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PROCLAMATION*by the**President of the Republic of South Africa***No. R. 1, 2002****SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996
(ACT No. 74 OF 1996): REFERRAL OF MATTERS TO 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 Witness Protection Office: KwaZulu-Natal (hereinafter referred to as "the Witness Protection Office");

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. 118 of 31 July 2001 and determine that, for the purposes of the investigation of those matters, the terms of reference of the Special Investigating Unit, which has the powers, duties and functions assigned to or conferred upon it by the Act, are to investigate as contemplated in the said Act, any -

- (a) serious maladministration in connection with the affairs of the Witness Protection Office;
- (b) improper or unlawful conduct by employees of the Witness Protection 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 Witness Protection 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 January 1995 and the date of publication of this Proclamation.

Given under my Hand at Pretoria this Seventh day of December Two thousand and one.

T. M. MBEKI

President

By Order of the President-in-Cabinet:

P. M. MADUNA

Minister of the Cabinet

SCHEDULE

1. The failure of employees to comply with prescripts and directives pertaining to the incurring of expenditure and/or payments made by the Witness Protection Office.
2. Irregularities pertaining to the renting of accommodation to be utilised as places of safekeeping and/or payments made in respect thereof.
3. Improper or unlawful conduct by employees relating to the safekeeping of witnesses under the Witness Protection Programme.
4. The misuse and neglect of, and damage caused by employees to government vehicles allocated to the Witness Protection Office.
5. The unlawful, unauthorised and/or irregular payments made by employees to witnesses placed under the Witness Protection Programme.
6. Irregular conduct by employees pertaining to the placement of persons under the Witness Protection Programme.
7. Irregularities in respect of transportation of property and effects of witnesses under the Witness Protection Programme.
8. The mismanagement by employees of money and property allocated to the Witness Protection Office.

PROKLAMASIE*van die**President van die Republiek van Suid-Afrika***No. R. 1, 2002****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 Ondersoekeenheide en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), gemaak is in verband met die aangeleenthede van die Getuiebeskermingskantoor: KwaZulu-Natal (hierna "die Getuiebeskermingskantoor" 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. 118 van 31 Julie 2001 en bepaal dat,

vir die doeleindes van die ondersoek van daardie aangeleenthede, die opdrag van die Spesiale Ondersoekeenheid, wat die bevoegdhede, pligte en werksaamhede het wat deur die Wet toegewys of opgedra is, is om soos beoog in gemelde Wet, ondersoek te doen na enige -

- (a) ernstige wanadministrasie in verband met die aangeleenthede van die Getuiebeskermingskantoor;
- (b) onbehoorlike of onregmatige optrede deur werknemers van die Getuiebeskermingskantoor;
- (c) onregmatige bewilliging of besteding van publieke geld of eiendom;
- (d) onwettige, onreëlmatige of nie-goedgekeurde verkrygende handeling, transaksie, maatreël of praktyk wat op Staatseiendom betrekking het;
- (e) opsetlike of nalatige verlies van publieke geld of skade aan publieke eiendom;
- (f) korrupsie in verband met die sake van die Getuiebeskermingskantoor; 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 Januarie 1995 en die datum van publikasie van hierdie Proklamasie.

Gegee onder my Hand te Pretoria op hede die Sewende dag van Desember Tweeduisend-en-een.

T. M. MBEKI

President

Op las van die President-in-Kabinet:

P. M. MADUNA

Minister van die Kabinet

BYLAE

1. Die versuim van werknemers om te voldoen aan voorskrifte en riglyne wat betrekking het op die aangaan van uitgawes en/of betalings gemaak deur die Getuiebeskermingskantoor.
2. Onreëlmatighede met betrekking tot die huur van akkomodasie vir aanwending as plekke van veiligheid en/of betalings gemaak in verband daarmee.
3. Onbehoorlike of onregmatige optredes deur werknemers met betrekking tot die beskerming van getuies kragtens die Getuiebeskermingsprogram.
4. Die misbruik en verwaarlosing van, en skade veroorsaak deur wernemers aan staatsvoertuie toegewys aan die Getuiebeskermingskantoor.
5. Die onregmatige, ongemagtigde en/of onbehoorlike betalings deur werknemers gemaak aan getuies wat onder die Getuiebeskermingprogram geplaas is.
6. Onreëlmatige optredes deur werknemers met betrekking tot die plasing van persone onder die Getuiebeskermingsprogram.
7. Onreëlmatighede in verband met die vervoer van eiendom en besittings van getuies onder die Getuiebeskermingsprogram.
8. Die wanbestuur deur werknemers van gelde en eiendom toegewys aan die Getuiebeskermingskantoor.

