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No. 21210

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

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PROCLAMATION*by the**President of the Republic of South Africa***No. R. 31, 2000****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 Councils of Transvaal and the Free State (hereinafter referred to as "the Councils");

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, 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 Councils;
- (b) improper or unlawful conduct by employees of the Councils;
- (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 Councils; 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 2 June 1998 and the date of publication of this Proclamation.

Given under my Hand at Cape Town this Seventeenth day of May Two thousand.

J. G. ZUMA

Acting President

By Order of the President-in-Cabinet:

P. M. MADUNA

Minister of the Cabinet

SCHEDULE

1. The unlawful, unauthorised and/or irregular conclusion of agreements by the Councils with various investment broker companies.
2. The irregular investment of public money by the Councils through various investment broker companies.
3. The financial losses suffered by the Councils in respect of the investment of funds with various investment broker companies.
4. The failure by the Councils to ensure the protection of public money invested with various investment broker companies.

PROKLAMASIE*van die**President van die Republiek van Suid-Afrika***No. R. 31, 2000****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 Ondersoekkeenheide en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), gemaak is in verband met die aangeleenthede van die Transvaalse en Vrystaatse Rade vir die Uitvoerende Kunste (hierna "die Rade" 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 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 aangeleenthede, die opdrag van die Spesiale Ondersoekkeenheid, 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 Rade;
- (b) onbehoorlike of onregmatige optrede deur werknemers van die Rade;
- (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 Rade; 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 2 Junie 1998 en die datum van publikasie van hierdie Proklamasie.

Gegee onder my Hand te Kaapstad op hede die Sewentiende dag van Mei Tweeduisend.

J. G. ZUMA

Waarnemende President

Op las van die President-in-Kabinet:

P. M. MADUNA

Minister van die Kabinet

BYLAE

1. Die onregmatige, ongemagtigde en/of onreëlmatige sluiting van ooreenkomste deur die Rade met verskeie beleggingsmakelaar maatskappye.
2. Die onreëlmatige belegging van publieke geld deur die Rade deur middel van verskeie beleggingsmakelaar maatskappye.
3. Die finansiële verliese gely deur die Rade ten opsigte van die belegging van fondse by verskeie beleggingsmakelaar maatskappye.
4. Die versuim deur die Rade om beskerming van publieke geld wat by verskeie beleggingsmakelaar maatskappye belê is, te verseker.

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