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GOVERNMENT NOTICE

DEPARTMENT OF JUSTICE

No. R. 1875

19 August 1985

RULES MADE UNDER REGULATION 3 (9) OF THE REGULATIONS PUBLISHED BY PROCLAMATION R. 121 OF 21 JULY 1985.—PUBLIC SAFETY ACT, 1953

The Minister of Justice has under regulation 3 (9) of the Regulations published by Proclamation R. 121 of 21 July 1985 made the rules contained in the Schedule.

SCHEDULE

AMENDMENT OF RULE 1 OF THE RULES PUBLISHED UNDER GOVERNMENT NOTICE 1674 OF 21 JULY 1985

1. Rule 1 of the Rules published under Government Notice 1674 of 21 July 1985 (hereinafter referred to as the Rules), is hereby amended—

- (a) by the substitution for the definition of “the Regulations” of the following definition:

“ ‘the Regulations’ means the Regulations published by Proclamation R. 121 of 21 July 1985 as amended from time to time.”;

- (b) by the addition of the following subrule, the existing rule becoming subrule (1):

“(2) Any person in respect of whom an order referred to in regulation 3 (1) or an order referred to in regulation 3 (3) of the Regulations is in force and who at any time after the issuing of the order in question is at any place outside a prison, shall, for the purposes of these rules, be deemed to be detained in the prison in which he has been or is required to be detained in terms of the order in question or in terms of an order referred to in regulation 3 (4) of the Regulations.”.

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN JUSTISIE

No. R. 1875

19 Augustus 1985

REÛLS UITGEVAARDIG KRAGTENS REGULASIE 3 (9) VAN DIE REGULASIES AFGEKONDIG BY PROKLAMASIE R. 121 VAN 21 JULIE 1985.—WET OP OPENBARE VEILIGHEID, 1953

Die Minister van Justisie het kragtens regulasie 3 (9) van die Regulasies afgekondig by Proklamasie R. 121 van 21 Julie 1985 die reëls in die Bylae vervat, uitgevaardig.

BYLAE

WYSIGING VAN REÛL 1 VAN DIE REÛLS AFGEKONDIG BY GOEWERMENSKENNISGEWING 1674 VAN 21 JULIE 1985

1. Reël 1 van die Reëls afgekondig by Goewermenskennisgewing 1674 van 21 Julie 1985 (hieronder die Reëls genoem), word hierby gewysig—

- (a) deur die omskrywing van “die Regulasies” deur die volgende omskrywing te vervang:

“ ‘die Regulasies’ die Regulasies afgekondig by Proklamasie R. 121 van 21 Julie 1985 soos van tyd tot tyd gewysig;”;

- (b) deur die volgende subreël by te voeg terwyl die bestaande reël subreël (1) word:

“(2) By die toepassing van hierdie reëls word ’n persoon ten opsigte van wie ’n bevel bedoel in regulasie 3 (1) of ’n lasgewing bedoel in regulasie 3 (3) van die Regulasies van krag is, en wat op enige tydstip na die uitreiking van die betrokke bevel of lasgewing op enige plek buite ’n gevangenis is, geag aangehou te word in die gevangenis waarin hy ingevolge die betrokke bevel of lasgewing of ingevolge ’n lasgewing bedoel in regulasie 3 (4) van die Regulasies aangehou is of moet word.”.

**AMENDMENT OF RULE 5 OF THE RULES
PUBLISHED UNDER GOVERNMENT NOTICE 1674 OF
21 JULY 1985**

2. Rule 5 of the Rules is hereby amended—

- (a) by the substitution for subrule (1) of the following subrule:
“(1) No person detained under the Regulations shall during his detention be visited by any person, except with the permission of the person in command of the prison in question, acting with the concurrence of the Commissioner of the South African Police or any person acting on his authority: Provided that if a legal representative desires to visit such a detainee, the permission of the Minister of Law and Order or the Commissioner of the South African Police shall be obtained for such a visit.”;
- (b) by the substitution for subrule (7) of the following subrule:
“(7) With the exception of visitors to whom permission has been granted in terms of subrule (1), authorized persons in the service of the State or any member of a Force as defined in the Regulations, a detainee may not come into contact with any other person or any other categories of prisoners.”; and
- (c) by the substitution for subrule (8) of the following subrule:
“(8) If a person visits a detainee in an official capacity he shall inform the detainee of the purpose of his visit and may invite him to discuss any complaints or problems with him or to make representations to him.”.

**AMENDMENT OF RULE 6 OF THE RULES
PUBLISHED UNDER GOVERNMENT NOTICE 1674 OF
21 JULY 1985**

3. The following rule is hereby substituted for rule 6 of the Rules:

“LETTERS

- 6. No person detained under the Regulations may, during his detention, communicate in writing with any person outside the prison where he is being detained except with the permission of the person in command of that prison, acting with the concurrence of the Commissioner of the South African Police or any person acting on his authority.”.

**AMENDMENT OF RULE 7 OF THE RULES
PUBLISHED UNDER GOVERNMENT NOTICE 1674 OF
21 JULY 1985**

4. The following rule is hereby substituted for rule 7 of the Rules:

“READING MATTER

- 7. Subject to the provisions of rule 11 no detainee shall be entitled to receive or to have in his possession any reading matter except the Bible or any other Holy Book of religion which is supplied to him through the person in command of the prison.”.

