

No. R. 60, 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), has 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 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 the Eastern Cape, 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 any such State institution;
- (b) improper 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 interest of the public or any category thereof, which has taken place between 1 January 1994 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 payments by the provincial Department of Education, Culture and Sport of the Eastern Cape to a purported bookshop, to wit Lukhanji Bookshop.
2. The irregular granting of study bursaries to Government officials or persons by provincial Government departments of the Eastern Cape, the failure of bursary holders to honour their obligations and the failure by such departments to recover funds owed to the State in this regard.
3. The unauthorised and/or irregular conclusion of a contract between the provincial Government of the Eastern Cape and Karia Building Construction CC for the lease of premises to house the Western Region regional offices of the Department of Education, Culture and Sport of the Eastern Cape.