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PROCLAMATION*by the**President of the Republic of South Africa***No. R. 2, 2003****SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT AND SPECIAL TRIBUNAL**

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

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

NOW, THEREFORE, I hereby, under section 2(1) of the said Act, and after consultation with the Premier of the Eastern Cape Province, refer the matters in the Schedule 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 these matters, the terms of reference of the Special Investigating Unit, are to investigate as contemplated in the said Act, any -

- (a) serious maladministration in connection with the affairs of the Department, the "TRTC" and Umanyano Transport;
- (b) improper or unlawful conduct by officials of the Department, and employees of "TRTC" and Umanyano Transport;
- (c) unlawful appropriation or expenditure of public money or property;
- (d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;
- (e) intentional or negligent loss of public money or damage to public property;
- (f) corruption in connection with the affairs of the Department, the "TRTC" and Umanyano Transport; or
- (g) unlawful or improper conduct by any person which has caused or may cause serious harm to the interests of the public or any category thereof,

which has taken place between May 1997 and the date of publication 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 said Act in relation to the said matters.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Thirtieth day of December Two thousand and two.

T. M. MBEKI

President

By Order of the President-in-Cabinet:

P. M. MADUNA

Minister of the Cabinet

SCHEDULE

1. The acquisition of assets belonging to the liquidated "TRTC" by Umanyano Transport and the Department's involvement in this matter.
2. The transfer of assets belonging to the liquidated "TRTC" to Umanyano Transport and the Department's involvement in this matter.
3. The registration of motor vehicles belonging to the liquidated "TRTC" in the name of Umanyano Transport and the Department's involvement in this matter.