PROCLAMATION 194 OF 2024

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. 84 OF 2022 – UNIVERSITY OF FORT HARE

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.84 of 2022, as follows—

(a) By the substitution of the expression “1 November 2012” in paragraph 4 of the body of the Proclamation for the expression “1 January 2004”;

(b) By the extension of end date mentioned in paragraph 4 of the body of the Proclamation (5 August 2022, being the date of publication of the original Proclamation) to date of publication of the amended Proclamation;

(c) By the deletion of the word “and” at the end of sub-paragraph *(cc)* of paragraph 1 of the Schedule;

(d) By the deletion of a “full stop” at the end of sub-paragraph *(dd)* of paragraph 1 of the Schedule and insertion of a semi-colon in its stead;

(e) By the insertion of new sub-paragraphs *(ee)*, *(ff)* and *(gg)* in paragraph 1 of the Schedule as follows:

“*(ee)* maintenance of the University’s infrastructure from 1 January 2022 to 31 March 2023;

(ff) the installation of CCTV cameras and associated security features at the University’s staff village in Alice in the Eastern Cape Province from 18 March 2022 to 2 June 2022; and

(gg) the refurbishment and maintenance of student residences at the University's Alice campus in the Eastern Cape Province during the year 2009;

(f) By the deletion of the word "and" at the end of sub-paragraph *(b)* of paragraph 2 of the Schedule;

(g) By the substitution of the full stop at the end of sub-paragraph *(c)* of paragraph 2 of the Schedule, with a semi-colon;

(h) By the insertion of new sub-paragraphs *(d)*, *(e)*, *(f)* and *(g)* in paragraph 2 of the Schedule as follows:

"*(d)* Capacity Building Program for the Eastern Cape Provincial Legislature;

(e) registration or admission of non-eligible persons to enrol for, study for or be awarded degrees, including Bachelors' degrees, honours degrees, Masters' degrees and PhD degrees, or in a manner that was contrary to manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the University. Without limiting the scope of the grounds of non-eligibility, this includes persons who did not have the requisite degrees or Matriculation results to enrol for, study for or be awarded the degrees in question;

(f) awarding of degrees, including Bachelors' degrees, honours degrees, Masters' degrees and PhD/doctoral degrees in a manner that was contrary to manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the University; and

(g) the appointment of a Head of Department in a manner that was contrary to manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the University";

(i) By the insertion of new paragraphs 3, 4, 5, 6 and 7 in the Schedule to the original Proclamation as follows:

"3. Serious maladministration and malpractices, as well as conduct which may seriously harm the interests of the public, in the affairs of the University's Faculty of Law in relation to the registration or admission of non-eligible persons to enrol for, study for or be awarded degrees, including Bachelors' degrees, honours degrees, Masters' degrees and PhD degrees, or in a manner that was contrary to manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the University. Without limiting the scope of the grounds of non-eligibility, this includes persons who did not have

the requisite degrees or Matriculation results to enrol for, study for or be awarded the degrees in question.

4. Serious maladministration and malpractices, as well as conduct which may seriously harm the interests of the public, in the affairs of the University in relation to the Nguni Cattle Development Trust.

5. Serious maladministration and malpractices, as well as conduct which may seriously harm the interests of the public, in the affairs of the University in relation to the administration and payment of allowances for food, accommodation, books, stationery, cash and study-related costs to qualifying students.

6. Serious maladministration and malpractices, as well as conduct which may seriously harm the interests of the public, in the affairs of the University in relation to the University's Faculty of Health Sciences in relation to the Albertina Sisulu Executive Leadership Programme in Health and Master of Public Health Programme including the registration or admission of non-eligible persons to enrol for, study for or be awarded degrees, in relation to the aforementioned Programmes. Without limiting the scope of the grounds of non-eligibility, this includes persons who did not have the requisite degrees or Matriculation results to enrol for, study for or be awarded the degrees.

7. Irregular registration, admission or assistance of students by University officials for personal gain."; and

(j) By the consequential re-numbering of the existing paragraph 3 in the Schedule to paragraph 8.

Given under my Hand and the Seal of the Republic of South Africa at Johannesburg this **6th** day of **May** Two thousand and twenty-four.

MC RAMAPHOSA
President
By Order of the President-in-Cabinet:
RO LAMOLA
Minister of the Cabinet

PROKLAMASIE 194 VAN 2024

van die

PRESIDENT van die REPUBLIEK VAN SUID-AFRIKA

WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): VERDERE WYSIGING VAN PROKLAMASIE NO. 84 VAN 2022 – UNIVERSITEIT VAN FORT HARE

Kragtens artikel 2(4) van die Wet op Spesiale Ondersoekeendhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996, wysig ek hiermee Proklamasie No. R. 84 van 2022, as volg—

(a) Deur die uitdrukking “1 November 2012” in paragraaf 4 van die teks van die Proklamasie met die uitdrukking “1 Januarie 2004”, te vervang;

(b) Deur die eind-datum in paragraaf 4 van die teks van die Proklamasie (5 Augustus 2022, as seinde die datum van publiksaie van die oorspronklike proklamasie) na die datum van die gewysigde proklamasie, te verleng;

(c) Deur die woord “en” aan die einde van sub-paragraaf *(cc)* van paragraaf 1 van die Bylae, te skrap;

