

PROCLAMATION

by the

PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

No. R. 100, 1999

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT
No. 74
OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING
UNIT AND
SPECIAL TRIBUNAL

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

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

NOW, THEREFORE, I hereby, under section 2 (1) of the said Act, refer the matters in the Schedule for investigation to the Special Investigating Unit and for adjudication of justiciable civil disputes emanating from such investigation to the Special Tribunal established by Proclamation No. R. 24 of 14 March 1997 and determine that, for the purposes of the investigation of those matters, the terms of reference of the Special

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

- (a) serious maladministration in connection with the affairs of the Department;
- (b) improper or unlawful conduct by employees of the Department;
- (c) unlawful appropriation or expenditure of public money or property;
- (d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;
- (e) intentional or negligent loss of public money or damage to public property;

- (f) corruption in connection with the affairs of the Department; or
- (g) unlawful or improper conduct by any person which has caused or may cause serious harm to the interests of the public or any category thereof,

which has taken place between 1 January 1997 and the date of publication of this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Fifteenth day of September One thousand Nine hundred and Ninety-nine.

T. M. MBEKI
President

By Order of the President-in-Cabinet:

P. M. MADUNA
Minister of the Cabinet

SCHEDULE

1. The failure by employees of the Department to comply with directives pertaining to urgent and essential day-to-day repairs and renovations to magistrates' offices and/or other buildings which belong to and/or vest in the Department and/or the Department of Public Works.

2. The irregular authorisation by employees of the Department of repairs, renovations and/or improvements to magistrates' offices and/or other buildings which belong to and/or vest in the Department and/or the Department of Public Works.