

REGULASI  
GAZETTE

REGULASIE  
KOERANT



**Regulation Gazette**

**No. 10963**

**Regulasiekoerant**

**Vol. 649**

**12 July  
Julie 2019**

**No. 42577**



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**PROCLAMATIONS • PROKLAMASIES**

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**PROCLAMATION NO. R. 33 OF 2019****by the****PRESIDENT of the REPUBLIC of SOUTH AFRICA****SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): AMENDMENT OF PROCLAMATION NO. R. 21 OF 2018**

Under section 2(4) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), I hereby amend Proclamation No. R. 21 of 2018, by—

- (a) the further extension of the period referred to in the fourth paragraph of the Proclamation to the date of publication of this Proclamation; and
- (b) the substitution for the Schedule to the Proclamation of the following Schedule:

**"SCHEDULE**

1. For purposes of this Schedule the expression "legal services" must be interpreted to include legal advisory services; litigation services; appointment of legal practitioners to render legal advisory or litigation services; any professional service required for legal or litigation purposes, including the appointment of any intermediary or subject matter expert; and support services for legal or litigation purposes, including the appointment of any interpreter, transcriber or tracer.

2. Maladministration in connection with the affairs of the office of the State Attorney in relation to—

- (a) legal services that were provided, or procured, by the office of the State Attorney in the performance of its functions as contemplated in section 3 of the State Attorney Act, 1957 (Act No. 56 of 1957), on behalf of—
  - (i) the Gauteng Department of Health and the Eastern Cape Department of Health in respect of claims based on medical negligence; or
  - (ii) the South African Police Service in respect of claims based on wrongful arrest or detention, assault or malicious prosecution; or

(b) the verification, approval or processing for payment of any invoice or account received in relation to legal services provided or procured in terms of paragraph (a).

3. The procurement of legal services, as contemplated in paragraph 2(a) of this Schedule, by the office of the State Attorney, or payments which were made in respect thereof, in a manner that was—

(a) not fair, competitive, transparent, equitable or cost-effective; or

(b) contrary to manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the office of the State Attorney,

and any related unauthorised, irregular or fruitless and wasteful expenditure which the Department or the State incurred as a result thereof.

4. Any unlawful or irregular conduct by—

(a) employees or officials of the office of the State Attorney; or

(b) any other person or entity,

relating to the allegations referred to in paragraphs 2 or 3 of this Schedule."

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 13<sup>th</sup> day of June Two thousand and nineteen.

**CM Ramaphosa**

**President**

By Order of the President-in-Cabinet:

**TM Masutha**

**Minister of the Cabinet**

**PROKLAMASIE NO. R. 33 VAN 2019**  
**van die**  
**PRESIDENT van die REPUBLIEK van SUID-AFRIKA**

**WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): WYSIGING VAN PROKLAMASIE NO. R. 21 VAN 2018**

Kragtens artikel 2(4) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), wysig ek hierby Proklamasie No. R. 21 van 2018, deur—

- (a) die tydperk vermeld in die vierde paragraaf van die Proklamasie verder te verleng tot die datum van publikasie van hierdie Proklamasie; en
- (b) die Bylae tot die Proklamasie deur die volgende Bylae te vervang:

**"BYLAE**

1. Vir doeleindes van hierdie Bylae moet die uitdrukking "regsdienste" geïnterpreteer word om in te sluit regsadvies dienste; litigasie dienste; die aanstelling van regspraktisyns om regsadvies dienste of litigasie dienste te verskaf; enige professionele dienste benodig vir regs- of litigasie doeleindes, insluitende die aanstelling van enige tussengangers of onderwerp deskundige; en ondersteuningsdienste vir regs- of litigasie doeleindes, insluitende die aanstelling van enige tolk, transkribeerder of opsporingsagent.

2. Wanadministrasie in die aangeleenthede van die Staatsprokureurskantoor ten opsigte van—

- (a) regsdienste wat verskaf, of aangeskaf is deur die Staatsprokureurskantoor in die uitoefening van die se werksaamhede soos beoog in artikel 3 van die Wet op die Staatsprokureur, 1957 (Wet No. 56 van 1957), namens die—
  - (i) die Gauteng Departement van Gesondheid en die Oos-Kaap Departement van Gesondheid ten opsigte van mediese nalatigheidseise; of
  - (ii) die Suid-Afrikaanse Polisie diens ten opsigte van eise gebaseer op

onregmatige arrestasie of aanhouding, aanranding of kwaadwillige vervolging; of

- (b) die verifikasie, goedkeuring of verwerking vir betaling van enige faktuur of rekening ontvang ten opsigte van enige regsdiens wat ingevolge paragraaf (a) verskaf is.

3. Die aanskaffing van regsdiens, soos beoog in paragraaf 2(a) van hierdie Bylae, deur die Staatsprokureurskantoor, of 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 handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Staatsprokureurskantoor van toepassing is, en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verspilte uitgawes wat die Departement of die Staat aangegaan het as gevolg daarvan.

4. Enige onwettige of onbehoorlike optrede deur—

- (a) werknemers of beamptes van die Staatsprokureurskantoor; of  
(b) enige ander persoon of entiteit,

wat verband hou met die bewerings waarna verwys word in paragrawe 2 en 3 van hierdie Bylae.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die 13 dag van Junie Tweeduisend-en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**



**PROCLAMATION NO. R. 34 OF 2019**

**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 Free State Provincial Department of Health (hereinafter referred to as “the Department”);

AND WHEREAS the State or the Department may have 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 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 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 1 January 2010 and the date of publication of this Proclamation or which took place prior to 1 January 2010 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 Department, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 7<sup>th</sup> day of June Two thousand and nineteen.

**CM Ramaphosa**  
**President**

By Order of the President-in-Cabinet:

**TM Masutha**  
**Minister of the Cabinet**

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**SCHEDULE**

1. The failure by the Department to—
  - (a) establish and maintain effective and efficient systems of financial and risk management and internal controls or to adhere strictly to the provisions of any such systems in respect of—
    - (i) the processing of overtime claims submitted by medical practitioners in the employment of the Department and payments that were made in respect thereof; or
    - (ii) payments that were made to medical practitioners in the employment of the Department for services that were rendered;
  - (b) verify overtime services that were actually rendered before making payments in respect thereof;
  - (c) take effective and appropriate steps to recover financial losses resulting from criminal or irregular conduct;
  - (d) take effective and appropriate disciplinary steps against any employee in its service, who committed an act that undermined the financial management and internal control systems of the Department;
  - (e) act upon conclusions or findings of audit reports and investigations conducted by the Department that identified—
    - (i) irregular overtime claims by medical practitioners in the employment of the Department and payments that were made in respect thereof;
    - (ii) that employees of the Department held business interests in service providers that conducted business with the Department or other organs of State; and
    - (iii) that employees of the Department conducted remunerative work outside the scope of their employment without the permission of the executive authority of the Department; and
  - (f) verify the qualifications, experience and competencies of foreign medical practitioners before such practitioners are employed by the Department to practise as medical practitioners in the Republic of South Africa.
  
