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PROCLAMATION

by the

President of the Republic of South Africa

No. R. 42, 1998

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT No. 74 OF 1996)

AMENDMENT OF PROCLAMATION

Under section 2 (4) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), I hereby amend Proclamation No. R. 24 of 14 March 1997, as amended by Proclamation No. R. 72 of 11 November 1997, by the substitution for paragraph 4 of the following paragraph:

"4. The terms of reference of the Special Investigating Unit are to exercise or perform the powers, duties and functions assigned to or conferred upon a Special Investigating Unit by the said Act in respect of the matters in the Schedule, which matters have a bearing on State or public property or public money which belongs to or vests in a State institution of the Government of the Province of the Eastern Cape or which, at any time prior to 27 April 1994, belonged to or vested in any former State or provincial administration which exercised control and administration over any part of the territory which now constitutes the Province of the Eastern Cape, and 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 26 October 1976 and 14 March 1997 and has been brought to the attention of the Special Investigating Unit on or before 14 March 1997."

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-fourth day of April, 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

PROKLAMASIE

van die

President van die Republiek van Suid-Afrika

No. R. 42, 1998

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

WYSIGING VAN PROKLAMASIE

Kragtens artikel 2 (4) van die Wet op Spesiale Ondersoekkeenheide en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), wysig ek hierby Proklamasie No. R. 24 van 14 Maart 1997, soos gewysig by Proklamasie No. R. 72 van 11 November 1997, deur paragraaf 4 deur die volgende paragraaf te vervang:

"4. Die opdrag van die Spesiale Ondersoekkeenheid is om die bevoegdhede, pligte en werksaamhede wat deur gemelde Wet aan 'n Spesiale Ondersoekkeenheid toegewys of opgedra word, uit te oefen of te verrig aangaande die aangeleenthede in die Bylae, welke aangeleenthede betrekking het op Staats- of publieke eiendom of publieke geld wat behoort aan of vestig in 'n Staatsinstelling van die Regering van die Provinsie van die Oos-Kaap of wat, te eniger tyd voor 27 April 1994, behoort het aan of gevestig het in enige voormalige Staat of provinsiale administrasie wat beheer en administrasie uitgeoefen het oor enige gedeelte van die gebied wat nou deel uitmaak van die Provinsie van die Oos-Kaap, en om soos beoog in gemelde Wet, ondersoek in te stel na enige—

- (a) ernstige wanadministrasie in verband met die aangeleenthede van enige sodanige Staatsinstelling;
- (b) onbehoorlike of onregmatige optrede deur werknemers van enige sodanige Staatsinstelling;
- (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 enige sodanige Staatsinstelling; of
- (g) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 26 Oktober 1976 en 14 Maart 1997 en voor of op 14 Maart 1997 onder die aandag van die Spesiale Ondersoekkeenheid gebring is."

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Vier-en-twintigste dag van April Eenduisend Negehonderd Agt-en-negentig.

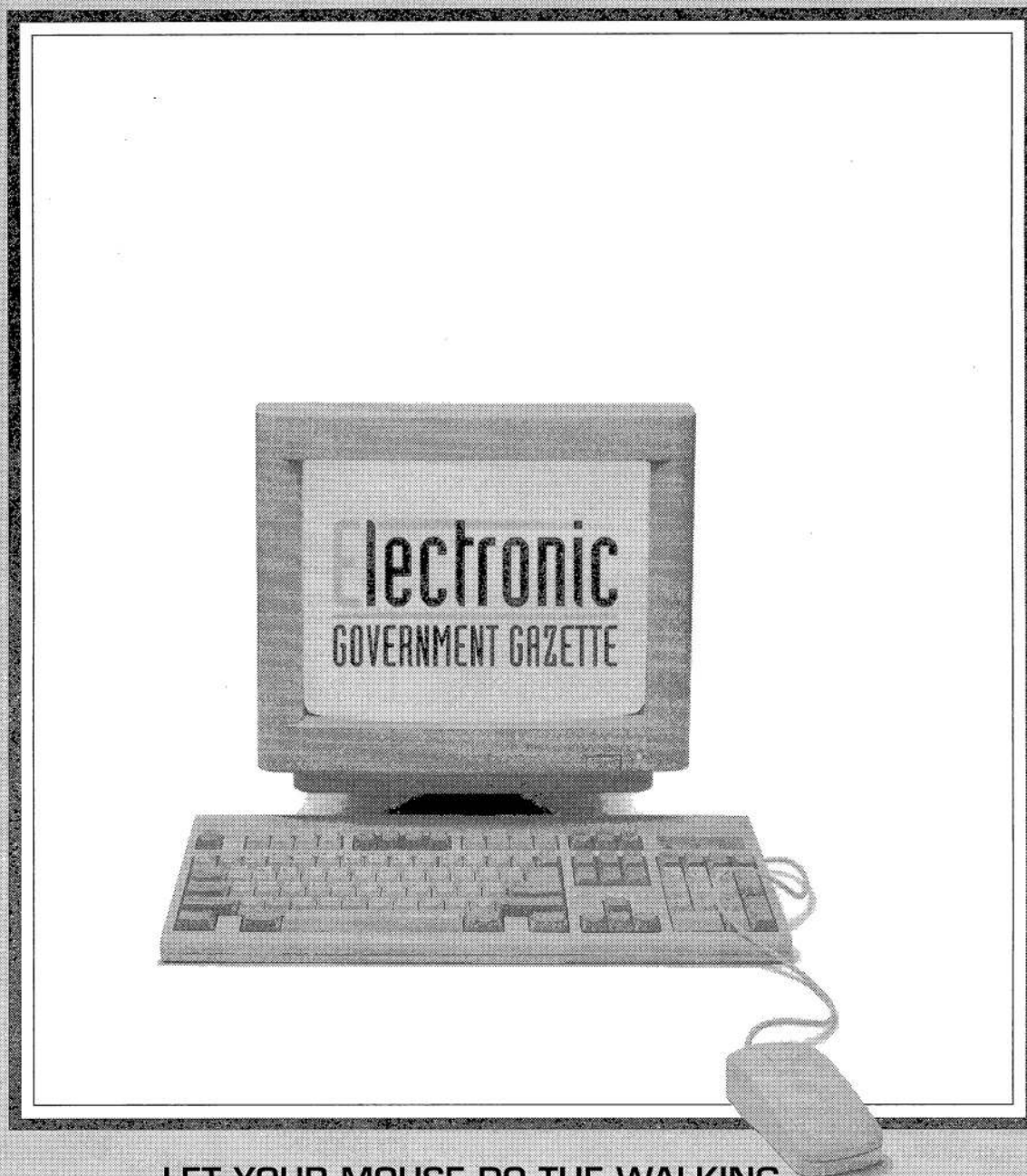
N. R. MANDELA

President

Op las van die President-in-Kabinet:

A. M. OMAR

Minister van die Kabinet



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