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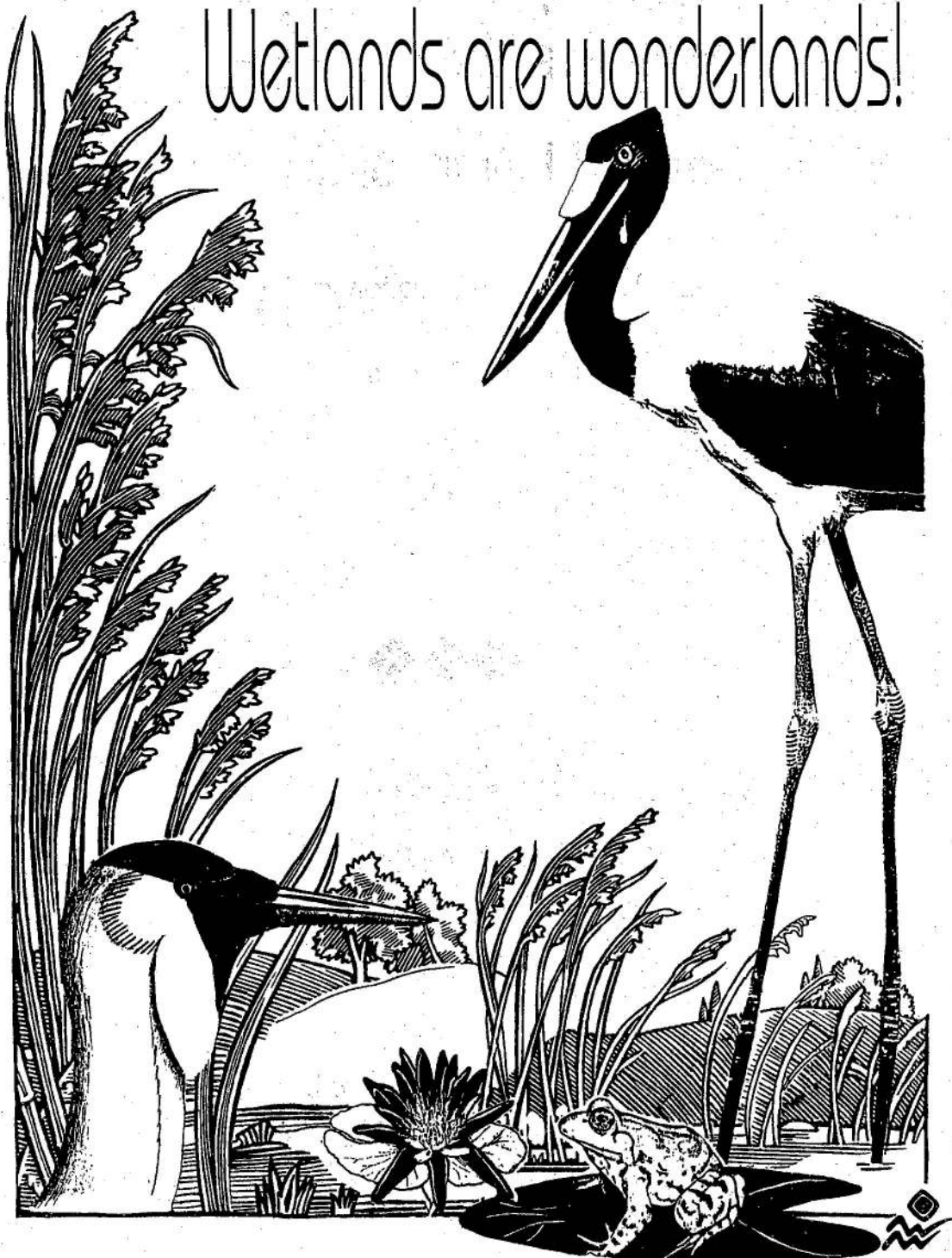
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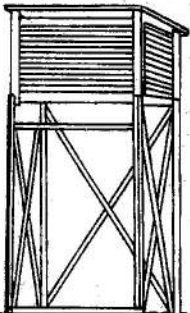
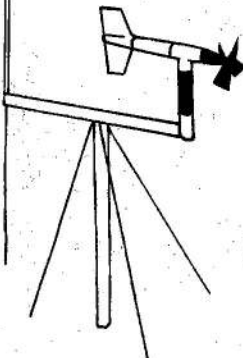
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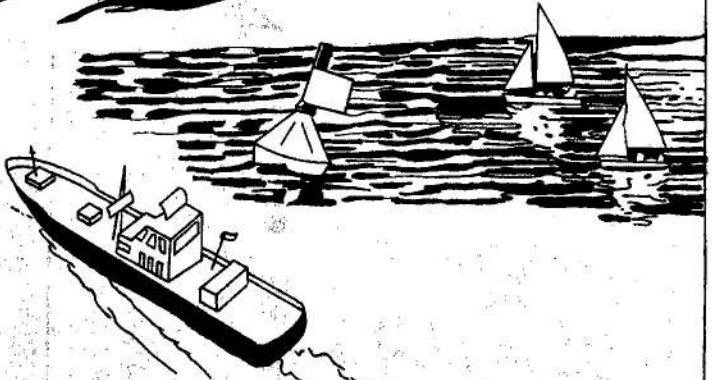
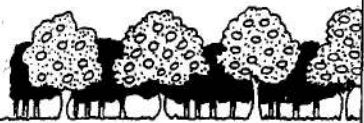
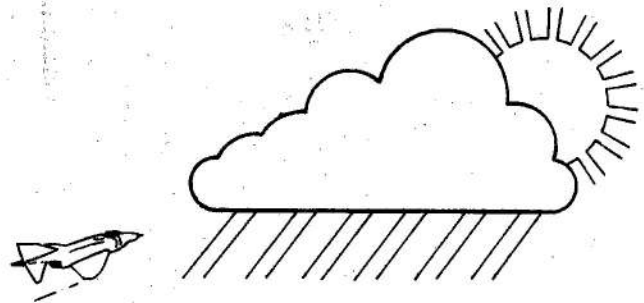


