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**PROCLAMATIONS • PROKLAMASIES**

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**PROCLAMATION NO. R. 17 OF 2017**

**by the  
PRESIDENT of the REPUBLIC of SOUTH AFRICA**

**SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT**

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as the "Act"), have been made in respect of the affairs of the Department of Social Development of the Eastern Cape Province (hereinafter referred to as "the Department");

AND WHEREAS the State or the Department suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, and at the request of the Premier of the Eastern Cape Province, refer the matters mentioned in the Schedule in respect of the Department, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

- (a) serious maladministration in connection with the affairs of the Department;
- (b) improper or unlawful conduct by employees or officials of the Department;
- (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) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the Department; 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 took place between 18 March 2013 and the date of publication of this Proclamation or which took place prior to 18 March 2013 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the State or the Department, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Tenth day of March Two thousand and Seventeen.

**J G Zuma**  
**President**

By Order of the President-in-Cabinet:

**T M Masutha**  
**Minister of the Cabinet**

### SCHEDULE

1. The procurement of, or contracting for goods, works or services by or on behalf of the Department and payments made in respect thereof in a manner that was—

- (a) not fair, competitive, transparent, equitable or cost-effective;
- (b) contrary to applicable—
  - (i) legislation;
  - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or
  - (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Department,

and related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department or the State in relation to the awarding of contracts, the renewal of contracts or the extension of contracts for the following—

- (aa) the provision or management of residential care facilities in the Nelson Mandela Metro for 240 frail, aged or mentally or physically disabled persons; and
- (bb) the provision of internal audit services.

2. Maladministration in the affairs of the Department and any losses or prejudice suffered by the Department or the State as a result of such maladministration in relation to the—

- (a) the provision or management of residential care facilities in the Nelson Mandela Metro for 240 frail, aged or mentally or physically disabled persons; and
- (b) the provision of internal audit services,

including the causes of such maladministration and related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department or the State.

3. Any unlawful or improper conduct by officials or employees of the Department or the applicable contractors, suppliers or service providers or any other person or entity, in relation to the allegations set out in paragraphs 1 or 2 of this Schedule.

**PROKLAMASIE NO. R. 17 VAN 2017****van die  
PRESIDENT van die REPUBLIEK van SUID-AFRIKA****WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996  
(WET NO. 74 VAN 1996): VERWYSING VAN AANGELEENTHEDE NA****BESTAANDE SPESIALE ONDERSOEKEENHEID**

AANGESIEN bewerings soos beoog in artikel 2(2) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as die "Wet"), gemaak is in verband met die aangeleentede van die Departement van Sosiale Ontwikkeling van die Oos-Kaap Provinsie (hierna na verwys as "die Departement");

EN AANGESIEN die Staat of die Departement moontlike verliese gely het wat verhaal kan word;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele verrigtinge voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, op versoek van die Premier van die Oos-Kaap Provinsie, die aangeleentede in die Bylae vermeld ten opsigte van die Departement, vir ondersoek na die Spesiale Ondersoekeenhede ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleentede, dit die opdrag van die Spesiale Ondersoekeenhede is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

- (a) ernstige wanadministrasie in verband met die aangeleentede van die Departement;
- (b) onbehoorlike of onregmatige optrede deur werknemers of beamptes van die Departement;
- (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) misdryf bedoel in Dele 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voornoemde misdrywe betrekking het) van Hoofstuk 2 van die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet No. 12 van 2004), en welke misdrywe in verband met die sake van die Departement gepleeg is; of
- (g) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 18 Maart 2013 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 18 Maart 2013 of na die datum van publikasie van hierdie Proklamasie, maar wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleentede vermeld in die Bylae of wat dieselfde persone, entiteite of kontrakte betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekeenhede toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleentede in die Bylae, insluitend die verhaal van enige verliese wat deur die Staat of die Departement gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die Tiende dag van Maart Twee duisend-en- sewentien.

