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PROCLAMATION

by the

President of the Republic of South Africa

No. R. 25, 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 Magistrate's Office, Ekangala (hereinafter referred to as "the Magistrate's Office") as mentioned in the Schedule;

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, 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 the Magistrate's Office;
- (b) improper or unlawful conduct by employees at the Magistrate's Office;
- (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 Magistrate's Office; 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 January 1995 and the date of publication of this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Qunu this Twenty-seventh day of February, One thousand Nine hundred and Ninety-eight.

N. R. MANDELA

President

By Order of the President-in-Cabinet:

A. M. OMAR

Minister of the Cabinet

SCHEDULE

1. The theft and/or loss of warrant vouchers at the Magistrate's Office, Ekangala.
2. The theft and/or loss of state or public property at the Magistrate's Office, Ekangala.
3. The theft and/or loss of public money at the Magistrate's Office, Ekangala, and/or the inability to account for such money.

PROKLAMASIE

van die

President van die Republiek van Suid-Afrika

No. R. 25, 1998

WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET No. 74 VAN 1996)

**VERWYSING VAN AANGELEENTHEDE NA BESTAANDE SPESIALE ONDERSOEKEENHEID EN
SPESIALE TRIBUNAAL**

AANGESIEN bewerings soos beoog in artikel 2 (2) van die Wet op Spesiale Ondersoekkeenheide en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), gemaak is in verband met die aangeleenthede van die Landdroskantoor, Ekangala (hierna "die Landdroskantoor" genoem), soos vermeld in die Bylae;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en beregbare siviele geskille voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2 (1) van gemelde Wet, die aangeleenthede in die Bylae vir ondersoek na die Spesiale Ondersoekkeenheid en vir beregting van enige beregbare siviele geskil voortspruitend uit sodanige ondersoek na die Spesiale Tribunaal ingestel by Proklamasie No. R. 24 van 14 Maart 1997 en bepaal dat, vir die doeleindes van die ondersoek van daardie aangeleenthede, die opdrag van die Spesiale Ondersoekkeenheid is om, soos beoog in gemelde Wet, ondersoek te doen na enige—

- (a) ernstige wanadministrasie in verband met die aangeleenthede van die Landdroskantoor;
- (b) onbehoorlike of onregmatige optrede deur werknemers by die Landdroskantoor;
- (c) onregmatige bewilliging of besteding van publieke geld of eiendom;
- (d) onwettige, onreëlmatige of nie-goedgekeurde verkrygende handeling, transaksie, maatreël of praktyk wat betrekking het op Staatseiendom;
- (e) opsetlike of nalatige verlies van publieke geld of skade aan publieke eiendom;
- (f) korrupsie in verband met die sake van die Landdroskantoor; en

- (g) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie van die publiek veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 1 Januarie 1995 en die datum van publikasie van hierdie Proklamasie.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Qunu op hede die Sewe-en-twintigste dag van Februarie, Eenduisend Negehonderd Agt-en-negentig.

N. R. MANDELA

President

Op las van die President-in-Kabinet:

A. M. OMAR

Minister van die Kabinet

BYLAE

1. Die diefstal en/of verlies van skatkisorders by die Landdroeskantoor, Ekangala.
 2. Die diefstal en/of verlies van Staats- of publieke eiendom by die Landdroeskantoor, Ekangala.
 3. Die diefstal en/of verlies van publieke geld by die Landdroeskantoor, Ekangala, en/of die onvermoë om rekenskap te gee van sodanige geld.
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