

No. R. 30, 1999

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT
No. 74 OF
1996): REFERRAL OF MATTER 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 public funds allocated to the South African Chamber for Agricultural Development in Africa to advance agricultural development in a neighbouring country which funds are administered by the Department of Foreign Affairs and/or the Development Bank of Southern Africa (hereinafter referred to as "the State institutions");

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 an allegation of unlawful, unauthorised and/or irregular appropriation and/or expenditure by the State institutions and/or South African Chamber for Agricultural Development in Africa of the above-mentioned funds 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 hereof, 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 State institutions;
- (b) improper or unlawful conduct by employees of any of the State institutions;
- (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 any of the State institutions; 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,

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Eighth 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