operating leases

The underspending on lease rentals is mainly because the SIU had intended to procure additional space in the some of its provincial offices. However, due to unforeseen delays in finalising the process, this additional space could not be procured by the end of the financial year.

34.9 General expenses

The main reasons for overspending in general expenses are as follows:

1. There has been an increase in the procurement of specialists on the R23 of 2020 related proclamation and other investigations where specialized services are required. These costs are expected to reduce over the longer term in that the SIU is pursuing the creation of a database of CVs with investigative and related experts, which will be more cost effective than the current use of panels of experts through the supply chain management process, as well as the filling of permanent budgeted vacancies through the normal recruitment process. These resources are recovered at SIU rates on the different investigations being worked on.

34. ACCOUNTING BY PRINCIPALS AND AGENTS

The entity is a party to two principal-agent arrangements. The arrangements are as follows:

1. SIU and various state institutions.
2. SIU and DoJ&CD (OSA)

1. Entity as agent:

The SIU (the agent) during and as a result of its investigations and processes of civil litigation, recovers funds on behalf of state institutions (the principals) from third parties and keeps these funds in trust bank accounts.

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Resources held on behalf of the principal, but recognised in the entity's own financial statements

Please refer to note 8 for the details on the amounts recovered and its balances at the financial year-ends.

There are no significant risks involved for either the SIU or the state institution, as these funds are reconciled and independently audited to ensure the accuracy and the validity thereof.

The SIU pays over these funds on a periodic basis to state institutions, after the necessary governance processes have been concluded for the refund to take place.

2. Entity as principal:

The OSA in the DoJ (the agent) procures legal services and undertake transactions on behalf and for the benefit of the SIU (the principal), in the SIU carrying out its legal mandate to enter into civil litigation in order to recover funds for the state. Please see note 27 for further details of relevant amounts.

The OSA procures the relevant counsel and other related experts that may be needed in order to carry out civil litigation, and pays the relevant experts that had been procured. The OSA then subsequently recovers these funds from the SIU. As a result of time delays between procuring, paying and recovering the relevant experts, it creates risk of the SIU not disclosing the expenses and income in the relevant financial period. This was also the reason why the SIU had to restate previous years' financial figures – please see note 28.

36. B-BBEE PERFORMANCE

Information on compliance with the B-BBEE Act is included in the annual report under the section titled B-BBEE compliance performance information.

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