**J G Zuma**  
**President**

Op las van die President-in-Kabinet:

**T M Masutha**  
**Minister van die Kabinet**

### BYLAE

1. Die aanskaffing van, of kontraktering vir goedere, werke of dienste deur of namens die Departement en betalings wat in verband daarmee gemaak is op 'n wyse wat—

(a) nie regverdig, mededingend, deursigtig, billik of koste-effektief was nie; of

(b) strydig was met toepaslike—

(i) wetgewing;

(ii) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of die relevante Provinsiale Tesourie uitgevaardig is; of

(iii) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Departement van toepassing is,

en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verspilde uitgawes wat deur die Departement of die Staat opgeloop was ten opsigte van—

(aa) die verskaffing of administrasie van verblyfversorgingsfasiliteite in die Nelson Mandela Metro vir 240 verswakte, bejaardes of verstandelike of fisiese gestremde persone; en

(bb) die verskaffing van interne ouditdienste.

2. Wanadministrasie in die aangeleenthede van die Departement en enige verliese of nadeel wat deur die Departement of die Staat gely is as gevolg van sodanige wanadministrasie ten opsigte van—

(a) die verskaffing of administrasie van verblyfversorgingsfasiliteite in die Nelson Mandela Metro vir 240 verswakte, bejaardes en verstandelike of fisiese gestremde persone; en

(b) die verskaffing van interne ouditdienste,

insluitende die oorsake van sodanige wanadministrasie en verwante ongemagtigde, onreëlmatige of vrugtelose en verspilde uitgawes wat deur die Departement of die Staat aangegaan is.

3. Enige onregmatige of onbehoorlike optrede deur beamptes of werknemers van die Departement of die betrokke kontrakteurs, verskaffers of diensverskaffers of enige ander persoon of entiteit, ten opsigte van die bewerings uiteengesit in paragrawe 1 of 2 van hierdie Bylae.

**PROCLAMATION NO. R. 18 OF 2017**

**by the  
PRESIDENT of the REPUBLIC of SOUTH AFRICA**

**SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT**

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as the "Act"), have been made in respect of the affairs of the Thabazimbi Local Municipality (hereinafter referred to as "the Municipality");

AND WHEREAS the Municipality suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the Municipality, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

- (a) serious maladministration in connection with the affairs of the Municipality;
- (b) improper or unlawful conduct by the councillors, officials or employees of the Municipality;
- (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) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the Municipality; 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 took place between 1 September 2012 and the date of publication of this Proclamation or which took place prior to 1 September 2012 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the Municipality, in relation to the said matters in the Schedule.



Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Tenth day of March Two thousand and Seventeen.

**J G Zuma**  
**President**

By Order of the President-in-Cabinet:

**T M Masutha**  
**Minister of the Cabinet**

### SCHEDULE

1. The procurement of or contracting for goods, works or services by or on behalf of the Municipality and payments made in respect thereof in a manner that was—

- (a) not fair, competitive, transparent, equitable or cost-effective; or
- (b) contrary to applicable—
  - (i) legislation;
  - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or
  - (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Municipality,

and related irregular or fruitless and wasteful expenditure incurred by the Municipality in relation to—

- (aa) fleet related goods or services;
- (bb) auctioneering or asset disposal related services;
- (cc) the drafting or implementation of an asset disposal policy;
- (dd) waste management services for the Northam landfill site;
- (ee) the provision of office equipment;
- (ff) the conversion of conventional prepaid meters to smart meters;
- (gg) human resources related goods or services;
- (hh) the provision of meter reading related services;
- (ii) the provision of debt collection related services;
- (jj) the provision of credit control related services; and
- (kk) the drafting or implementation of a credit control management policy and the management of such a policy.

2. Maladministration in the affairs of the Municipality in respect of employees' tax deductions and the payment of such deductions to the South African Revenue Service, and any losses, prejudice or fruitless and wasteful expenditure incurred by the Municipality as a result of the non-payment or late payment of such deductions to the South African Revenue Service, including the causes of such maladministration.

