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PROCLAMATIONS

by the

Acting President of the Republic of South Africa

No. R. 59, 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 Performing Arts Council of Transvaal as mentioned 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 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 the Performing Arts Council of Transvaal;
- (b) improper or unlawful conduct by employees of the Performing Arts Council of Transvaal;
- (c) unlawful appropriation or expenditure of public money or property;
- (d) intentional or negligent loss of public money or damage to public property;
- (e) corruption in connection with the affairs of the Performing Arts Council of Transvaal; 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 the date of publication of this Proclamation.

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

1. The unlawful, unauthorised and/or irregular establishment and administration of trust funds by the Performing Arts Council of Transvaal.
2. The failure to disclose trust funds, trust moneys and/or other cash assets in the accounting records and/or annual financial statements of the Performing Arts Council of Transvaal.
3. The unlawful and/or irregular concealment of surplus funds by the Performing Arts Council of Transvaal.
4. The unauthorised and/or irregular increase of salaries in respect of employees of the Performing Arts Council of Transvaal.
5. The irregular administration of retrenchment packages in respect of employees of the Performing Arts Council of Transvaal.

PROKLAMASIES*van die****Waarnemende President van die Republiek van Suid-Afrika*****No. R. 59, 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 Transvaalse Raad vir die Uitvoerende Kunste, 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 Ondersoekeenhede 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 Ondersoekeenhede is om, soos beoog in gemelde Wet, ondersoek te doen na enige—

- (a) ernstige wanadministrasie in verband met die aangeleenthede van die Transvaalse Raad vir die Uitvoerende Kunste;
- (b) onbehoorlike of onregmatige optrede deur werknemers van die Transvaalse Raad vir die Uitvoerende Kunste;
- (c) onregmatige bewilliging of besteding van publieke geld of eiendom;
- (d) opsetlike of nalatige verlies van publieke geld of skade aan publieke eiendom;
- (e) korrupsie in verband met die sake van die Transvaalse Raad vir die Uitvoerende Kunste; 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 die datum van publikasie van hierdie Proklamasie.

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

T. M. MBEKI**Waarnemende President**

Op las van die President-in-Kabinet:

A. M. OMAR**Minister van die Kabinet**

BYLAE

1. Die onregmatige, ongemagtigde en/of onreëlmatige stigting en administrering van trustfondse deur die Transvaalse Raad vir die Uitvoerende Kunste.
2. Die versuim om trustfondse, trustgelde en/of ander kontantbates in die rekeningkundige rekords en/of finansiële jaarverslae van die Transvaalse Raad vir die Uitvoerende Kunste te openbaar.
3. Die onregmatige en/of onreëlmatige verberging van surplus fondse deur die Transvaalse Raad vir die Uitvoerende Kunste.
4. Die ongemagtigde en/of onreëlmatige verhoging van salarisse ten opsigte van werknemers van die Transvaalse Raad vir die Uitvoerende Kunste.
5. Die onreëlmatige administrering van afdankingspakkette ten opsigte van werknemers van die Transvaalse Raad vir die Uitvoerende Kunste.

No. R. 60, 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), has 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, and after consultation with the Premier of the Province of the Eastern Cape, 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 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 interest of the public or any category thereof,

which has taken place between 1 January 1994 and the date of publication of this Proclamation.

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

1. The unlawful, unauthorised and/or irregular payments by the provincial Department of Education, Culture and Sport of the Eastern Cape to a purported bookshop, to wit Lukhanji Bookshop.
2. The irregular granting of study bursaries to Government officials or persons by provincial Government departments of the Eastern Cape, the failure of bursary holders to honour their obligations and the failure by such departments to recover funds owed to the State in this regard.
3. The unauthorised and/or irregular conclusion of a contract between the provincial Government of the Eastern Cape and Karia Building Construction CC for the lease of premises to house the Western Region regional offices of the Department of Education, Culture and Sport of the Eastern Cape.

No. R. 60, 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, en na oorleg met die Premier van die Provinsie van die Oos-Kaap die aangeleenthede in die Bylae vir ondersoek na die Spesiale Ondersoekeenhede 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 Ondersoekeenhede is om, soos beoog in gemelde Wet, ondersoek te doen na enige—

- (a) ernstige wanadministrasie in verband met die aangeleenthede van enige sodanige Staatsinstelling;
- (b) onbehoorlike 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 van die publiek veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 1 Januarie 1994 en die datum van publikasie van hierdie Proklamasie.

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

T. M. MBEKI

Waarnemende President

Op las van die President-in-Kabinet:

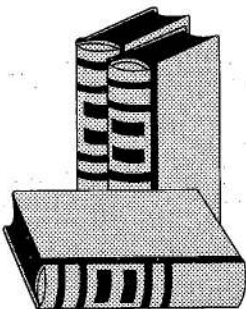
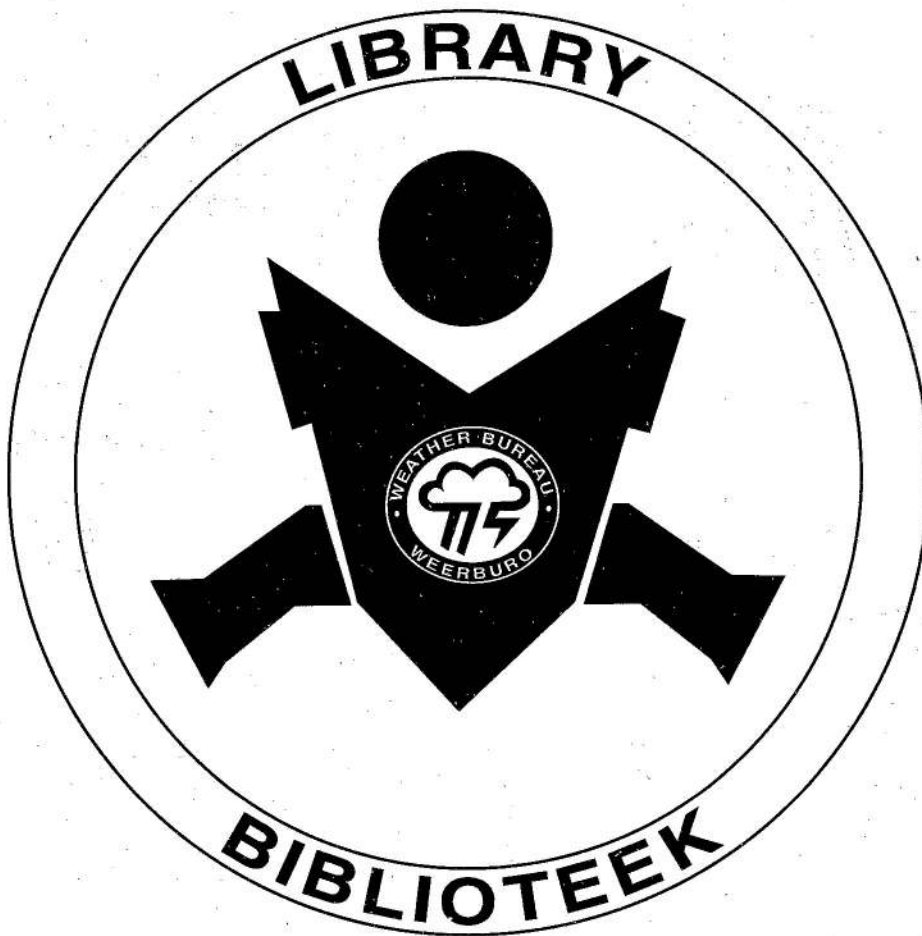
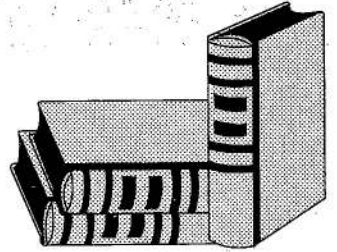
A. M. OMAR

Minister van die Kabinet

BYLAE

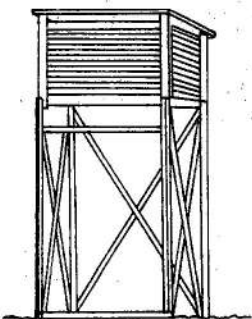
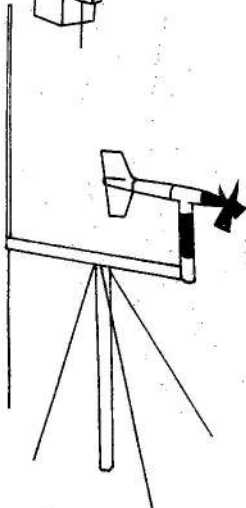
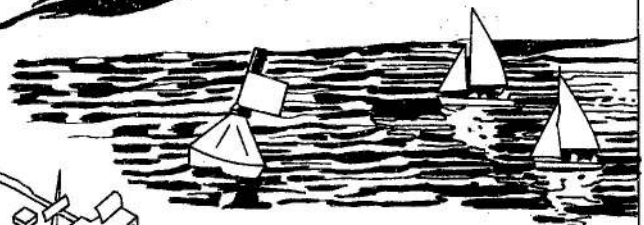
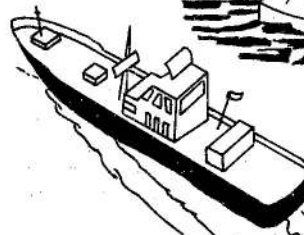
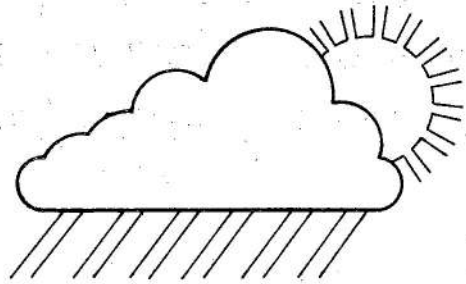
1. Die onregmatige, ongemagtigde en/of onreëlmatige betalings deur die provinsiale Departement van Onderwys, Kultuur en Sport van die Oos-Kaap aan 'n vermeende boekwinkel, te wete Lukhanji Bookshop.
2. Die onreëlmatige toestaan van studiebeurse aan Staatsamptenare of persone deur provinsiale Regeringsdepartemente van die Oos-Kaap, die versuim van beurshouers om hulle verpligtinge na te kom en die versuim deur sodanige departemente om fondse wat uit hierdie verband aan die Staat verskuldig is, te verhaal.
3. Die ongemagtigde en/of onreëlmatige sluiting van 'n kontrak tussen die provinsiale Regering van die Oos-Kaap en Karia Building Construction CC vir die huur van 'n perseel om die streekkantore van die Westelike Streek van die Departement van Onderwys, Kultuur en Sport van die Oos-Kaap, te huisves.

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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