2. The failure by medical practitioners employed by the Department to disclose to the Department that they were engaged in business activities for

remuneration outside the scope of their employment under the Public Service Act, 1994 (Proclamation No. 103 of 1994), or any contractual relationship with the Department or their failure to cease such unauthorised activity upon becoming employed by the Department.

3. Any undisclosed or unauthorised interest that medical practitioners in the employment of the Department may have had with regard to contractors, suppliers or service providers who put in bids for work or did business with the Department.
4. Claims that were submitted to medical aids and payments that were made in respect thereof for services that were rendered by medical practitioners who performed the services in question in terms of a contractual relationship with the Department.
5. Any unlawful or irregular conduct by employees of the Department or any other person of entity in relation to the allegations set out in paragraphs 1 to 4 of this Schedule.

**PROKLAMASIE NO. R. 34 VAN 2019****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 Vrystaatse Provinsiale Departement van Gesondheid (hierna na verwys as die "Departement");

EN AANGESIEN die Staat of die Departement 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 aangeleentheid in die Bylae vermeld ten opsigte van die Departement, 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, dit 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 Departement;
- (b) onbehoorlike of onregmatige optrede deur werknemers 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 1 Januarie 2010 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2010 of na die datum van publikasie van hierdie Proklamasie, maar wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede 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 Ondersoekkeenheid toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleenthede 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 Johannesburg op hede die 7 dag van Junie Tweeduisend–en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**

**BYLAE**

1. Die versuim van die Departement om—
  - (a) effektiewe en voldoende stelsels van finansiële- en risikobestuur en interne kontrole in te stel en te onderhou of aan die bepalings van sodanige stelsels noukeurig na te kom, ten opsigte van—
    - (i) die prosessering van oortydse wat ingedien is deur mediese praktisyns in diens van die Departement en betalings wat ten opsigte daarvan gemaak is; of
    - (ii) betalings wat aan mediese praktisyns in diens van die Departement vir dienste gelewer, gemaak is;
  - (b) oortyddienste wat werklik gelewer is te verifieer voordat betalings ten opsigte daarvan gemaak word;
  - (c) effektiewe en voldoende stappe te neem ten einde finansiële verliese wat uit kriminele of onreëlmatige optrede voortspruit, te verhaal;
  - (d) effektiewe en voldoende dissiplinêre stappe te neem teen enige werknemer in sy diens wat 'n handeling verrig het wat die stelsels van finansiële bestuur en interne kontrole van die Departement ondermyn het;
  - (e) stappe te neem op grond van gevolgtrekkings of bevindings van auditverslae en ondersoeke deur die Departement gedoen, wat—
    - (i) onreëlmatige oortydse deur mediese praktisyns in diens van die Departement en betalings wat ten opsigte daarvan gedoen is, geïdentifiseer het;
    - (ii) geïdentifiseer het dat werknemers van die Departement besigheidsbelange in diensverskaffers gehad het wat besigheid met die Departement en ander Staatsorgane gedoen het; en
    - (iii) geïdentifiseer het dat werknemers van die Departement werk teen vergoeding gedoen het wat buite die omvang van hulle diens was, sonder toestemming van die uitvoerende gesag van die Departement; en
  - (f) die kwalifikasies, ondervinding en vaardighede van buitelandse mediese praktisyns te verifieer voordat sodanige praktisyns deur die Departement in diens geneem is om as mediese praktisyns in die Republiek van Suid Afrika te praktiseer.

2. Die versuim van mediese praktisyns in diens van die Departement om aan die Departement te openbaar dat hulle besigheid teen vergoeding buite die omvang van hulle diens ingevolge die Staatsdienswet, 1994 (Proklamamsie No. 103 van 1994), gedoen het, of enige kontraktuele verhouding met die Departement of hulle versuim om sodanige ongemagtigde aktiwiteit te staak na hul indienseneming deur die Departement.
3. Enige ongeopenbaarde of ongemagtigde belange wat mediese praktisyns in diens van die Departement mag gehad het met betrekking tot kontrakteurs, verskaffers of diensverskaffers wat getender het vir werk of wat besigheid met die Departement gedoen het.
4. Eise wat by mediese fondse ingedien is en betalings wat ten opsigte daarvan gemaak is vir dienste deur mediese praktisyns gelewer, wat die betrokke dienste ingevolge 'n kontraktuele verhouding met die Departement gelewer het.
5. Enige onwettige or onreëlmatige gedrag deur werknemers van die Departement of enige ander persoon of entiteit ten opsigte van die bewerings soos in paragrawe 1 tot 4 van hierdie Bylae uiteengesit.



**PROCLAMATION NO. R. 35 OF 2019**

**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 Madibeng Local Municipality (hereinafter referred to as "the Municipality");

AND WHEREAS the Municipality or the State 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 personnel 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 18 September 2015 and the date of publication of this Proclamation or which took place prior to 18 September 2015 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 or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 13<sup>th</sup> day of June Two thousand and nineteen.

**CM Ramaphosa**  
**President**

By Order of the President-in-Cabinet:

**TM 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 which were made in respect thereof in a manner that was—

- (a) not fair, equitable, transparent, competitive 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, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to, the Municipality,

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Municipality or the State in relation to the appointment of a service provider in terms of a maintenance lease agreement for a period of thirty-six months in respect of the Municipality's pool vehicles.

2. Any undisclosed or unauthorised interests which the personnel of the Municipality or the State may have had in contractors, suppliers or service provider bidding for work or doing business with the Municipality or to whom contracts were awarded by the Municipality, contrary to applicable—

- (a) legislation;
- (b) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or
- (c) manuals, codes, guidelines, policies, procedures, prescripts, instructions, contracts of employment, conditions of service or practices of, or applicable to, the Municipality or the personnel of the Municipality,

and the extent of any actual or potential benefits derived directly or indirectly by the personnel of the Municipality or their family members from such undisclosed or unauthorised interests.