3. The failure or refusal of the Municipality to—

- (a) timeously act upon conclusions or findings which were made; or
- (b) implement recommendations contained, in a final report entitled "Possible abuse of office: Forensic Investigation", dated 29 October 2014.

4. Any unlawful or improper conduct by councillors, officials or employees of the Municipality or the applicable contractors, suppliers or service providers or any other person or entity, in relation to any of the allegations set out in paragraphs 1 to 3 of this Schedule.

**PROKLAMASIE NO. R. 18 VAN 2017****van die  
PRESIDENT van die REPUBLIEK van SUID-AFRIKA****WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996  
(WET NO. 74 VAN 1996): VERWYSING VAN AANGELEENTHEDE NA  
BESTAANDE SPESIALE ONDERSOEKEENHEID**

AANGESIEN bewerings soos beoog in artikel 2(2) van die Wet op Spesiale Ondersoekeenheede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as die "Wet"), gemaak is in verband met die aangeleentehede van die Thabazimbi Plaaslike Munisipaliteit (hierna na verwys as "die Munisipaliteit");

EN AANGESIEN die Munisipaliteit verliese gely het wat verhaal kan word;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele verrigtinge voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, die aangeleentehede in die Bylae vermeld, ten opsigte van die Munisipaliteit, vir ondersoek na die Spesiale Ondersoekeenheid ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleentehede, die opdrag van die Spesiale Ondersoekeenheid is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

- (a) ernstige wanadministrasie in verband met die aangeleentehede van die Munisipaliteit;
- (b) onbehoorlike of onregmatige optrede deur die raadslede, beamptes of werknemers van die Munisipaliteit;
- (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) misdryf bedoel in Dele 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voornoemde misdrywe betrekking het) van Hoofstuk 2 van die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet No. 12 van 2004), en welke misdrywe gepleeg is in verband met die sake van die Munisipaliteit; of
- (g) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 1 September 2012 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 September 2012 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleentehede vermeld in die Bylae of wat dieselfde persone, entiteite of kontrakte betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekeenheid toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleentehede in die Bylae, insluitend die verhaal van enige verliese wat deur die Munisipaliteit gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die Tiende dag van Maart Twee duisend-en-sewentien.

**J G Zuma**  
**President**

Op las van die President-in-Kabinet:

**T M Masutha**  
**Minister van die Kabinet**

### BYLAE

1. Die aanskaffing van of kontraktering vir goedere, werke of dienste deur of namens die Munisipaliteit en betalings wat in verband daarmee gemaak is op 'n wyse wat—

- (a) nie regverdig, mededingend, deursigtig, billik of koste-effektief was nie; of
- (b) strydig was met toepaslike —
  - (i) wetgewing;
  - (ii) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of relevante Plaaslike Tesourie uitgevaardig is; of
  - (iii) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Munisipaliteit van toepassing is,

en verwante onreëlmatige of vrugtelose en verspilde uitgawes wat deur die Munisipaliteit opgeloopt was ten opsigte van—

- (aa) vloot-verwante goedere en dienste;
- (bb) veiling of batebeskikking verwante dienste;
- (cc) die opstel of implementering van 'n batebeskikkingsbeleid;
- (dd) afval bestuursdienste vir die Northam vullis stortingssterrein;
- (ee) die verskaffing van kantoortoerusting;
- (ff) die omskakeling van konvensionele vooruitbetaalde meters na slim meters;
- (gg) menslike hulpbronverwante goedere of dienste;
- (hh) die verskaffing van meterlesing verwante dienste;
- (ii) die verskaffing van skuldinvordering verwante dienste;
- (jj) die verskaffing van kredietbeheer verwante dienste; en
- (kk) die opstel of implementering van 'n kredietbeheer bestuursbeleid en die bestuur van die beleid.

