

No. R. 41, 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 State institutions mentioned in the Schedule (hereinafter referred to as "the State institutions");

AND WHEREAS I deem it necessary that the said allegations should be investigated and any 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 any justiciable civil dispute 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 these 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 such State institution;
- (b) improper or unlawful conduct by employees of any such State institution;
- (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 any such State institution; 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 April 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 Sixth day of April, 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 fraudulent, irregular and/or unauthorised altering of cheques of the Tribal Levies and Trust Account administered by the provincial Department of Traditional and Environmental Affairs of KwaZulu-Natal, by Government officials and private individuals, and the presentation of such cheques for payment.
2. The fraudulent, irregular and/or unauthorised drawing of cheques of the provincial Departments of Traditional and Environmental Affairs, Local Government and Housing and Agriculture of KwaZulu-Natal and the Directorate: Communication Services in the Department of the Premier of KwaZulu-Natal, by officials of the said provincial Departments, and the subsequent cashing of the cheques by laundering them through certain business accounts.