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OF  
SOUTH AFRICA



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VAN  
SUID-AFRIKA

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MEI 1998

**No. 18879**

## PROCLAMATIONS

*by the*

*President of the Republic of South Africa*

**No. R. 43, 1998**

### COMMENCEMENT OF SECTIONS 51 TO 53 OF THE CRIMINAL LAW AMENDMENT ACT, 1997 (ACT No. 105 OF 1997)

Under section 54 of the Criminal Law Amendment Act, 1997 (Act No. 105 of 1997), I hereby fix **1 May 1998** as the date on which sections 51 to 53 of the said Act shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 29th day of April, One thousand Nine hundred and Ninety-eight.

**T. M. MBEKI**

**Acting President**

By Order of the President-in-Cabinet:

**A. M. OMAR**

**Minister of the Cabinet**

**PROKLAMASIES**  
*van die*  
**President van die Republiek van Suid-Afrika**

**No. R. 43, 1998**

**INWERKINGTREDING VAN ARTIKELS 51 TOT 53 VAN DIE WYSIGINGSWET OP DIE STRAFREG, 1997  
(WET No. 105 VAN 1997)**

Kragtens artikel 54 van die Wysigingswet op die Strafreg, 1997 (Wet No. 105 van 1997), bepaal ek hierby **1 Mei 1998** as die datum waarop artikels 51 tot 53 van gemelde Wet in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die 29ste dag van April, Eenduisend Negehonderd Agt-en-negentig.

**T. M. MBEKI**

**Waarnemende President**

Op las van die President-in-Kabinet:

**A. M. OMAR**

**Minister van die Kabinet**

**No. R. 44, 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 State institutions mentioned in the Schedule (hereinafter referred to as "the State institutions");

AND WHEREAS I deem it necessary that the said allegations should be investigated and 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 justiciable civil disputes 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 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 practise 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 1 January 1990 and the date of publication of this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 29th day of April, One thousand Nine hundred and Ninety-eight.

**T. M. MBEKI**

**Acting President**

By Order of the President-in-Cabinet:

**A. M. OMAR**

**Minister of the Cabinet**

## SCHEDULE

### Auditor-General

The unlawful, unauthorised and/or irregular promotion of officials and subsequent overpayment of salaries and back pay to officials of the former Audit Office, Bisho.

### Department of Health

1. The unlawful, unauthorised and/or irregular payment of pension monies to non-existing pensioners and/or persons not entitled thereto by officials in the national Department of Health in co-operation with staff members of Post Offices and members of the public.
2. The theft and/or unlawful, unauthorised and/or irregular appropriation and/or loss of pharmaceutical products in the national Department of Health.

### South African National Defence Force

1. The unauthorised and/or irregular—
  - (a) appointment of Multi Media Services to render security services; and
  - (b) subsequent payments made to Multi Media Services, by the former Ciskei Government.
2. The unlawful, unauthorised and/or irregular—
  - (a) payments made by the former Ciskei Defence Force to businesses on the strength of fraudulent invoices in respect of goods supplies; and
  - (b) payment of commission to members of the former Ciskei Defence Force by such businesses.

### South African Reserve Bank

The scheme in terms of which the South African Reserve Bank granted a loan to Bankcorp to save Bankcorp from bankruptcy.

## No. R. 44, 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 Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), gemaak is in verband met die aangeleenthede van die Staatsinstellings vermeld in die Bylae (hierna "die Staatsinstellings" genoem);

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 Ondersoekeenheid en vir beregting van beregbare siviele geskille 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 Ondersoekeenheid is om, soos beoog in gemelde Wet, ondersoek te doen na enige—

- (a) ernstige wanadministrasie in verband met die aangeleenthede van enige Staatsinstelling vermeld in die Bylae;
- (b) onbehoorlike of onregmatige optrede deur werknemers van enige Staatsinstelling vermeld in die Bylae;
- (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 Staatsinstelling vermeld in die Bylae; 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 1990 en die datum van publikasie van hierdie Proklamasie.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die 29ste dag van April Eenduisend Negehonderd Agt-en-negentig.

**T. M. MBEKI**

**Waarnemende President**

Op las van die President-in-Kabinet:

**A. M. OMAR**

**Minister van die Kabinet**

## **BYLAE**

### **Ouditeur-generaal**

Die onregmatige, ongemagtigde en/of onreëlmatige bevordering en gevolglike oorbetaling van salarisse en terugbetaling aan beamptes van die voormalige Ouditkantoor, Bisho.

### **Departement van Gesondheid**

1. Die onregmatige, ongemagtigde en/of onreëlmatige betaling van pensioengelde aan nie-bestaande pensioenarisse en/of persone wat nie daarop geregtig is nie deur beamptes in die nasionale Departement van Gesondheid in samewerking met personeellede van Poskantore en lede van die publiek.
2. Die diefstal en/of onregmatige, ongemagtigde en/of onreëlmatige bewilliging en/of verlies van farmaseutiese produkte in die nasionale Departement van Gesondheid.

