

No. R. 125, 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 Departments of the Province of Mpumalanga as mentioned in the Schedule (hereinafter referred to as "the Departments");

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

NOW, THEREFORE, I hereby, under section 2 (1) of the said Act, and after consultation with the Premier of the Province of Mpumalanga, 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 Departments;
- (b) improper or unlawful conduct by employees of the Departments;
- (c) unlawful appropriation or expenditure of public money or property;
- (d) intentional or negligent loss of public money or damage to public property;
- (e) corruption in connection with the affairs of the Departments; or
- (f) 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 1996 and the date of publication of this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this fourth day of December, 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

##### Department of Finance

The unlawful, unauthorised and/or irregular awarding of contracts to service providers on the strength of fraudulent quotations and/or the subsequent payments made in respect of such contracts by the Department of Finance.

##### Department of Public Works, Roads and Transport

The unlawful, unauthorised and/or irregular approval of payments and/or the subsequent payments made by the Department of Public Works, Roads and Transport in respect of incomplete work and/or work that had not been done