3. Any unlawful or improper conduct by the councillors, officials or employees of the Municipality or 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. 35 VAN 2019**  
**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 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) (hierna na verwys as die "Wet"), gemaak is in verband met die aangeleentheid van die Madibeng Distriksmunisipaliteit (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 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 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 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 Munisipaliteit;
- (b) onbehoorlike of onregmatige optrede deur die personeel 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 18 September 2015 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 18 September 2015 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede 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 aangeleenthede 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 Johannesburg op hede die 13 dag van Junie Twee duisend-en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**

**BYLAE**

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

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

en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verspilte uitgawes wat deur die Munisipaliteit of die Staat aangegaan is ten opsigte van die aanstelling van 'n diensverskaffer kragtens 'n instandhoudingsooreenkoms vir 'n tydperk van ses-en-dertig maande ten opsigte van die Munisipaliteit se poel voertuie.

2. Enige ongeopenbaarde of ongemagtigde belange wat die personeel van die Munisipaliteit of die Staat mag gehad het in kontrakteurs, verskaffers of diensverskaffers wat vir werk gebie het of besigheid met die Munisipaliteit gedoen het of aan wie kontrakte deur die Munisipaliteit toegeken is, strydig met toepaslike—

- (a) wetgewing;
- (b) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of betrokke Provinsiale Tesourie uitgevaardig is; of
- (c) handleidings, kodes, riglyne, beleid, prosedures, voorskrifte, instruksies, dienskontrakte, diensvoorwaardes of praktyke van, of wat op die Munisipaliteit of die personeel van die Munisipaliteit van toepassing is,

en die omvang van enige daadwerklike of potensiele voordeel wat direk of indirek bekom is deur die personeel van die Munisipaliteit of hul familieledede deur sodanige ongeopenbaarde of ongemagtigde belange.

3. Enige onregmatige of onreëlmatige optrede deur die personeel van die Munisipaliteit of die betrokke kontrakteurs, verskaffers of diensverskaffers of enige ander persoon of entiteit ten opsigte van die bewerings soos in paragrawe 1 en 2 van hierdie Bylae uiteengesit.

**PROCLAMATION NO. R. 36 OF 2019**

**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 National Department of Agriculture, Forestry and Fisheries (hereinafter referred to as “the DAFF”);

AND WHEREAS the DAFF or the State may have 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 DAFF, 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 DAFF;
- (b) improper or unlawful conduct by employees or officials of the DAFF;
- (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 DAFF; 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 March 2017 and the date of publication of this Proclamation or which took place prior to 1 March 2017 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 DAFF or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 7<sup>th</sup> day of June Two thousand and nineteen.

**CM Ramaphosa**  
**President**

By Order of the President-in-Cabinet:

**TM Masutha**  
**Minister of the Cabinet**

### Schedule

1. Maladministration in the affairs of the DAFF in relation to—
  - (a) the mismanagement of the Comprehensive Agricultural Support Programme (hereinafter referred to as the "CASP");
  - (b) the allocation and use of CASP funds; and
  - (c) the monitoring of projects that were funded in terms of the CASP, and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the DAFF or the State, including the causes of such maladministration.
  
2. The use of CASP funds to procure or contract for goods or services by or on behalf of the DAFF and payments which were made in respect thereof in a manner that was—
  - (a) not fair, equitable, transparent, competitive or cost-effective; or
  - (b) contrary to applicable—
    - (i) legislation;
    - (ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or
    - (iii) manuals, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to the DAFF,and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the DAFF or the State.
  
3. Any unlawful or improper conduct by the employees or officials of the DAFF or applicable 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. 36 VAN 2019****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 Departement van Landbou, Bosbou en Visserye (hierna na verwys as "die DLBV");

EN AANGESIEN die DLBV of die Staat 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 DLBV, 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 DLBV;
- (b) onbehoorlike of onregmatige optrede deur werknemers of beamptes of van die DLBV;
- (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 DLBV; 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 Maart 2017 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Maart 2017 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede 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 aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die DLBV of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die 7 dag van Junie Twee duisend-en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**

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**BYLAE**

1. Wanadministrasie in verband met die aangeleenthere van die DLBV in verband met—

- (a) die wanbestuur van die Omvattende Landbou-Ondersteuningsprogram (hierna na verwys as die "OLOP");
- (b) die toewysing of gebruik van OLOP fondse;
- (c) die monitering van projekte wat befonds is ingevolge die OLOP, en enige verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verspilte uitgawes wat deur die DLBV of Staat aangegaan is, insluitende die oorsake van sodanige wanadministrasie.

2. Die gebruik van OLOP fondse vir die aankoop van, of kontraktering vir goedere of dienste deur of namens die DLBV, en betalings wat in verband daarmee gemaak is op 'n wyse wat—

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

en enige verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verspilte uitgawes wat deur die DLBV of Staat aangegaan is.

3. Enige onwettige of onbehoorlike optrede van die werknemers of beamptes van die DLBV of toepaslike diensverskaffers, of enige ander persoon of entiteit, ten opsigte van die bewerings uiteengesit in paragrawe 1 of 2 van hierdie Bylae.

**PROCLAMATION NO. R. 37 OF 2019**

**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) (the Act), have been made in respect of the affairs of the South African Social Security Agency (the SASSA);

AND WHEREAS the SASSA or the State may have 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 SASSA, 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 SASSA;
- (b) improper or unlawful conduct by officials or employees of the SASSA;
- (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 SASSA; 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 3 June 2015 and the date of publication of this Proclamation or which took place prior to 3 June 2015 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 SASSA or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 13<sup>th</sup> day of June Two thousand and nineteen.

**CM Ramaphosa**  
**President**

By Order of the President-in-Cabinet:

**TM Masutha**  
**Minister of the Cabinet**

**SCHEDULE**

1. Maladministration in the affairs of the SASSA and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the SASSA in relation to the—

- (a) fleet management of the SASSA within the Eastern Cape Region;
- (b) fuel fleet card management of the SASSA within the Eastern Cape Region and KwaZulu-Natal Region;
- (c) asset management of the SASSA within the Eastern Cape Region; and
- (d) contract management of the SASSA in respect of persons appointed by the SASSA as Family Finders within the Limpopo Region.

2. The procurement of or contracting for goods, works or services by or on behalf of the SASSA 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
  - (iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the SASSA;
- (c) fraudulent;

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the SASSA or the State or any resulting loss or damages suffered by the SASSA or the State in relation to—

- (aa) the refurbishment of offices of the SASSA within the Eastern Cape Region in terms of the Local Office Improvement Project;
- (bb) medical goods or services procured within the Gauteng Region during the period 1 April 2016 to 30 September 2016;
- (cc) services procured from Keyser Cleaning Services within the Eastern Cape Region; and
- (dd) the procurement of blankets by the KwaZulu-Natal Regional Office during the period 1 April 2016 to 30 September 2016.

