

# FIRST PLENARY MEETING OF THE SIU SPECIAL TRIBUNAL MEMBERS

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Spokesperson: SIU Special Tribunal



*Front (Left to Right): Judge Thiba Siwendu, President of the Special Tribunal Judge Gidfonia Mlindelwa Makhanya, and Judge Lebogang Modiba*

*Back (Left to Right): Judges Selewe Peter Mothle, David van Zyl, Kantharuby Pillay, and Sirajudien Desai.*

Members of the SIU Special Tribunal had their first meeting at OR Tambo recently to put ideas together on how to approach the work of the Tribunal.

President Cyril Ramaphosa assembled a team of Judges, led by Judge Gidfonia Mlindelwa Makhanya, in terms of which they are expected to adjudicate upon civil proceedings emanating from any investigation by the SIU for a period of three years.

In terms of Section 9 (1) (a) of the Special Investigating Units and Special Tribunal Act No. 74 of 1996, as amended, Judge Makhanya made the rules regulating the conduct of proceedings in the Special

Tribunal including the process by which proceedings are brought before them (Special Tribunal), and the form and content of that process, to come into operation in the Government Gazette.

The Tribunal's seat is at the Booyens Magistrates Court and the Court has jurisdiction across the country. The Tribunal shall have jurisdiction to adjudicate upon any civil proceedings brought before it by a Special Investigating Unit in its own name or on behalf of a State institution or any interested party as defined by the regulations, emanating from any investigation by such SIU. These include the power to issue suspension and interlocutory orders as well as interdicts on application by such Unit or party; subpoenas of witnesses and any other document that may be useful to the adjudication of a dispute.

The Tribunal is empowered to go after the money lost through corruption, fraud, illicit money flows, and seize property obtained unlawfully in South Africa and abroad. It is also be able to freeze assets, monies and grant preservation, restraining and forfeiture orders.

The Secretary of the Tribunal, Ms Stella Maphoso, explained that the new rules and regulations of the Tribunal have been reviewed and revised in order to clarify and improve them. The previous Special Tribunals rules and regulations were challenged leading even to the amendment of the SIU and the Special Tribunal Act.

In his opening remarks, Judge Makhanya, expressed confidence in the ability of the team to discharge their duties diligently, impartially and without undue influence.

He emphasized the case management as of particular significance, adding that the South African society was sick and tired of the scourge of crime and corruption, which he described as a cancer eating the moral fibre of our country.

Judge Makhanya is assisted by the following:

- Judge Kantharuby Pillay
- Judge Johannes Eksteen
- Judge Selewe Peter Mothle
- Judge Lebogang Modiba
- Judge Thina Siwendu
- Judge David van Zyl
- Judge Sirajudien Desai