

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Regulation Gazette

No. 6181

Regulasiekoerant

Vol. 395

PRETORIA, 7 MAY 1998
MEI

No. 18893

PROCLAMATIONS

by the

President of the Republic of South Africa

No. R. 46, 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 of 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 interest of the public or any category thereof,

which has taken place between 1 January 1990 and the date of publication of this Proclamation.

Proclamation No. R. 44 of 1 May 1998 is hereby repealed.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Sixth day of May, 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

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 Welfare and Population Development

The unlawful, unauthorised and/or irregular payment of pension moneys to non-existing pensioners and/or persons not entitled thereto by officials in the national Department of Welfare and Population Development in co-operation with staff members of Post Offices and members of the public.

Department of Health

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 supplied; and
- (b) payment of commission to members of the former Ciskei Defence Force by such businesses.

PROKLAMASIES

van die

President van die Republiek van Suid-Afrika

No. R. 46, 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 Ondersoekenhede 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.

Proklamasie No. R. 44 van 1 Mei 1998 word hierby herroep.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Sesde dag van Mei Eenduisend Negehonderd Agt-en-negentig.

N. R. MANDELA

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 Welsyn en Bevolkingsontwikkeling

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 Welsyn en Bevolkingsontwikkeling in samewerking met personeellede van Poskantore en lede van die publiek.

Departement van Gesondheid

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/of 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.

No. R. 47, 1998**SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT No. 74 OF 1996):****REFERRAL OF MATTER 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 South African Reserve Bank regarding the matter as set out in the Schedule;

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 matter 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 that matter, 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 South African Reserve Bank;
- (b) improper or unlawful conduct by employees of the South African Reserve Bank;
- (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; or
- (f) 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 1985 and 31 December 1995.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Sixth day of May, 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

The granting, the terms and conditions and the repayment of the loan or loans and any other special assistance by the South African Reserve Bank to Bankorp to rescue Bankorp from bankruptcy.

No. R. 47, 1998**WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET No. 74 VAN 1996):****VERWYSING VAN AANGELEENTHEID NA BESTAANDE SPESIALE ONDERSOEKEENHEID
EN SPESIALE TRIBUNAAL**

AANGESIEN bewerings soos beoog in artikel 2 (2) van die Wet op Spesiale Ondersoekenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), gemaak is in verband met die aangeleentheid van die Suid-Afrikaanse Reserwebank 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 aangeleentheid in die Bylae vir ondersoek na die Spesiale Ondersoekkeenheid 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 aangeleentheid, 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 Suid-Afrikaanse Reserwebank;
- (b) onbehoorlike of onregmatige optrede deur werknemers van die Suid-Afrikaanse Reserwebank;
- (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; of
- (f) 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 1985 en 31 Desember 1995.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Sesde dag van Mei, Eenduisend Negehoonderd Agt-en-negentig.

N. R. MANDELA

President

Op las van die President-in-Kabinet:

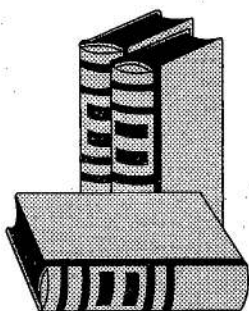
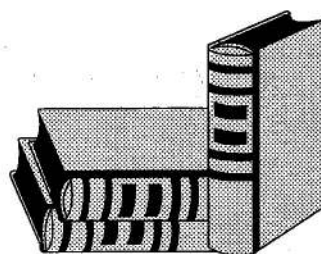
A. M. OMAR

