
PROCLAMATIONS • PROKLAMASIES

PROCLAMATION NOTICE 258 OF 2025



by the
PRESIDENT of the REPUBLIC of SOUTH AFRICA

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT AND SPECIAL TRIBUNAL: STATE INFORMATION TECHNOLOGY AGENCY (SOC) LIMITED

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as the "Act"), have been made in respect of the affairs of the State Information Technology Agency (SOC) Limited (hereinafter referred to as "the Agency");

AND WHEREAS the Agency or the State may have suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the Agency, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

- (a) serious maladministration in connection with the affairs of the Agency;
- (b) improper or unlawful conduct by employees of the Agency;
- (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) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the Agency; 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 took place between 13 July 2017 and the date of publication of this Proclamation or which took place prior to 13 July 2017 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the Agency or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 17th day of April Two thousand and twenty-five.

M C RAMAPHOSA
President

By Order of the President-in-Cabinet:

M T KUBAYI
Minister of the Cabinet

SCHEDULE

1. The procurement of, or contracting for the Establishment of a Turnkey Software Asset Management Solution to the Agency, as well as Integrated Logistics Support and Advisory Services for a period of 36 months (in terms of RFB 1661/2017), by or on behalf of the Agency, and payments made in relation thereto in a manner that was—
 - (a) not fair, competitive, transparent, equitable or cost-effective; or
 - (b) contrary to applicable—
 - (i) legislation;
 - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or
 - (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Agency,and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Agency or the State.
2. Any irregular, unlawful or improper conduct, including serious maladministration and the causes thereof, by—
 - (a) officials or employees of the Agency;
 - (b) the applicable supplier or service provider of the Agency; or
 - (c) any other person or entity,in relation to the allegations as set out in paragraph 1 of this Schedule.