3. The payment or receipt of social assistance or benefits through Foster Child Care Grants in respect of persons who do not, or did not qualify for such assistance



or benefits or any portion thereof and any conduct directed at promoting or facilitating payment or receipt of such assistance or benefits.

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

**PROKLAMASIE NO. R. 37 VAN 2019****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) (die Wet), gemaak is in verband met die aangeleentheid van die Suid Afrikaanse Agentskap vir Maatskaplike Sekerheid (die SAAMS);

EN AANGESIEN die SAAMS of die Staat 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 aangeleentheid in die Bylae vermeld ten opsigte van die SAAMS, 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, dit 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 SAAMS;
- (b) onbehoorlike of onregmatige optrede deur beamptes of werknemers van die SAAMS;
- (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 SAAMS 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 3 Junie 2015 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 3 Junie 2015 of na die datum van publikasie van hierdie Proklamasie, maar wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede 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 aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die SAAMS of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die 13 dag van Junie Tweeduisend–en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**

**BYLAE**

1. Wanadministrasie in die werksaamhede van die SAAMS en enige verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verspilde uitgawes wat deur die SAAMS aangegaan was ten opsigte van die—

- (a) vlootbestuur van die SAAMS in die Oos-Kaap Streek;
- (b) brandstof vlootkaart bestuur van die SAAMS in die Oos-Kaap Streek en die Kwazulu-Natal Streek;
- (c) batebestuur van die SAAMS in die Oos-Kaap Streek; en
- (d) kontrakbestuur van die SAAMS in verband met persone wat as Familievinders deur die SAAMS in die Limpopo Streek aangestel was.

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

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

en enige verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verspilde uitgawes wat deur die SAAMS of die Staat aangegaan is of enige gevolglike verlies of skade wat die SAAMS of die Staat gely het ten opsigte van—

- (aa) die opknapping van kantore van die SAAMS in die Oos-Kaap Streek in gevolg die "Local Office Improvement Project";
- (bb) mediese goedere of dienste wat gedurende die tydperk van 1 April 2016 tot 30 September 2016 in die Gauteng Streek verkry is;
- (cc) dienste wat van "Keyser Cleaning Services" in die Oos-Kaap Streek verkry is; en
- (dd) die verkryging van komberse deur die KwaZulu-Natal Streekkantoor gedurende die tydperk 1 April 2016 tot 30 September 2016.

3. Die betaling of ontvangs van maatskaplike bystand of voordele deur Pleegsorg Kindertoelaes ten opsigte van persone wat nie vir sulke bystand of voordele of enige gedeelte daarvan kwalifiseer of gekwalifiseer het nie, en enige optrede gerig op die bevordering of fasilitering van betaling of ontvangs van sodanige bystand of voordele.

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

**PROCLAMATION NO. R. 38 OF 2019**

**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 South African Heritage Resources Agency (hereinafter referred to as “the SAHRA”);

AND WHEREAS the SAHRA or the State may have 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 SAHRA, 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 SAHRA;
- (b) improper or unlawful conduct by board members, officials or employees of the SAHRA;
- (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 SAHRA; 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 2013 and the date of publication of this Proclamation or which took place prior to 1 January 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 SAHRA or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 13<sup>th</sup> day of June Two thousand and nineteen.

**CM Ramaphosa**

**President**

By Order of the President-in-Cabinet:

**TM Masutha**

**Minister of the Cabinet**

**SCHEDULE**

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

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

in relation to improvements that were carried out in respect of the—

- (aa) Delville Wood National Memorial and Museum;
- (bb) OR Tambo House (London);
- (cc) OR Tambo Bust (Cuba);
- (dd) grave of Rev. Zachariah Mahabane;
- (ee) grave of Dr James Moroka;
- (ff) grave of Steve Biko;
- (gg) grave of Robert Sobukwe;
- (hh) Josias Madzunya gravesite memorial;
- (ii) Manche Masemola gravesite memorial; or
- (jj) Kgosi Mampuru II statue,

heritage sites and any related unauthorised, irregular or fruitless and wasteful expenditure which the SAHRA or the State incurred as a result thereof.

2. Maladministration in connection with the affairs of the SAHRA in relation to the improvements that were carried out in respect of the heritage sites referred to in paragraph 1 of this Schedule, including—

- (a) the causes of such maladministration; and
- (b) any losses or prejudice which the SAHRA or the State has suffered as a result thereof.

3. Any irregular, improper or unlawful conduct by—

- (a) the SAHRA, its officials, employees or agents;
- (b) the contractors, suppliers or service providers concerned or their agents; or
- (c) any other person or entity,

in relation to the allegations set out in paragraphs 1 and 2 of this Schedule.



**PROKLAMASIE NO. R. 38 VAN 2019****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 Suid-Afrikaanse Erfenis Hulpbronagentskap (hierna na verwys as "die SAHRA");

EN AANGESIEN die SAHRA of die Staat 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 SAHRA, 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 SAHRA;
- (b) onbehoorlike of onregmatige optrede deur raadslede, beamptes of werknemers van die SAHRA;
- (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 SAHRA; 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 2013 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2013 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede 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 aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die SAHRA of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die 13 dag van Junie Twee duisend-en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**

**BYLAE**

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

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

met betrekking tot verbeterings wat aangebring is ten opsigte van die—

- (aa) Delville Wood Nasionale Gedenkteken en Museum;
- (bb) OR Tambo Huis (Londen);
- (cc) OR Tambo Borsbeeld (Kuba);
- (dd) graf van Eerw. Zachariah Mahabane;
- (ee) graf van Dr James Moroka;
- (ff) graf van Steve Biko;
- (gg) graf van Robert Sobukwe;
- (hh) Josias Madzunye graf gedenteken;
- (ii) Manche Masemola graf gedenkteken; of
- (jj) Kgosi Mampuru II standbeeld,

erfenisterreine en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verspilte uitgawes wat deur die SAHRA of die Staat aangegaan was as gevolg daarvan.

2. Wanadministrasie met betrekking to die aangeleenthede van SAHRA wat verband hou met die verbeterings wat aangebring is by die erfenisterreine soos verwys na in paragraaf 1 van hierdie Bylae, insluitend—

- (a) die oorsake van sodanige wanadministrasie; en
- (b) enige verliese of nadeel wat SAHRA of die Staat gelei het as gevolg daarvan.