(d) Deur die “punt” aan die einde van sub-paragraaf *(dd)* van paragraaf 1 van die Bylae te skrap en ‘n kommapunt in die plek daarvan in te voeg;

(e) Deur nuwe sub-paragrawe *(ee)*, *(ff)* en *(gg)* in paragraaf 1 van die Bylae in te voeg, as volg:

“*(ee)* onderhoud van die Universiteit se infrastruktuur vanaf 1 Januarie 2022 tot 31 Maart 2023;

(ff) die installering van GKTV kameras en verwante sekuriteitsfasiliteite by die Universiteit se personeel dorp in Alice in die Oos-Kaap Provinsie vanaf 18 Maart 2022 tot 2 Junie 2022; en

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(gg) die herstel en onderhoud van studente akkommodasie by die Universiteit se Alice kampus in die Oos-Kaap Provinsie in 2009.";

(f) Deur die skrapping van die woord "en" aan die einde van sub-paragraapf *(b)* van paragraaf 2 van die Bylae;

(g) Deur die vervanging van die "punt" aan die einde van sub-paragraaf *(c)* van paragraaf 2 van die Bylae met 'n "kommapunt";

(h) Deur die invoeging van nuwe sub-paragrawe *(d)*, *(e)*, *(f)* en *(g)* in paragraaf 2 van die Bylae as volg:

"*(d)* Kapasiteit Opbou Program van die Oos-Kaap Provinsiale Wetgewer;

(e) registrasie of toelating van nie-kwalifiserende persone om in te skryf, studeer vir of grade, met inbegrip van Bachelorsgrade, Honneurs grade, Meesters grade en Phd-grade toegeken te word; of op 'n wyse wat strydig is met handleidings, beleid, prosedures, voorskrifte, instruksies of gebruike van, of van toepassing op die Universiteit. Sonder beperking van die trefwydte van die gronde van nie-kwalifisering, met inbegrip van persone wan nie oor die vereiste grade of Matrikulasie uitslae beskik het nie om in te skryf vir, studeer vir of die betrokke grade toegeken te word;

(f) toekenning van grade, met inbegrip van Bachelors, Honneurs grade, Meesters grade en Phd-grade / doktors grade op 'n manier wat strydig is met die handleidings, beleid, prosedures, voorskrifte, instruksies of gebruike van, of van toepassing op die Universiteit; en

(g) die aanstelling van 'n Hoof van 'n Departement op 'n wyse wat strydig is met die handleidings, beleid, prosedures, voorskrifte, instruksies of gebruike van, of van toepassing is op die Universiteit";

(i) Deur die invoeging van nuwe paragrawe 3, 4, 5, 6 en 7 in die Bylae tot die oorspronklike Proklamasie, as volg:

"3. .Ernstige wanadministrasie en wanpryke, asook optrede wat ernstige nadeel in die belange van die publiek inhou, in die aangeleenthede van die Universiteit se Regsgeleerdheid Fakulteit met betrekking tot die registrasie of toelating van nie-kwalifiserende persone om in te skryf vir, studeer om grade toegeken te word, met inbegrip van Bachelorsgrade, Honneurs grade, Meesters grade en Phd-grade, of op 'n wyse wat strydig is met die handleidings, beleid, prosedures, voorskrifte, instruksies of gebruike van, of van toepassing is op die

Universiteit. Sonder om die trefwydte te beperk van die gronde van nie-kwalifisering, met inbegrip van persone wat nie die vereiste grade of Matrikulasie uitslae gehad het nie om in te skryf vir, studeer vir of die betrokke grade toegeken te word.

4. Ernstige wanadministrasie en wanpraktyke, asook gedrag wat die belange van die publiek ernstige skade kan aandoen, in die aangeleenthede van die Universiteit met betrekking tot die "Nguni Cattle Development Trust".

5. Ernstige wanadministrasie en wanpraktyke, asook gedrag wat die belange van die publiek ernstige skade kan aandoen, in die aangeleenthede van die Universitiet met betrekking tot die administrasie en betaling van toelaes vir kos, akkommodaies, handboeke, skryfbehoeftes, kontant en studie verwante kostes aan kwalifiserende studente.

6. Ernstige wanadministrasie en wanpraktyke, asook gedrag wat ernstige nadeel vir die belange van die publiek kan inhou, in die aangeleenthede van die Universiteit met betrekking tot die Universiteit se Fakulteit van Gesondheidswetenskappe met betrekking tot die "Albertina Sisulu Executive Leadership Programme in Health and Master of Public Health Programme" met inbegrip van die registrasie of toelating van nie-kwalifiserende persone om in te skryf vir, studeer vir of grade toegeken te word in verband met voormelde Programme. Sonder om die trefwydte in te perk van die gronde van nie-kwalifiserendheid, met inbegrip van persone wat nie die vereiste grade of Matrikulasie uitslae het nie om in te skryf vir, studier vir of die grade toegeken te word.

7. Onreëlmatige registrasie, toelating of bystand van studente deur Univeriteitsbeamptes vir persoonlike gewin." en

(j) Deur die gevolglike hernumering van die bestaande paragraaf 3 in die Bylae na paragraaf 8.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Johannesburg op hede die **6** dag van **Mei** Twee duisend vier en twintig.

MC RAMAPHOSA
President
Op las van die President-in-Kabinet:
RO LAMOLA
Minister van die Kabinet