

PROCLAMATION

by the

President of the Republic of South Africa

No. R. 114, 1998

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 University of the North (hereinafter referred to as "the University");

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 University;
- (b) improper or unlawful conduct by employees of the University;
- (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 University; 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 1987 and the date of publication of this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Thirteenth day of November, One thousand Nine hundred and Ninety-eight.

N. R. MANDELA

President

By Order of the President-in-Cabinet:

A. M. OMAR

Minister of the Cabinet

SCHEDULE

1. The unlawful, unauthorised and/or irregular appropriation of assets belonging to and/or vesting in the University and/or the failure by the University to exercise proper control over and/or to account for assets belonging to and/or vesting in the University.
2. The unlawful, unauthorised and/or irregular payment of salaries to staff members of the University after resignation.
3. The claiming of excessive overtime remuneration by staff members of the University and/or the subsequent payments made in respect of such claims.
4. The abuse of housing subsidies and rental allowances by staff members of the University.
5. The unlawful, unauthorised and/or irregular sale of motor vehicles belonging to and/or vesting in the University to staff members of the University and/or the failure by the University to collect proper payment in respect of the sale of such motor vehicles.
6. The unlawful, unauthorised and/or irregular awarding of contracts by the University for the rendering of services and/or the supply of goods

and/or equipment.

7. The failure to keep and/or to produce proper financial records in respect of the University's pharmacy and/or the failure to exercise proper financial control and administration at the said pharmacy.

8. The charging of excessive fees by attorneys appointed by the University.

9. The irregular funding and/or management of Edupark and/or the failure to exercise proper financial control and/or administration over