

PPROCLAMATIONS

by the

Acting President of the Republic of South Africa

No. R. 59, 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 Performing Arts Council of Transvaal as mentioned in the Schedule;

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 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 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 the Performing Arts Council of Transvaal;
- (b) improper or unlawful conduct by employees of the Performing Arts Council of Transvaal;
- (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 Performing Arts Council of Transvaal; 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 1985 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 Twenty-seventh day of May, One thousand Nine hundred and Ninety-eight.

T. M. MBEKI,
Acting President

By Order of the President-in-Cabinet:

A. M. OMAR
Minister of the Cabinet

SCHEDULE

1. The unlawful, unauthorised and/or irregular establishment and administration of trust funds by the Performing Arts Council of Transvaal.
2. The failure to disclose trust funds, trust moneys and/or other cash assets in the accounting records and/or annual financial statements of the Performing Arts Council of Transvaal.
3. The unlawful and/or irregular concealment of surplus funds by the Performing Arts Council of Transvaal.
4. The unauthorised and/or irregular increase of salaries in respect of employees of the Performing Arts Council of Transvaal.
5. The irregular administration of retrenchment packages in respect of employees of the Performing Arts Council of Transvaal.