3. Enige onreëlmatige, onbehoorlike of onwettige optrede deur—

- (a) die SAHRA, beamptes, werknemers of agente daarvan;
- (b) die betrokke kontrakteurs, verskaffers of diensverskaffers, of hul agente; of
- (c) enige ander persoon of entiteit,

ten opsigte van die bewerings uiteengesit in paragraaf 1 en 2 van hierdie Bylae.

**PROCLAMATION NO. R. 39 OF 2019**

**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 Free State Department of Human Settlements (hereinafter referred to as "the Department");

AND WHEREAS the Department or the State 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 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 the 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 6 November 2013 and the date of publication of this Proclamation or which took place prior to 6 November 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 Department or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 13<sup>th</sup> day of June Two thousand and nineteen.

**CM Ramaphosa**

**President**

By Order of the President-in-Cabinet:

**TM Masutha**

**Minister of the Cabinet**

## SCHEDULE

1. The procurement of, or contracting for, services pertaining to the identification and removal of asbestos from houses within the Free State Province by or on behalf of the Department and payments made in respect thereof in a manner that was—
  - (a) not fair, equitable, transparent, competitive 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, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to, the Department,and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department or the State as a result thereof.
  
2. Any unlawful or improper conduct by the employees or officials of the Department, the applicable service providers, or any other person or entity, in relation to the allegations set out in paragraph 1 of this Schedule.

**PROKLAMASIE NO. R. 39 VAN 2019****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 Vrystaat Departement van Menslike Nedersettings (hierna na verwys as "die Departement");

EN AANGESIEN die Departement of die Staat 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 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 aangeleentheid, 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 aangeleentheid 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 gepleeg is in verband met die sake van die Departement; 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 6 November 2013 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 6 November 2013 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede 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 aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die Departement of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die 13 dag van Junie Twee duisend-en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**



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**BYLAE**

1. Die verkryging van, of kontraktering vir dienste met betrekking tot die identifisering en verwydering van asbes uit huise binne die Vrystaat Provinsie deur of namens die Departement, en betalings wat in verband daarmee gemaak is op 'n wyse wat—

- (a) nie regverdig, billik, deursigtig, mededingend of koste-effektief was nie;
- (b) strydig was met toepaslike —
  - (i) wetgewing;
  - (ii) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of toepaslike Provinsiale Tesourie uitgevaardig is; of
  - (iii) handleidings, kodes, riglyne, 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 aangegaan was as gevolg daarvan.

2. Enige onwettige of onbehoorlike gedrag deur die personeel of beamptes van die Departement, die betrokke diensverskaffers, of enige ander persoon of entiteit, ten opsigte van die bewerings uiteengesit in paragraaf 1 van hierdie Bylae.

**PROCLAMATION NO. R. 40 OF 2019**  
**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 Eastern Cape Department of Public Works (hereinafter referred to as “the ECDPW”) and the Eastern Cape Department of Education (hereinafter referred to as “the ECDE”);

AND WHEREAS the ECDPW, the ECDE or the State may have 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 ECDPW and the ECDE, 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 ECDPW and the ECDE;
- (b) improper or unlawful conduct by employees or officials of the ECDPW and the ECDE;
- (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 ECDPW and the ECDE; 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 2012 and the date of publication of this Proclamation or which took place prior to 1 January 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 ECDE, the ECDPW or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 13<sup>th</sup> day of June Two thousand and nineteen.

**CM Ramaphosa**  
**President**

By Order of the President-in-Cabinet:

**TM Masutha**

**Minister of the Cabinet**

## SCHEDULE

1. The procurement of or contracting for the supply and erection of prefabricated mobile classrooms, laboratories and water tanks at schools by the ECDPW on behalf of the ECDE and payments which were made in respect thereof in a manner that was—

- (a) not fair, equitable, transparent, competitive 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, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to, the ECDPW and the ECDE,

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the ECDE, the ECDPW or the State as result thereof.

2. Any non-performance, poor performance, defective performance or late performance by the ECDPW or the applicable service providers in respect of the goods, works or services delivered, performed or rendered in terms of paragraph 1 of this Schedule and any losses or damages which the ECDE, the ECDPW or the State suffered as result thereof.

3. Any unlawful or improper conduct by the employees or officials of the ECDPW, the ECDE, the applicable 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. 40 VAN 2019**  
**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 Oos-Kaap Departement van Openbare Werke (hierna na verwys as "die OKDOW") en die Oos-Kaap Departement van Onderwys (hierna na verwys as "die OKDO");

EN AANGESIEN die OKDO, die OKDOW of die Staat 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 aangeleentede in die Bylae vermeld, ten opsigte van die OKDOW en die OKDO, 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, 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 OKDOW en die OKDO;
- (b) onbehoorlike of onregmatige optrede deur die werknemers of beamptes van die OKDOW en die OKDO;
- (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 OKDOW en die OKDO; 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 2012 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2012 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede 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 aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die OKDO, die OKDOW of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die 13 dag van Junie Twee duisend-en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**

**BYLAE**

1. Die aanskaffing van of kontraktering vir die verskaffing en oprigting van voorafvervaardigde mobiele klaskamers, laboratoriums en watertenks by skole deur die OKDOW namens die OKDO en betalings wat in verband daarmee gemaak is op 'n wyse wat—

- (a) nie regverdig, billik, deursigtig, mededingend of koste-effektief was nie; of
- (b) strydig was met toepaslike—
  - (i) wetgewing;
  - (ii) handleidings, riglyne, praktyknotas, omsendbriewe, of instruksies wat deur die Nasionale Tesourie of toepaslike Provinsiale Tesourie uitgevaardig is; of
  - (iii) handleidings, kodes, riglyne, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die OKDOW en die OKDO van toepassing is, en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verkwiste uitgewes wat deur die OKDO, die OKDOW of die Staat aangegaan is as gevolg daarvan.

2. Enige wanprestasie, onder-prestasie, defektiewe prestasie of laat prestasie deur die OKDOW of die toepaslike diensverskaffers ten opsigte van goedere, werke of dienste gelewer, uitgevoer of verrig ingevolge paragraaf 1 van hierdie Bylae en enige verliese of skade wat die OKDO, die OKDOW of die Staat gely het as gevolg daarvan.

3. Enige onwettige of onbehoorlike optrede deur werknemers of beamptes van die OKDOW, die OKDO, die toepaslike diensverskaffers, of enige ander persoon of entiteit ten opsigte van die bewerings uiteengesit in paragrawe 1 of 2 van hierdie Bylae.