2. Wanadministrasie in die aangeleenthede van die Munisipaliteit ten opsigte van werknemersbelasting aftrekkings en die oorbetalings van sodanige aftrekkings aan die Suid-Afrikaanse Inkomstediens en enige verlies, nadeel of vrugtelose en verspilde uitgawes wat deur die Munisipaliteit opgeloopt was as gevolg van die wanbetaling of laat betaling van sodanige aftrekkings aan die Suid-Afrikaanse Inkomstediens, insluitende die oorsake van sodanige wanadministrasie.

3. Die versuim of weiering van die Munisipaliteit om—

- (a) tydig op te tree teen gevolgtrekkings of bevindings wat gemaak is; of
- (b) aanbevelings te implementeer wat vervat is, in 'n finale verslag getiteld "Possible abuse of office: Forensic Investigation", gedateer 29 Oktober 2014.

4. Enige onwettige of onreëlmatige optrede deur raadslede, beamptes of werknemers van die Munisipaliteit of die betrokke kontrakteurs, verskaffers of diensverskaffers of enige ander persoon of entiteit, ten opsigte van enige van die bewerings uiteengesit in paragrawe 1 tot 3 van hierdie Bylae.

**PROCLAMATION NO. R. 19 OF 2017**

**by the  
PRESIDENT of the REPUBLIC of SOUTH AFRICA**

**SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996)**

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as the "Act"), have been made in respect of the affairs of the Alfred Nzo District Municipality (hereinafter referred to as "the District Municipality"), which is situated in the Eastern Cape Province;

AND WHEREAS the District Municipality suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the District Municipality, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

- (a) serious maladministration in connection with the affairs of the District Municipality;
- (b) improper or unlawful conduct by councillors, officers or employees of the District Municipality;
- (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) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the District Municipality; 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 took place between 1 January 2014 and the date of publication of this Proclamation or which took place prior to 1 January 2014 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the District Municipality in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Tenth day of March Two thousand and seventeen.

**J G Zuma**  
**President**

By Order of the President-in-Cabinet:

**T M Masutha**  
**Minister of the Cabinet**

## SCHEDULE

1. The procurement of, or contracting for goods, works or services by or on behalf of the District Municipality and payments made in respect thereof in a manner that was—

- (a) not fair, competitive, transparent, equitable or cost-effective; or
- (b) contrary to applicable—
  - (i) legislation;
  - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or
  - (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the District Municipality,

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the District Municipality in respect of—

- (aa) the supply, delivery, installation or commissioning of water storage facilities or tanks or Contract Number ANDM/IDMS-WSP/05/20/03;
- (bb) the Matatiele Ward 7 Water Supply Project or Tender Number ANDM/IDMS-PMU/300/25/03/14; and
- (cc) a revenue and billing management solution or Tender Number ANDM/IDMS/-WSP/165/19/11/14.

2. Maladministration in the affairs of the District Municipality and any losses or prejudice suffered by the District Municipality, as a result of such maladministration in relation to—

- (a) the supply, delivery, installation or commissioning of water storage facilities or tanks or Contract Number ANDM/IDMS-WSP/05/20/03;
- (b) the Matatiele Ward 7 Water Supply Project or Tender Number ANDM/IDMS-PMU/300/25/03/14; and
- (c) a revenue and billing management solution or Tender Number ANDM/IDMS/-WSP/165/19/11/14,

and payments made in respect thereof, including the causes of such maladministration and related unauthorised, irregular or fruitless and wasteful expenditure incurred by the District Municipality.

3. Any improper or unlawful conduct by the councillors, officers or employees of the District Municipality or the applicable contractors, suppliers or service providers or any other person or entity, in relation to the allegations set out in paragraphs 1 and 2 of this Schedule.

