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MEDIA STATEMENT

FOR IMMEDIATE RELEASE

07 NOVEMBER 2024

SIU SEARCHES JB MARKS LOCAL MUNICIPALITY FOR EVIDENCE RELATING TO N12 CONSTRUCTION OF A FLOOD LINE CANAL

On Wednesday, 06 November 2024, the Potchefstroom Magistrate Court granted the Special Investigating Unit (SIU) a warrant to search the premises of JB Marks Local Municipality, formerly Tlokwe Local Municipality in the North West Province, and seize evidence that may assist with an ongoing investigation.

At 9h30 am on Thursday, 07 November 2024, the SIU, assisted by the Directorate for Priority Crimes Investigation, commonly known as the Hawks and the South African Police Service entered the municipality's premises to collect evidence that is in line with Proclamation 196 of 2024, which authorised the SIU to investigate allegations of serious maladministration regarding the procurement of or contracting for goods, works or services by or on behalf of the Municipality concerning the construction of a flood line canal next to the N12 provincial road and Ikageng extension 11.

The search and seizure operation is the SIU's last resort to access documents needed for the investigation and obtain the necessary documentation for its investigation. Since the proclamation was published on 04 October 2024, the SIU has made multiple attempts to contact the Municipality in an effort to access the required documents voluntarily; however, these attempts have gone

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unanswered. This lack of cooperation prompted the SIU to seek the court's assistance in securing a warrant to search and seize pertinent documents and electronic equipment.

During the search, the SIU collected a range of documentation and devices essential for auditing and compliance concerning successful tenders awarded from 1 January 2015 to 04 October 2024, as outlined in Proclamation 196 of 2024. The seized materials include:

- Company registration documents
- Payment records (invoices, purchase orders, remittance advice)
- Electronic devices, including laptops, mobile devices, and external storage media used by relevant officials and employees.
- Any associated electronic data, including emails and cloud storage information linked to specific personnel.

The SIU is empowered by the Special Investigating Units and Special Tribunals Act 74 of 1996 (SIU Act) to subpoena bank statements and cell phone records, search and seize evidence, and interrogate witnesses under oath to thoroughly investigate allegations brought before it.

The SIU is also empowered to institute a civil action in the High Court or a Special Tribunal to correct any wrongdoing uncovered during investigations caused by acts of corruption, fraud, or maladministration. In line with the SIU Act, the SIU will refer any evidence pointing to criminal conduct it uncovers to the National Prosecuting Authority for further action.

END.

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