**PROCLAMATION NO. R. 41 OF 2019**

**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 Defence and Military Veterans (hereinafter referred to as “the Department”);

AND WHEREAS the Department or the State may have 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 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 1 February 2016 and the date of publication of this Proclamation or which took place prior to 1 February 2016 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 Department or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this 25 day of June Two thousand and nineteen.

**CM Ramaphosa**  
**President**

By Order of the President-in-Cabinet:

**TM Masutha**  
**Minister of the Cabinet**

## SCHEDULE

1. The procurement of or contracting for Microsoft software licences by or on behalf of the Department and payments which were made in respect thereof in a manner that was—

(a) not fair, equitable, transparent, competitive or cost-effective; or

(b) contrary to applicable—

(i) legislation;

(ii) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury; or

(iii) manuals, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to, the Department,

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the Department or the State.

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

**PROKLAMASIE NO. R. 41 VAN 2019**  
**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 Departement van Verdediging en Militêre Veterane (hierna na verwys as "die Departement");

EN AANGESIEN die Departement of die Staat 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 Departement, 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 Departement;
- (b) onbehoorlike of onregmatige optrede deur die 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 gepleeg is in verband met die sake van die Departement; 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 Februarie 2016 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Februarie 2016 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede 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 aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die Departement of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die 25 dag van Junie Twee duisend-en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**

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**BYLAE**

1. Die aanskaffing van, of kontraktering vir Microsoft sagteware-lisensies deur of namens die Departement en betalings wat in verband daarmee gemaak is op 'n wyse wat—

- (a) nie regverdig, billik, deursigtig, mededingend 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 uitgevaardig is; of
  - (iii) handleidings, kodes, riglyne, 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 die Departement of die Staat opgedoen het.

2. Enige onwettige of onreëlmatige optrede deur werknemers of beamptes van die Departement, die toepaslike diensverskaffers, of enige ander persoon of entiteit ten opsigte van die bewerings soos uiteengesit in paragraaf 1 van hiedie Bylae.

**PROCLAMATION NO. R. 42 OF 2019****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 Free State Province Department of Health (hereinafter referred to as "the FSDOH") and the North West Province Department of Health (hereinafter referred to as "the NWDOH");

AND WHEREAS the FSDOH, the NWDOH or the State may have 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 FSDOH and the NWDOH, 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 FSDOH and the NWDOH;
- (b) improper or unlawful conduct by employees or officials of the FSDOH and the NWDOH;
- (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 FSDOH and the NWDOH ; 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 2013 and the date of publication of this Proclamation or which took place prior to 1 January 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 FSDOH, the NWDOH or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this 25 day of June Two thousand and nineteen.

**CM Ramaphosa**

**President**

By Order of the President-in-Cabinet:

**TM Masutha**

**Minister of the Cabinet**

**SCHEDULE**

1. The procurement of or contracting for—
  - (a) aero-medical services and patient transport services by or on behalf of the FSDOH in terms of bid numbers DOH(FS)67/2014/2015 and DOH(FS)20/2013/2014; and
  - (b) patient transport services by or on behalf of the NWDOH in terms of bid number NWDOH13/2015,

and payments which were made in respect thereof in a manner that was—

- (i) not fair, equitable, transparent, competitive or cost-effective; or
- (ii) contrary to applicable—
  - (aa) legislation;
  - (bb) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or
  - (cc) manuals, codes, guidelines, policies, procedures, prescripts, instructions or practices of, or applicable to, the FSDOH and the NWDOH,

and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by the FSDOH, the NWDOH or the State.

2. Maladministration in connection with the affairs of—
  - (a) the FSDOH in relation to the administration of the contracts for aero-medical services and patient transport services referred to in paragraph 1(a) of this Schedule; or
  - (b) the NWDOH in relation to the administration of the contract for patient transport services referred to in paragraph 1(b) of this Schedule,

including—

- (i) the causes of such maladministration; and
- (ii) any related losses or irregular or fruitless and wasteful expenditure incurred by the FSDOH, the NWDOH or the State as a result thereof.

3. Any unlawful or improper conduct by the employees or officials of the FSDOH and the NWDOH, respectively, or applicable 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. 42 VAN 2019****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 Ondersoekenehede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as “die Wet”), gemaak is in verband met die aangeleentehede van die Vrystaatse Provinsiale Departement van Gesondheid (hierna na verwys as “die VDBG”) en die Noord-Wes Provinsiale Departement of Gesondheid (hierna na verwys as “die NWDVG”);

EN AANGESIEN die VDBG, die NWDVG of die Staat 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 aangeleentehede in die Bylae vermeld ten opsigte van die VDBG en die NWDVG, vir ondersoek na die Spesiale Ondersoekeneheid 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 Ondersoekeneheid is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

- (a) ernstige wanadministrasie in verband met die aangeleentehede van die die VDBG en die NWDVG;
- (b) onbehoorlike of onregmatige optrede deur werknemers of beamptes van die die VDBG en die NWDVG;
- (c) onregmatige bewilliging of besteding van publieke geld of eiendom;

- (u) onwettige, onreëmatige 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 VDBG en die NWDVG; 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 2013 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2013 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede 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 aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die VDBG en die NWDVG of die Staat gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die 25 dag van Junie Twee duisend-en-negentien.

**CM Ramaphosa**

**President**

Op las van die President-in-Kabinet:

**TM Masutha**

**Minister van die Kabinet**

## D I L A L

1. Die verkryging van, of kontraktering vir —
  - (a) aero-mediese dienste en pasiënt vervoerdienste deur of namens die VDBG ingevolge bod nommers DOH(FS)67/2014/2015 en DOH(FS)20/2013/2014; en
  - (b) pasiënt vervoerdienste deur of namens die NWDOH ingevolge bod nommer NWDOH13/2015,

en betalings wat in verband daarmee gemaak is op 'n wyse wat—

- (i) nie regverdig, billik, deursigtig, mededingend of koste-effektief was nie; of
- (ii) strydig was met toepaslike—
  - (aa) wetgewing;
  - (bb) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of toepaslike Provinsiale Tesourie uitgevaardig is; of
  - (cc) handleidings, kodes, riglyne, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die VDBG en die NWDVG van toepassing is,

en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verspilte uitgawes wat deur die VDBG en die NWDVG of die Staat aangegaan was as gevolg daarvan.

2. Wanadministrasie in verband met die aangeleenthede van—
  - (a) die VDBG met betrekking tot die administrasie van die kontrakte vir aero-mediese dienste en pasiënt vervoerdienste na verwys in paragraaf 1(a) van hierdie Bylae; of
  - (b) die NWDVG met betrekking tot die administrasie van pasiënt vervoerdienste na verwys in paragraaf 1(b) van hierdie Bylae,

insluitend —

- (i) die oorsake van sodanige wanadministrasie; en
- (ii) enige verwante verliese of onreëlmatige of vrugtelose en verkwiste uitgawes wat deur die VDBG, die NWDVG of die Staat aangegaan is as gevolg daarvan.