### **Suid-Afrikaanse Nasionale Weermag**

1. Die ongemagtigde en/of onreëlmatige—
  - (a) aanstelling van Multi Media Services om sekuriteitsdienste te lewer; en
  - (b) gevolglike betalings gemaak aan Multi Media Services, deur die voormalige Ciskeise Regering.
2. Die onregmatige, ongemagtigde en/or onreëlmatige—
  - (a) betalings gemaak deur die voormalige Ciskeise Weermag aan besighede op sterkte van bedrieglike fakture ten opsigte van goedere gelewer; en
  - (b) betaling van kommissie aan lede van die voormalige Ciskeise Weermag deur sodanige besighede.

### **Suid-Afrikaanse Reserwebank**

Die skema ingevolge waarvan die Suid-Afrikaanse Reserwebank 'n lening aan Bankkorp toegestaan het om Bankkorp van bankrotskap te red.

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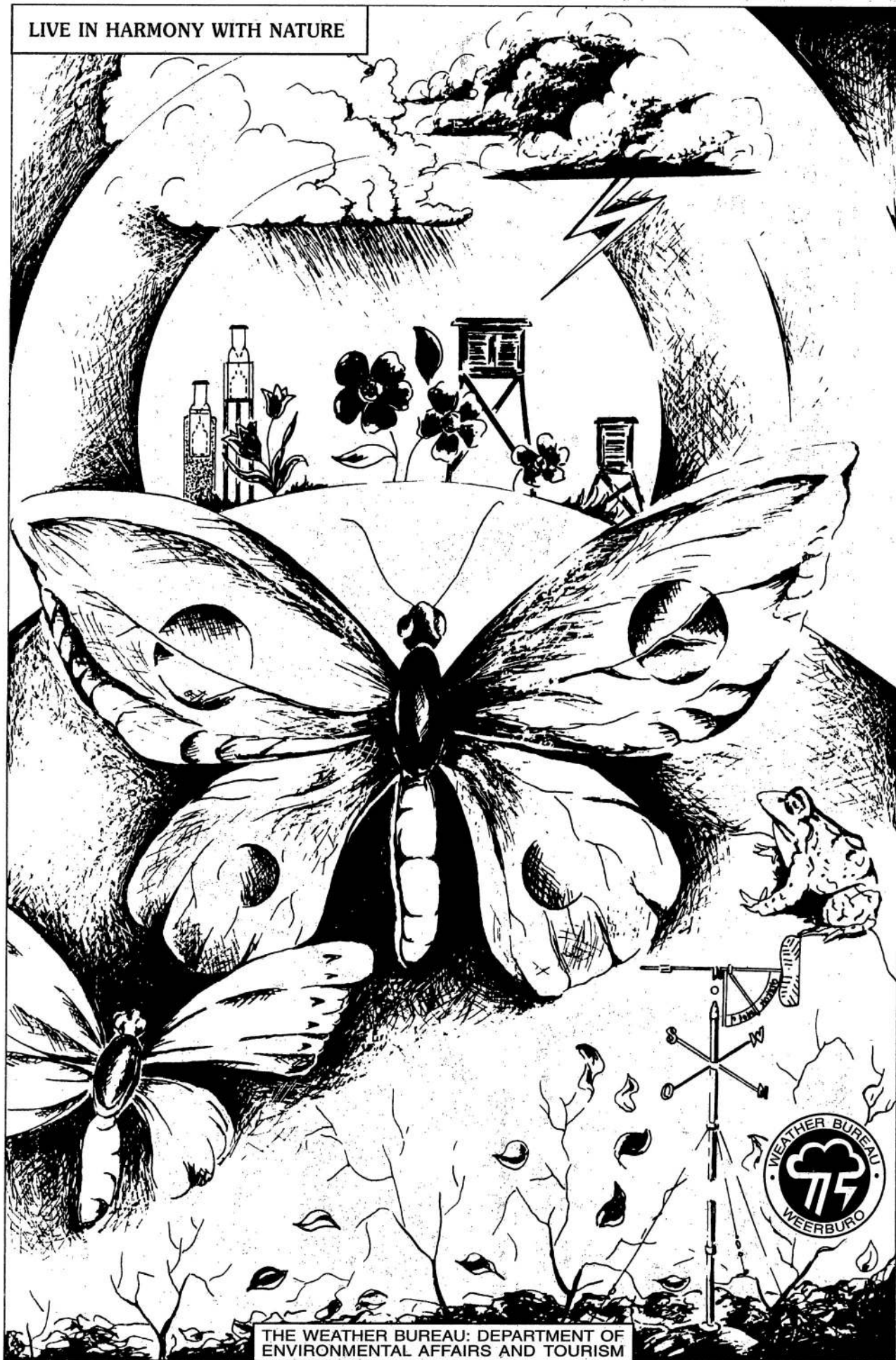
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LIVE IN HARMONY WITH NATURE



THE WEATHER BUREAU: DEPARTMENT OF  
ENVIRONMENTAL AFFAIRS AND TOURISM





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