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PROCLAMATIONS • PROKLAMASIES

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

PROCLAMATION NOTICE 316 OF 2026

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 AND SPECIAL TRIBUNAL: PRIVATE SECURITY INDUSTRY REGULATORY AUTHORITY AND UNEMPLOYMENT INSURANCE FUND

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 Private Security Industry Regulatory Authority ("the Authority") and the Unemployment Insurance Fund ("the Fund") (hereinafter referred to as "the Institutions");

AND WHEREAS the Institutions 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 Institutions 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—

(a) serious maladministration in connection with the affairs of the Institutions;
(b) improper or unlawful conduct by employees of the Institutions;
(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 Part 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 Institutions; 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 1 January 2019 and the date of publication of this Proclamation or which took place prior to 1 January 2019 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 to this Proclamation 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 Institutions, in relation to the said matters in the Schedule to this Proclamation.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this twenty-seventh day of May Two thousand and twenty-six

CM Ramaphosa
President

By Order of the President-in-Cabinet:

MT Kubayi
Minister of the Cabinet

SCHEDULE

1. The procurement of, or contracting for training services by or on behalf of the Institutions in relation to tender number UIF/04/2019, 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, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or

(iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Institutions,

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

2. Maladministration in the affairs of the Institutions and any losses or prejudice suffered by the Institutions as a result of such maladministration in relation to the provision of Election Observer Training, End-User Computing Training and "PSIRA Grade E to C" Training to 7 071 targeted learners across nine provinces.

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

DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

PROKLAMASIE KENNISGEWING 316 VAN 2026

deur 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: REGULERENDE OWERHEID VIR DIE PRIVATE SEKURITEITSBEDRYF EN WERKLOOSHEIDSVERSEKERING FONDS

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 aangeleenthede van die Regulerende Owerheid vir die Private Sekuriteitsbedryf ("die Owerheid") en die Werkloosheidsversekering Fonds ("die Fonds") (hierna na verwys as "die Instellings");

EN AANGESIEN die Instellings 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 aangeleenthede in die Bylae vermeld ten opsigte van die Instellings, 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 aangeleenthede, die opdrag van die Spesiale Ondersoekeenheid is om soos beoog in gemelde Wet, ondersoek te doen na enige—

(a) ernstige wanadministrasie in verband met die aangeleenthede van die Instellings;
(b) onbehoorlike of onregmatige optrede deur werknemers van die Instellings;
(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 Deel 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voorgenoemde 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 aangeleentede van die Instellings; of
(g) onwettige of onbehoorlike gedrag deur enige persoon, wat ernstige benadeling tot die belange van die publiek of enige kategorie daarvan veroorsaak het,

wat plaasgevind het tussen 1 Januarie 2019 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2019 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 Instellings gely is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die sewe-en-twintigste dag van Mei Twee duisend-en-ses-en-twintig.

CM Ramaphosa
President

Op las van die President-in-Kabinet

MT Kubayi
Minister van die Kabinet

BYLAE

1. Die aanskaffing van, of kontraktering vir opleidingsdienste deur of namens die Instellings met betrekking tot tender nommer UIF/04/2019 en betalings wat in verband daarmee gemaak is op ‘n wyse wat—

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

(b) strydig was met toepaslike—

(i) wetgewing;

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

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

en enige verbandhoudende ongemagtigde, onreëlmatige of vrugtelose en verspilde uitgawes wat deur die Instellings aangegaan is.

2. Wanadministrasie in die aangeleenthede van die Instellings en enige verliese of benadeling deur die Instellings as gevolg van sodanige wanadministrasie gely met betrekking tot die verskaffing van Verkiesings Observeerder Opleiding, Eind-gebruiker Berekening Opleiding en “PRISA Grade E to C” Opleiding aan 7 071 geteikende leerders dwarsoor nege provinsies.

3. Enige onregmatige of onbehoorlike gedrag deur beamptes of werknemers van die Instellings, die betrokke verskaffers of diensverskaffers of enige ander persoon of entiteit, met betrekking tot die bewerings in paragrawe 1 en 2 hierbo uiteengesit.

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