3. Enige onwettige of onbehoorlike gedrag deur die werknemers of beamptes van onderskeidelik die VDBG en die NWDVG, of die betrokke diensverskaffers, of enige ander persoon of entiteit, ten opsigte van die bewerings uiteengesit in paragrawe 1 of 2 van hierdie Bylae.

**PROCLAMATION NO. R. 43 OF 2019**

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

**SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): AMENDMENT OF PROCLAMATION NO. R. 18 OF 2017**

Under section 2(4) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), I hereby amend Proclamation No. R. 18 of 2017—

- (a) by the extension of the period referred to in the fourth paragraph of the Proclamation to the date of publication of this Proclamation; and
- (b) by the insertion, in paragraph 1 of the Schedule to the Proclamation after subitem (ii) of the following subitem:

“(iiA) the procurement of information communication technology related services in terms of contract number TLM-IT-03-2014/A2014;”.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 13<sup>th</sup> day of June Two thousand and nineteen.

**CM Ramaphosa  
President**

By Order of the President-in-Cabinet:

**TM Masutha  
Minister of the Cabinet**

**PROKLAMASIE NO. R. 43 VAN 2019****van die  
PRESIDENT van die REPUBLIEK van SUID AFRIKA****WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): WYSIGING VAN PROKLAMASIE NO. R. 18 VAN 2017**

Kragtens artikel 2(4) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), wysig ek hierby Proklamasie No. R. 18 van 2017, deur—

- (a) die verlenging van die tydperk vermeld in die vierde paragraaf van die Proklamasie tot die datum van publikasie van hierdie Proklamasie; en
- (b) die invoeging van die volgende sub-item na sub item (ii) in paragraaf 1 van die Bylae tot die Proklamasie:
  - “(iiA) die aanskaffing van inligtingskommunikasie tegnologiese-  
verwante dienste ingevolge kontraknommer TLM-IT-03-  
2014/A2014;”.

Gegee onder my Hand en die Seël van die Republiek van Suid Afrika te Johannesburg op hede die 13 dag van Junie Tweeduisend-en-negentien.

**CM Ramaphosa**  
**President**

Op las van die President-in-Kabinet:

**TM Masutha**  
**Minister van die Kabinet**

**PROCLAMATION NO. R. 44 OF 2019**

**BY THE  
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA**

**SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): AMENDMENT OF PROCLAMATION NO. R. 27 OF 2018**

Under section 2(4) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), I hereby amend Proclamation No. R. 27 of 2018, by the substitution in paragraph 1 of the Schedule to the Proclamation for the expression "SAP SE (SAP)" of the expression "Systems Applications Products (South Africa) (Pty) Limited (SAP)".

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this 25 day of June Two thousand and nineteen.

**CM Ramaphosa  
President**

By Order of the President-in-Cabinet:

**TM Masutha  
Minister of the Cabinet**

**PROKLAMASIE NO. R. 44 VAN 2019**

**VAN DIE  
PRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA**

**WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): WYSIGING VAN PROKLAMASIE NO. R. 27 VAN 2018**

Kragtens artikel 2(4) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), wysig ek hierby Proklamasie No. R. 27 van 2018, deur die vervanging in paragraaf 1 van die Bylae tot die Proklamasie van die uitdrukking "SAP SE (SAP)" met die uitdrukking "Systems Applications Products (South Africa) (Edms) Beperk (SAP)".

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die 25 dag van Junie Tweeduisend-en-negentien.

**CM Ramaphosa  
President**

Op las van die President-in-Kabinet:

**TM Masutha  
Minister van die Kabinet**

**PROCLAMATION NO. R. 45 OF 2019**

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

**SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): AMENDMENT OF PROCLAMATION NO. R. 30 OF 2017**

Under section 2(4) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), I hereby amend Proclamation No. R. 30 of 2017 by the substitution in paragraphs 1 and 2 of the Schedule to the Proclamation for the expression “Infrastructure and Economic Development Unit” of the expression “Infrastructure Management and Economic Services Unit”.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this 13<sup>th</sup> day of June Two thousand and nineteen.

**CM Ramaphosa  
President**

By Order of the President-in-Cabinet:

**TM Masutha  
Minister of the Cabinet**

**PROKLAMASIE NO. R. 45 VAN 2019**

**van die  
PRESIDENT van die REPUBLIEK van SUID AFRIKA**

**WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): WYSIGING VAN PROKLAMASIE NO. R. 30 VAN 2017**

Kragtens artikel 2(4) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), wysig ek hierby Proklamasie No. R. 30 van 2017, deur in paragrawe 1 en 2 van die Bylae tot die Proklamasie die uitdrukking “Infrastruktuur-en Ekonomiese Ontwikkelingseenheid” deur die uitdrukking “Infrastruktuur Bestuur en Ekonomiese Dienste-eenheid”, te vervang.

Gegee onder my Hand en die Seël van die Republiek van Suid Afrika te Johannesburg op hede die 13 dag van Junie Tweeduisend-en-negentien.

**CM Ramaphosa  
President**

Op las van die President-in-Kabinet:

**TM Masutha  
Minister van die Kabinet**

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## DEPARTMENT OF LABOUR

NO. R. 983

12 JULY 2019

## LABOUR RELATIONS ACT, 1995

## CHANGE OF NAME OF A TRADE UNION

I, **Lehlohonolo Daniel Molefe**, Registrar of Labour Relations, hereby notify, in terms of section 109(2) of the Labour Relations Act, 1995 that **Security Officers Civil Rights and Allied Workers Union (SOCRAWU) (LR 2/6/2/336)** resolved to change its name. With effect from 24 June 2019..... the trade union is registered as **South African Civil Rights and Allied Workers Union (SACRAWU)**



REGISTRAR OF LABOUR RELATIONS

DATE: 24 June 2019.....



