

PROCLAMATION

by the

PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

No. R. 38, 2000

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 the affairs of the Department of Education of the Northern Province (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, and after consultation with the Premier of the Northern Province, refer the unlawful, unauthorised and/or irregular payments by the Department to former employees and/or non-existent employees and the subsequent loss of State money 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 that matter, the terms of reference of the Special Investigating Unit, which has the powers, duties and functions assigned to or conferred upon it by the Act, 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 1986 and the date of publication of this Proclamation.

Given under my Hand at Pretoria this 23 rd day of June Two thousand.

T. M. MBEKI
President

By Order of the President-in-Cabinet:

P. M. MADUNA
Minister of the Cabinet