

## PROCLAMATIONS

by the  
President of the Republic of South Africa

No. R. 26, 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 provincial Government Departments of the Province of KwaZulu-Natal 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 KwaZulu-Natal, 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 any of the Departments;
- (b) improper or unlawful conduct by employees of any of the Departments;
- (c) unlawful appropriation or expenditure of public money or property;
- (d) unlawful, irregular or unapproved acquisitive acts, transactions, measures or practices 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 any of the Departments;  
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 1995 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 Third day of March One thousand Nine hundred and Ninety-nine.

N R MANDELA  
President

By Order of the President-in-Cabinet:

A M OMAR  
Minister of the Cabinet

#### SCHEDULE

##### Department of Agriculture

The unlawful, unauthorised and/or irregular use and/or appropriation of plant equipment belonging to and/or vesting in the Department and/or the unlawful, unauthorised and/or irregular renting out of such plant equipment to private construction companies.

##### Department of Traditional and Environmental Affairs

1. The theft and/or loss of warrant vouchers at the Department and/or the subsequent fraudulent drawing of warrant vouchers by and/or on behalf of the Department and/or the subsequent negotiation of such warrant vouchers.

2. The failure by the Department to exercise proper control over warrant vouchers.