**CUSTOMS AND EXCISE ACT, 1964.  
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1624)**

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

  
**DR D MASONDO**  
 DEPUTY MINISTER OF FINANCE

NO. R. 984

**SCHEDULE**

By the insertion of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty				
				General	EU	EFTA	SADC	MERCOSUR
7304.19.10	7	--- Of a wall thickness not exceeding 25 mm and an outside cross-sectional dimension not exceeding 170 mm	kg	15%	free	free	free	15%
7304.19.90	5	--- Other	kg	10%	free	free	free	10%
7304.23.10	3	--- Of a wall thickness not exceeding 25 mm and an outside cross-sectional dimension not exceeding 178 mm	kg	15%	free	free	free	15%
7304.23.90	1	--- Other	kg	10%	free	free	free	10%
7304.29.10	1	--- Of a wall thickness not exceeding 25 mm and an outside cross-sectional dimension not exceeding 178 mm	kg	15%	free	free	free	15%
7304.29.90	6	--- Other	kg	10%	free	free	free	10%

By the substitution of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty				
				General	EU	EFTA	SADC	MERCOSUR
7304.19		-- Other:						
7304.23		-- Other drill pipe:						
7304.29		-- Other:						

**SOUTH AFRICAN REVENUE SERVICE**

12 JULY 2019

**DOEANE- EN AKSYNSWET, 1964.  
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1624)**

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

  
DR D MASONDO  
ADJUNKMINISTER VAN FINANSIES

**BYLAE**

Deur die invoeging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg				
				Algemeen	EU	EFTA	SAOG	MERCOSUR
7304.19.10	7	--- Met 'n wanddikte van hoogstens 25 mm en 'n buitedwarsdeursnee-afmeting van hoogstens 170 mm	kg	15%	vry	vry	vry	15%
7304.19.90	5	--- Ander	kg	10%	vry	vry	vry	10%
7304.23.10	3	--- Met 'n wanddikte van hoogstens 25 mm en 'n buitedwarsdeursnee-afmeting van hoogstens 178 mm	kg	15%	vry	vry	vry	15%
7304.23.90	1	--- Ander	kg	10%	vry	vry	vry	10%
7304.29.10	1	--- Met 'n wanddikte van hoogstens 25 mm en 'n buitedwarsdeursnee-afmeting van van hoogstens 178 mm	kg	15%	vry	vry	vry	15%
7304.29.90	6	--- Ander	kg	10%	vry	vry	vry	10%

Deur die vervanging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg				
				Algemeen	EU	EFTA	SAOG	MERCOSUR
7304.19		-- Ander:						
7304.23		-- Ander boorpyl:						
7304.29		-- Ander:						

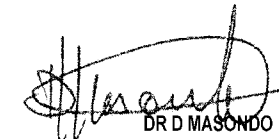
NO. R. 984

SUID-AFRIKAANSE INKOMSTEDIENS

12 JULIE 2019

**CUSTOMS AND EXCISE ACT, 1964.  
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1625)**

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

  
**DR D MASONDO**  
 DEPUTY MINISTER OF FINANCE

**SCHEDULE**

By the substitution of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty				
				General	EU	EFTA	SADC	MERCOSUR
8511.30.30	7	-- Distributors and ignition coils, identifiable for use solely or principally with motor vehicle engines	u	free	free	free	free	free

NO. R. 985

**SOUTH AFRICAN REVENUE SERVICE**

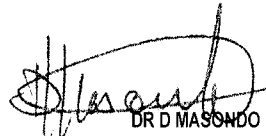
12 JULY 2019

STAATSKOERANT, 12 JULIE 2019

No. 42577 83

DOEANE- EN AKSYNSWET, 1964.  
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1625)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

  
DR D MASONDO  
ADJUNKMINISTER VAN FINANSIES

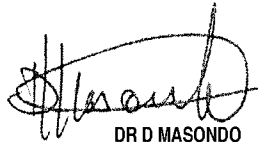
BYLAE

Deur die vervanging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg				
				Algemeen	EU	EFTA	SAOG	MERCOSUR
8511.30.30	7	-- Verdelers en ontstekingspoele, uitkenbaar as vir gebruik slegs of hoofsaaklik met motorvoertuigenjins	u	vry	vry	vry	vry	vry

**CUSTOMS AND EXCISE ACT, 1964.  
AMENDMENT OF SCHEDULE NO. 2 (NO. 2/1/385)**

In terms of section 56 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 2 to the said Act is hereby amended to the extent set out in the Schedule hereto.

  
**DR D MASONDO**  
 DEPUTY MINISTER OF FINANCE

**SCHEDULE**

**By the substitution of the following:**

Item	Tariff Heading	Code	CD	Description	Rebate Items	Imported from or Originating in	Rate of Anti-dumping duty
215.11	8201.10.10	01.08	85	Spades and shovels, of a maximum blade width of more than 200 mm but not exceeding 320 mm	301.00-399.00; 401.00-499.00	China	4 796c/kg
215.11	8201.30.03	01.08	86	Picks	301.00-399.00; 401.00-499.00	China	3 295c/kg
215.11	8201.30.90	01.08	84	Rakes with more than 8 prongs	301.00-399.00; 401.00-499.00	China	3 466c/kg
215.11	8201.90.20	01.08	85	Forks, with a prong length exceeding 150 mm (excluding forks with 8 or more prongs)	301.00-399.00; 401.00-499.00	China	4 668c/kg

NO. R. 986

**SOUTH AFRICAN REVENUE SERVICE**

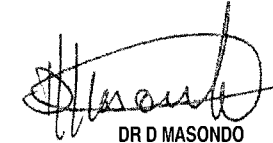
12 JULY 2019

STAATSKOERANT, 12 JULIE 2019

No. 42577 85

**DOEANE- EN AKSYNSWET, 1964.  
WYSIGING VAN BYLAE NO. 2 (NO. 2/1/385)**

Kragtens artikel 56 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 2 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.



**DR D MASONDO  
ADJUNKMINISTER VAN FINANSIES**

**BYLAE**

Deur die vervanging van die volgende:

Item	Tariefpos	Kode	TS	Beskrywing	Kortingitems	Ingevoer vanaf of Oorspronklik van	Skaal van Anti-dumpingreg
215.11	8201.10.10	01.08	85	Grawe en skopgrawe, met 'n maksimum lemwydte van meer as 200 mm maar hoogstens 320 mm	301.00-399.00; 401.00-499.00	China	4 796c/kg
215.11	8201.30.03	01.08	86	Pikke	301.00-399.00; 401.00-499.00	China	3 295c/kg
215.11	8201.30.90	01.08	84	Harke met minstens 8 tande	301.00-399.00; 401.00-499.00	China	3 466c/kg
215.11	8201.90.20	01.08	85	Vurke, met 'n tandlengte van meer as 150 mm (uitgesonderd vurke met 8 of meer tande)	301.00-399.00; 401.00-499.00	China	4 668c/kg

NO. R. 986

SUID-AFRIKAANSE INKOMSTEDIENS

12 JULIE 2019