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SIU OBTAINS R67 MILLION RECOVERY ORDER AGAINST PUBLIC WORKS PLUMBING CONTRACTOR, PREVENTS A POTENTIAL R33 MILLION LOSS

The Special Tribunal has reviewed and set aside contracts amounting to R67 million, which were awarded by the Department of Public Works and Infrastructure to Kroucamp Plumbers (Pty) Ltd from 2015 to 2019 for services related to vacuum pumping of septic tanks and emergency sewage blockage interventions. The Tribunal has declared these contracts invalid and unlawful and has ordered the service provider to refund the funds received from the department in relation to these contracts.

The comprehensive financial recovery includes:

- R46,613,873.26 from invalid 2015-2017 contracts
- R20,389,052.70 from unlawful 2017-2019 tenders

The Tribunal also dismissed a counterclaim of R33 million, which Kroucamp Plumbers had submitted against the department. This counterclaim was effectively contested by the Special Investigating Unit (SIU), resulting in a favourable outcome for the department.

The order follows an investigation conducted by the SIU, which uncovered a complex network of corruption involving falsified bidding documents, undisclosed conflicts of interest, and payments made to officials who manipulated the tendering process.

Additionally, the SIU investigation revealed that Kroucamp Plumbers misrepresented its Broad-Based Black Economic Empowerment (B-BBEE) status, submitted incomplete bidding information, and colluded with departmental officials to secure contracts totalling millions of rand. The Tribunal determined that the company's director, Mr. Johannes Jacobus Kroucamp, exploited the corporate structure for personal gain, thereby jeopardising the interests of the state.

Judge D. Makhoba emphasised the gravity of the misconduct, indicating that the tenders breached constitutional procurement regulations and eroded public trust. The ruling annuls both contracts and revokes the juristic personality of Kroucamp Plumbers, requiring the company to compensate the State for the financial losses incurred. Consequently, Mr. Kroucamp may be held personally accountable for the company's debts owed to the state.

The SIU conducted its investigation into the Kroucamp Plumbers corruption case under Proclamation R20 of 2018. This proclamation authorised the SIU to investigate allegations of serious maladministration, improper conduct, and corruption in the awarding of tenders by the Department of Public Works and Infrastructure.

The SIU is also empowered to institute civil action in the High Court or a Special Tribunal to address any wrongdoing uncovered during investigations related to corruption, fraud, or maladministration. In line with the Special Investigating Units and Special Tribunals Act 74 of 1996, the SIU refers any evidence of criminal conduct it uncovers to the National Prosecuting Authority for further action.

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