**WYSIGING VAN REËL 5 VAN DIE REËLS AFGEKON-
DIG BY GOEWERMENSKENNISGEWING 1674 VAN
21 JULIE 1985**

2. Reël 5 van die Reëls word hierby gewysig—

- (a) deur subreël (1) deur die volgende subreël te vervang:
“(1) Niemand wat kragtens die Regulasies aangehou word, mag gedurende sy aanhouding deur enigiemand besoek word nie, behalwe met die toestemming van die persoon in bevel van die betrokke gevangenis, handelende met die instemming van die Kommissaris van die Suid-Afrikaanse Polisie of iemand wat op sy gesag handel: Met dien verstande dat indien 'n regsvertegenwoordiger so 'n aangehoudene wil besoek, die toestemming van die Minister van Wet en Orde of die Kommissaris van die Suid-Afrikaanse Polisie vir so 'n besoek verkry moet word.”;
- (b) deur subreël (7) deur die volgende subreël te vervang:
“(7) Uitgesonderd besoekers aan wie toestemming ingevolge subreël (1) verleen is, gemagtigde persone in diens van die staat of enige lid van 'n Mag soos omskryf in die Regulasies, mag 'n aangehoudene met geen ander persoon of ander kategorieë gevangenes in aanraking kom nie.”; en
- (c) deur subreël (8) deur die volgende subreël te vervang:
“(8) Indien 'n persoon 'n aangehoudene in 'n amptelike hoedanigheid besoek, moet hy die aangehoudene van die doel van sy besoek verwittig en kan hy hom uitnoodi om enige klagtes of probleme met hom te bespreek of vertoë tot hom rig.”.

**WYSIGING VAN REËL 6 VAN DIE REËLS AFGEKON-
DIG BY GOEWERMENSKENNISGEWING 1674 VAN
21 JULIE 1985**

3. Reël 6 van die Reëls word hierby deur die volgende reël vervang:

“BRIEWE

- 6. Niemand wat kragtens die Regulasies aangehou word, mag gedurende sy aanhouding met enigiemand buite die gevangenis waar hy aangehou word, skriftelik in verbinding tree nie behalwe met die toestemming van die persoon in bevel van daardie gevangenis, handelende met die instemming van die Kommissaris van die Suid-Afrikaanse Polisie of iemand wat op sy gesag handel.”.

**WYSIGING VAN REËL 7 VAN DIE REËLS AFGEKON-
DIG BY GOEWERMENSKENNISGEWING 1674 VAN
21 JULIE 1985**

4. Reël 7 van die Reëls word hierby deur die volgende reël vervang:

“LEESSTOF

- 7. Behoudens die bepaling van reël 11 is geen aangehoudene geregtig om enige leesstof te ontvang of in sy besit te hê nie, behalwe die Bybel of 'n ander Heilige Boek van godsdienste wat deur bemiddeling van die persoon in bevel van die gevangenis aan hom verskaf word.”.

AMENDMENT OF RULE 11 OF THE RULES
PUBLISHED UNDER GOVERNMENT NOTICE 1674 OF
21 JULY 1985

5. The following rule is hereby substituted for rule 11 of the Rules:

“STUDIES

11. No detainee shall be entitled to study or to enroll for any studies except with the permission of the person in command of the prison in question, acting with the concurrence of the Commissioner of the South African Police or any person acting on his authority.”.

AMENDMENT OF RULE 20 OF THE RULES
PUBLISHED UNDER GOVERNMENT NOTICE 1674 OF
21 JULY 1985

6. Rule 20 of the Rules is hereby amended by the substitution for subrule (3) of the following subrule:

“(3) Medical or dental treatment by a doctor who is not the medical officer, or by a specialist, or in a hospital outside the place of detention, may be provided only on the recommendation of the medical officer.”.

AMENDMENT OF RULE 21 OF THE RULES
PUBLISHED UNDER GOVERNMENT NOTICE 1674 OF
21 JULY 1985

7. Rule 21 of the Rules is hereby amended by the substitution for paragraph (c) of subrule (1) of the following paragraph:

“(c) is insolent or disrespectful towards such a person or towards an official visitor or towards a member of a Force, as defined in the Regulations, during the execution of his duties;”.

WYSIGING VAN REËL 11 VAN DIE REËLS AFGE-
KONDIG BY GOEWERMENSKENNISGEWING 1674
VAN 21 JULIE 1985

5. Reël 11 van die Reëls word hierby deur die volgende reël vervang:

“STUDIES

11. Geen aangehoudene is daarop geregtig om te studeer of vir enige studies in te skryf nie, behalwe met die toestemming van die persoon in bevel van die betrokke gevangenis, handelende met die instemming van die Kommissaris van die Suid-Afrikaanse Polisie of iemand wat op sy gesag handel.”.

WYSIGING VAN REËL 20 VAN DIE REËLS AFGE-
KONDIG BY GOEWERMENSKENNISGEWING 1674
VAN 21 JULIE 1985

6. Reël 20 van die Reëls word hierby gewysig deur subreël (3) deur die volgende subreël te vervang:

“(3) Geneeskundige of tandheelkundige behandeling deur 'n geneesheer wat nie die geneeskundige beampte is nie of deur 'n spesialis, of in 'n hospitaal buite die betrokke gevangenis kan slegs op aanbeveling van die geneeskundige beampte verskaf word.”.

WYSIGING VAN REËL 21 VAN DIE REËLS AFGE-
KONDIG BY GOEWERMENSKENNISGEWING 1674
VAN 21 JULIE 1985

7. Reël 21 van die Reëls word hierby gewysig deur paragraaf (c) van subreël (1) deur die volgende paragraaf vervang:

“(c) parmantig of oneerbiedig is teenoor so 'n persoon of teenoor 'n amptelike besoeker of teenoor enige lid van 'n Mag, soos omskryf in die Regulasies, tydens die uitvoering van sy pligte;”.

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