Minister van die Kabinet

BYLAE

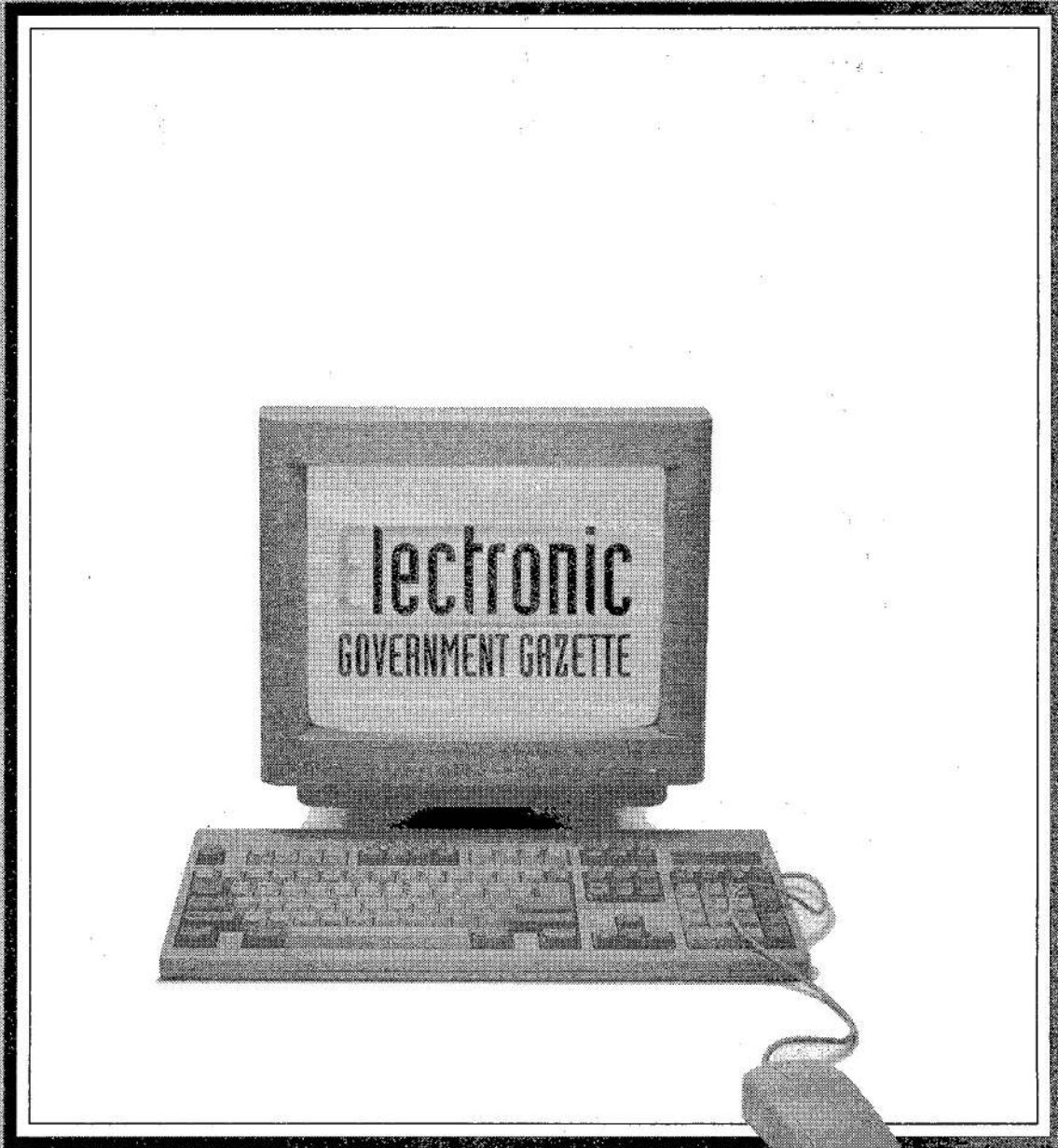
Die toestaan, die bedinge en voorwaardes en die terugbetaling van die lening of lenings en enige spesiale hulp deur die Suid-Afrikaanse Reserwebank aan Bankorp om Bankorp van bankrotskap te red.

Where is the largest amount of meteorological information in the whole of South Africa available?



Waar is die meeste weerkundige inligting in die hele Suid-Afrika beskikbaar?

Department of Environmental Affairs and Tourism
Departement van Omgewingsake en Toerisme



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