

PROCLAMATION

by the

President of the Republic of South Africa

No. R. 83, 1997

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 the Northern Cape, 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 27 April 1994 and the date of publication of this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Fourth day of December, One thousand Nine hundred and Ninety-seven.

N. R. MANDELA  
President

By Order of the President-in-Cabinet:

A. M. OMAR  
Minister of the Cabinet

#### SCHEDULE

1. The excessive ordering and unauthorised and/or irregular purchase by the Department of Corporate Services of the Northern Cape, of equipment for provincial departments.
2. The unlawful, irregular or unapproved acts pertaining to and the payment of pension moneys by the provincial Department of Health and Welfare in the Northern Cape.
3. The unlawful appropriation and/or unlawful or irregular disposal and/or loss of pharmaceutical products in the provincial Department of Health and Welfare in the Northern Cape.