

No. R. 72, 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 Mpumalanga Provincial Legislature, 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, and after consultation with the Premier of the Province of Mpumalanga, refer the matters mentioned 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 Mpumalanga Provincial Legislature;
- (b) improper or unlawful conduct by employees of the Mpumalanga Provincial Legislature;
- (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 Mpumalanga Provincial Legislature; 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 May 1995 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-second day of July, 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-
 - (a) purchase of groceries, stationery, furniture and carpets for the Mpumalanga Provincial Legislature; and/or
 - (b) appropriation of such goods for personal advantage by members and/or employees of the Mpumalanga Provincial Legislature.
2. The unlawful, unauthorised and/or irregular purchase of goods for the Mpumalanga Provincial Legislature which could not be accounted for.
3. The unlawful, unauthorised and/or irregular use for personal purposes of equipment belonging to the State by members of the Mpumalanga Provincial Legislature.
4. The unauthorised and/or irregular hiring of motor vehicles and/or use of government motor vehicles by members of the Mpumalanga Provincial Legislature.
5. The unauthorised and/or irregular appointment of the Director of Communications of the Mpumalanga Provincial Legislature and three personal assistants for the Deputy Speaker of the Mpumalanga Provincial Legislature.

6. The unlawful, unauthorised and/or irregular payment of advances, amounting to R124 900,00, made by the Mpumalanga Provincial Government to members of the Mpumalanga Provincial Legislature.
7. The theft of an amount of R1 143 216,00 from a Trust Bank account by members of the Mpumalanga Provincial Legislature.