PROCLAMATIONS • PROKLAMASIES

PROCLAMATION NOTICE 347 OF 2026

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 226 OF 2024: ETHEKWINI METROPOLITAN MUNICIPALITY

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. 226 of 2024, by—

(a) the extension of the period referred to in the fourth paragraph of the Proclamation to the date of publication of this amended Proclamation; and

(b) the substitution for paragraph 1 of the Schedule to the Proclamation of the following paragraph:

"1. The procurement of, or contracting for security services and VIP protection services in terms of contract numbers CMS 0031, 1C 15104, 1C 18709, 1C 20359, 1X 31747 and 1C 29300, and any subsequent extensions or variations thereto by or on behalf of the Municipality, 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 the relevant Provincial Treasury; or

(iii) manuals, policies, procedures, prescripts, instructions or practices of or applicable to the Municipality; and

(c) conducted by or facilitated through the improper or unlawful conduct of—

(i) employees or officials of the Municipality;

(ii) the service providers in question; or

(iii) any other person or entity,

to corruptly or unduly benefit themselves or any other person or entity; or

(d) fraudulent,

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

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 03 day of August Two thousand and twenty-six.

President

By Order of the President-in-Cabinet:

Minister of the Cabinet

PROKLAMASIE KENNISGEWING 347 VAN 2026

deur die

PRESIDENT van die REPUBLIEK van SUID-AFRIKA

WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): WYSIGING VAN PROKLAMASIE 226 VAN 2024: ETHEKWINI METROPOLITAANSE MUNISIPALITEIT

Hierby wysig ek, kragtens artikel 2(4) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), Proklamasie No. R. 226 van 2024, deur—

(a) die tydperk bedoel in die vierde paragraaf van die Proklamasie te verleng na die datum van publikasie van hierdie gewysigde Proklamasie; en

(b) deur paragraaf 1 van die Bylae by die Proklamasie deur die volgende paragraaf te vervang:

"1. Die verkryging van, kontraktering vir sekuriteitsdienste en BBP-beskermingsdienste ingevolge kontraknommer CMS 0031, 1C 15104, 1C 18709, 1C 20359, 1X 31747 en 1C 29300, en enige daaropvolgende verlengings of variasies daaraan deur of namens die Munisipaliteit en betalings ten opsigte daarvan gemaak op 'n wyse wat—

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

(b) strydig was met toepaslike—

(i) wetgewing;

(ii) handleidings, riglyne, praktyknotas, omsendbriewe, of opdragte deur die Nasionale Tesourie of tersaaklike Provinsiale Tesourie uitgereik; of

(iii) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van of van toepassing op die Munisipaliteit; en

(c) gedoen of vergemaklik deur die onbehoorlike of onregmatige optrede van—

(i) werknemers of beamptes van die Munisipaliteit;

(ii) die betrokke diensverskaffers; of

(iii) enige ander persoon of entiteit,

om hulself of enige ander persoon of entiteit op 'n korrupte of onbehoorlike wyse te bevoordeel; of

(d) bedrieglik was,

en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verkwistende uitgawes deur die Munisipaliteit of die Staat aangegaan."

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te ..Pretoria.... op hede die ..3.. dag van ..August... Tweeduisend ses-en-twintig.

President

Op las van die President- in- Kabinet:

Minister van die Kabinet