**PROKLAMASIE NO. R. 19 VAN 2017****van die  
PRESIDENT van die REPUBLIEK van SUID-AFRIKA****WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996  
(WET NO. 74 VAN 1996): VERWYSING VAN AANGELEENTHEDE NA  
BESTAANDE SPESIALE ONDERSOEKEENHEID**

AANGESIEN bewerings soos beoog in artikel 2(2) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as die "Wet"), gemaak is in verband met die aangeleentheid van die Alfred Nzo Distriksmunisipaliteit (hierna na verwys as "die Distriksmunisipaliteit");

EN AANGESIEN die Distriksmunisipaliteit verliese gely het wat verhaal kan word;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele geskille voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, die aangeleentheid in die Bylae vermeld, ten opsigte van die Distriksmunisipaliteit, vir ondersoek na die Spesiale Ondersoekeenheid ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleentheid, die opdrag van die Spesiale Ondersoekeenheid is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

- (a) ernstige wanadministrasie in verband met die aangeleentheid van die Distriksmunisipaliteit;
- (b) onbehoorlike of onregmatige optrede deur raadslede, beamptes of werknemers van die Distriksmunisipaliteit;
- (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) misdryf bedoel in Dele 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voornoemde misdrywe betrekking het) van Hoofstuk 2 van die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet No. 12 van 2004), en welke misdrywe gepleeg is in verband met die sake van die Distriksmunisipaliteit; of
- (g) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 1 Januarie 2014 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2014 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleentheid vermeld in die Bylae of wat dieselfde persone, entiteite of kontrakte betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekeenheid toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleentheid in die Bylae, insluitend die verhaal van enige verliese wat deur die Distriksmunisipaliteit gely is.



Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die Tiende dag van Maart Twee duisend-en-sewentien.

**J G Zuma**  
**President**

Op las van die President-in-Kabinet:

**T M Masutha**  
**Minister van die Kabinet**

### BYLAE

1. Die aanskaffing van, of kontraktering vir goedere, werke of dienste deur of namens die Distriksmunisipaliteit en betalings wat in verband daarmee gemaak is op 'n wyse wat—

- (a) nie regverdig, mededingend, deursigtig, billik of koste-effektief was nie; of
- (b) strydig was met toepaslike —
  - (i) wetgewing;
  - (ii) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of relevante Plaaslike Tesourie uitgevaardig is; of
  - (iii) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Distriksmunisipaliteit van toepassing is,

en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verspilde uitgawes wat deur die Distriksmunisipaliteit aangegaan is ten opsigte van—

- (aa) die verskaffing, lewering, installering of indiensstelling van water opgaar fasiliteite of tenks of Kontraknommer ANDM/IDMS-WSP/05/20/03;
- (bb) die “Matatiele Ward 7 Water Supply Project” of Tondernommer ANDM/IDMS-PMU/300/25/03/14; en
- (cc) 'n inkomste en rekeningbestuursoplossing of Tondernommer ANDM/IDMS/-WSP/165/19/11/14.

2. Wanadministrasie in die aangeleenthede van die Distriksmunisipaliteit en enige verliese of nadeel wat deur die Distriksmunisipaliteit gely is as gevolg van sodanige wanadministrasie ten opsigte van—

- (a) die verskaffing, lewering, installering of indiensstelling van water opgaar fasiliteite of tenks of Kontraknommer ANDM/IDMS-WSP/05/20/03;
- (b) die “Matatiele Ward 7 Water Supply Project” of Tondernommer ANDM/IDMS-PMU/300/25/03/14; en
- (c) 'n inkomste en rekeningbestuursoplossing of Tondernommer ANDM/IDMS/-WSP/165/19/11/14,

en betalings wat in verband daarmee gemaak is, insluitende die oorsake van die wanadministrasie en verwante ongemagtigde, onreëlmatige of vrugtelose en verspilde uitgawes wat deur die Distriksmunisipaliteit aangegaan is.

3. Enige onbehoorlike of onwettige optrede deur die raadslede, beamptes of werknemers van die Distriksmunisipaliteit of die betrokke kontrakteurs, verskaffers of diensverskaffers of enige ander persoon of entiteit, ten opsigte van die bewerings uiteengesit in paragrawe 1 en 2 van hierdie Bylae.





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