

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Vol. 410

PRETORIA, 6 AUGUST 1999
AUGUSTUS

No. 20345

PROCLAMATION

by the

President of the Republic of South Africa

No. 86, 1999

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 theft of funds of the Kimberley College in the Province of the Northern Cape (hereinafter referred to as "the College");

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 Northern Cape, refer the theft by a former employee of the College of funds belonging to and/or vesting in the College 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 College;
- (b) improper or unlawful conduct by employees of the College;
- (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 College; 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 January 1997 and the date of publication of this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this
Twenty-second day of July One thousand Nine hundred and Ninety-nine.

J. G. ZUMA

Acting President

By Order of the President-in-Cabinet:

P. M. MADUNA

Minister of the Cabinet

PROKLAMASIE*van die**President van die Republiek van Suid-Afrika***No. 86, 1999****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 Ondersoekenehede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), gemaak is in verband met die diefstal van fondse van die Kimberley Kollege in die Provinsie van die Noord-Kaap (hierna "die Kollege" 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 Noord-Kaap, die diefstal deur 'n voormalige werknemer van die Kollege van fondse wat behoort aan en/of vestig in die Kollege vir ondersoek na die Spesiale Ondersoekeneheid 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 Kollege;
- (b) onbehoorlike of onregmatige optrede deur werknemers van die Kollege;
- (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 Kollege; 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 Januarie 1997 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 Twee-en-twintigste dag van Julie Eenduisend Negehonderd Nege-en-negentig.

J. G. ZUMA

Waarnemende President

Op las van die President-in-Kabinet:

P. M. MADUNA

Minister van die Kabinet

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