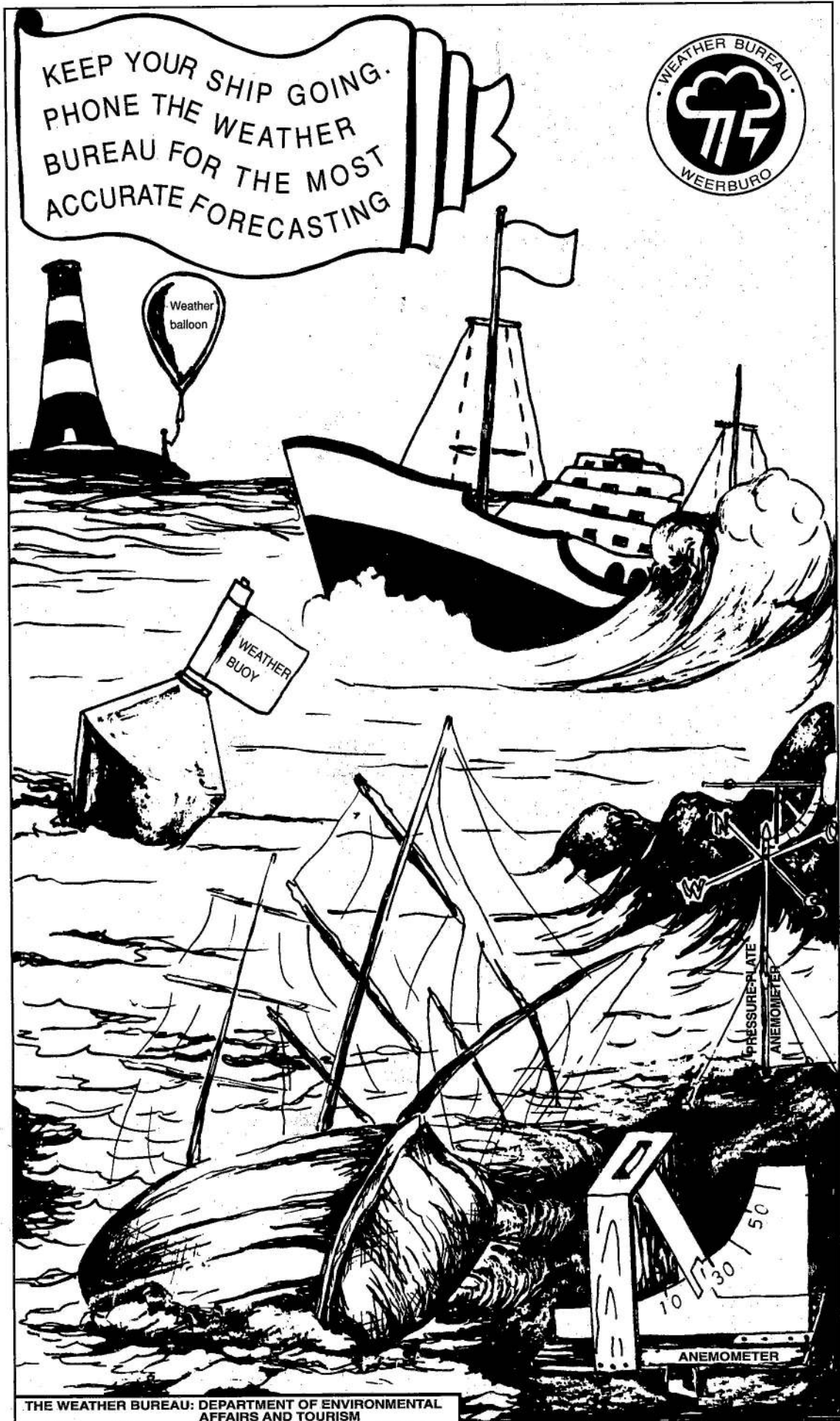
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