



Republic of South Sudan (RSS)
The President

Ref: _____

Date: _____

RSS/RO/J/13/2013

June 18th, 2013

THE REPUBLIC OF SOUTH SUDAN (RSS):

Republican Order No.13/2013 for the **Formation of the Investigation Committee to Investigate into the alleged unprocedural Transfer of 7,959,400 USD to Daffy Investment Group Ltd, 2013 A.D.**

1. TITLE AND COMMENCEMENT:

This Order shall be cited as "The Republican Order No.13/2013 for the **Formation of the Investigation Committee to Investigate into the alleged unprocedural Transfer of 7,959,400 USD to Daffy Investment Group Ltd, 2013 A.D.**" and shall come into force on the date of its signature by the President of the Republic.

2. THE ORDER:

In exercise of the powers conferred upon me under Section 5(1) of the Investigation Committees Act, 2006, I, General Salva Kiir Mayardit,

President of the Republic of South Sudan, do hereby issue this Republican Order for the **Formation of the Investigation Committee to Investigate into the alleged unprocedural Transfer of 7,959,400 USD to Daffy Investment Group Ltd**, composed of the Members as hereunder:-

S/No.	Name in Full	Position
1.	Justice John Gatwich Lul	Chairperson
2.	James Mayen Oka	Deputy Chairperson
3.	Justice James Alala	Member
4.	Dr. Kuyok Abol Kuyok	Secretary
5.	Hon. Ochan Livingstone	Member

3. THE TERMS OF REFERENCE FOR THE INVESTIGATION COMMITTEE:

- (1) The Terms of Reference for the Committee shall be as hereunder:-
- a) to investigate and ascertain as to how the purchase of the anti-fire safes was made;
 - b) to identify and establish as to who made the approval and authorized the transfer of such an amount;
 - c) to ascertain and establish as to whether the procurement procedures leading to the conclusion and drawing up of a valid contract agreement according to the Public Procurement and Disposal Regulations had been adhered to;

- d) to establish and ascertain as to whether the Council of Ministers had resolved that the anti-fire safes have to be purchased;
- e) to ascertain and establish as to whether the Minister of Cabinet Affairs has the mandate to request on behalf of the Government the purchase of anti-fire safes;
- f) to establish and ascertain whether Resolution No. 05/2012 of the Council of Ministers does specifically resolve and state that anti-fire safes must be purchased;
- g) to ascertain and establish as to whether the said anti-fire safes were actually purchased and delivered to the Government;
- h) to establish and ascertain from the Minister of Finance and Economic Planning as to why he had approved and authorized the payment and transfer of such an amount without scrutinizing the conclusion of a validly binding contract of those anti-fire safes;
- i) as to whether the amount in question has been remitted back to the Government chase fully and if not fully remitted back, to investigate and ascertain as to what part of the amount has not been remitted back by the Daffy Investment Group Ltd;

j) to establish as to whether there is an element of fraud and forgery exercised in this process of transfer and payment thereto which will lead to establishment of criminal offence so that they are criminally prosecuted;

k) to establish and ascertain as to whether the amount of USD 7,959,400 so approved and transferred in favor of Daffy Investment Group Ltd. went through the Cash Management Committee (CMC) of the Ministry of Finance and Economic Planning;

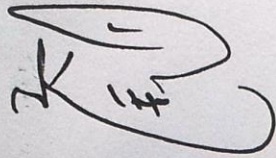
l) to investigate the so called Daff Supplies International Ltd./Daffy Investment Group Ltd. as to how they reached such an agreement with the Government; and

m) to investigate any other shortcomings not resorted to on the part of the two National Ministers which would have saved the unprocedural transfer and misplay of public property.

(2) The Investigation Committee shall summon Mr. Wani Buyu Dyori, the Undersecretary for Planning and Mr. Simon Kiman Lado the Acting Director General for Accounts in the Ministry of Finance and Economic Planning and to ascertain from them as to who ordered and instructed them to write to the Bank of South Sudan to transfer the amount of USD 7,959,400 to Daffy Investment Group Ltd; and as to whether they have any bad faith connivance thereto.

- (3) The Committee shall submit its findings to the President within sixty (60) business days from the date of issuance of this Order.

Issued under my Hand and Seal of the Republic of South Sudan in Juba, this Eighteenth Day of the Month of June in the Year 2013 A.D.

A handwritten signature in black ink, appearing to read 'Kiir', enclosed within a large, stylized, hand-drawn oval shape.

**General Salva Kiir Mayardit,
President,
Republic of South Sudan,
Juba.**