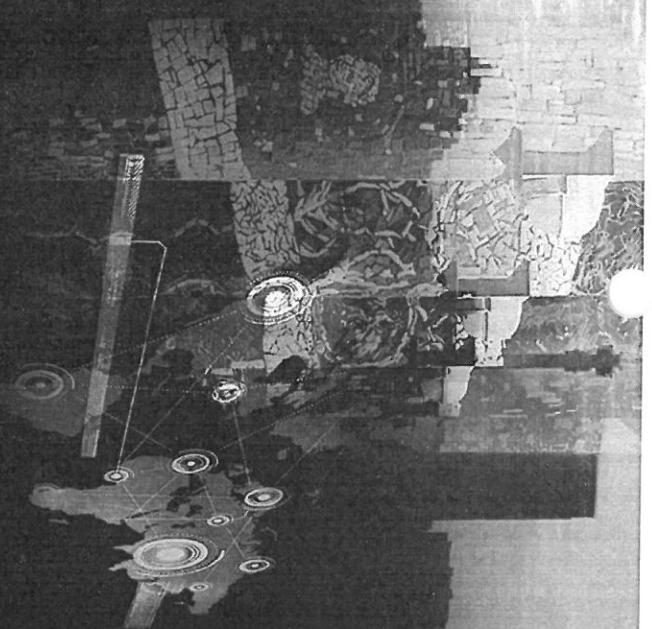


SPECIAL INVESTIGATING UNIT

SIU

POSTED TO STRIKE  
*against corruption*





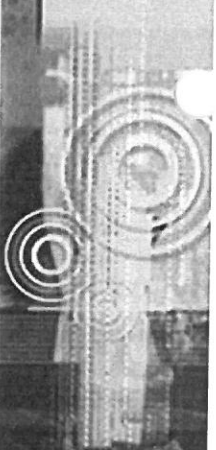
# INTRODUCTION



- The SIU was mandated by Proclamation R. 2 of 2003 to investigate certain allegations of maladministration and malpractice following the liquidation of the Transkei Road Transportation Corporation (hereinafter referred to as “the TRTC”).
- The SIU investigation was finalised a long time ago.
- The Transkei Road Transportation Petition Hearing has now invited the SIU to brief it on the results of the investigation and to answers any questions that may be put to the SIU.



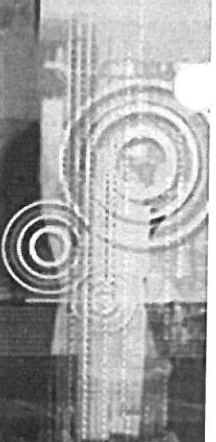
## FACTS SHOWN BY THE INVESTIGATION



- In the period following the appointment of liquidators and auctioneers to assist with the winding up of the affairs of the TRTC, a period of chaos, intimidation, harassment and lawlessness followed.
- The situation became so volatile that the liquidators were forced to abandon their attempts to wind up TRTC .
- The assets of TRTC were then vandalised or were misappropriated.
- An entity formed by former employees of TRTC, known as Umanyano Transport was very prominent in the process of the misappropriation of the property of TRTC.
- The SIU found that assets and vehicles belonging to and registered in the name of the TRTC were either stolen and sold, or were irregularly registered in the name of Umanyano Transport.
- The assets affected included bus depots used by TRTC and busses used by TRTC.



## LITIGATION REGARDING TERMINATION BENEFITS



- It came to the attention of the SIU that the whole issue of compensation due to former employees of TRTC and in particular the question of a contractual obligation to assist them in finding future employment, was comprehensively dealt with in a judgment of the High Court of South Africa (Eastern Cape High Court: Bhisho) in case no. 203/2000 (Lungile Elliot Siyepu and 508 others versus Premier of the Eastern Cape).
- It was common cause in that matter that the Premier fully complied with undertakings at the liquidation of TRTC to assist with payment of salaries over a future period, leave pay, accrued bonuses, pension payments and also the payment of severance packages
- The only real question was whether the Premier was contractually bound to honour an undertaking to “assist former TRTC employees to secure employment in a new transport arrangement”.



**THANKS**

- Thank you

