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SUID-AFRIKA



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PRETORIA, 1 FEBRUARIE
FEBRUARY 1992

No. 13761

PROKLAMASIE

van die

Staatspresident

van die Republiek van Suid-Afrika

No. R. 6, 1992

TWEDE POLISIEWYSIGINGSWET, 1991
(WET No. 87 VAN 1991)

INWERKINGTREDING

Kragtens artikel 15 van die Tweede Polisie-wysigingswet, 1991 (Wet No. 87 van 1991), bepaal ek **1 Februarie 1992** as die datum waarop genoemde Wet in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Een-en-dertigste dag van Januarie Eenduisend Nege-honderd Twee-en-negentig.

F. W. DE KLERK,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

H. J. KRIEL,
Minister van die Kabinet.

GOEWERMENTSKENNISGEWINGS

MINISTERIE VAN WET EN ORDE

No. R. 427

1 Februarie 1992

REGULASIES KRAGTENS DIE POLISIEWET, 1958 (WET No. 7 VAN 1958): WYSIGING VAN GOEWERMENTSKENNISGEWING No. R. 203 VAN 14 FEBRUARIE 1964, SOOS GEWYSIG

Kragtens artikel 33 (1) van die Polisie-wet, 1958 (Wet No. 7 van 1958), wysig ek, Hernus Johannes Kriel, Minister van Wet en Orde, hierby die Regulasies

128—A

PROCLAMATION

by the

State President

of the Republic of South Africa

No. R. 6, 1992

POLICE SECOND AMENDMENT ACT, 1991
(ACT No. 87 OF 1991)

COMMENCEMENT

Under section 15 of the Police Second Amendment Act, 1991 (Act No. 87 of 1991), I hereby determine **1 February 1992** as the date on which the said Act shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Thirty-first day of January, One thousand Nine hundred and Ninety-two.

F. W. DE KLERK,
State President.

By Order of the State President-in-Cabinet.

H. J. KRIEL,
Minister of the Cabinet.

GOVERNMENT NOTICES

MINISTRY OF LAW AND ORDER

No. R. 427

1 February 1992

REGULATIONS UNDER THE POLICE ACT, 1958 (ACT No. 7 OF 1958): AMENDMENT OF GOVERNMENT NOTICE No. 203 OF 14 FEBRUARY 1964, AS AMENDED

By virtue of section 33 (1) of the Police Act, 1958 (Act No. 7 of 1958), I, Hernus Johannes Kriel, Minister of Law and Order, hereby amend the Regulations

13761—1

afgekondig by Goewermentskennisgewing No. R. 203 van 14 Februarie 1964, soos gewysig, ooreenkomstig die bygaande Bylae, met ingang van 1 Februarie 1992.

Geteken te Kaapstad op hierdie 1ste dag van Februarie 1992.

H. J. KRIEL,

Minister van Wet en Orde.

BYLAE

Woordbepaling

1. In hierdie regulasies beteken "die Regulasies" die Regulasies vir die Suid-Afrikaanse Polisie gepubliseer by Goewermentskennisgewing No. R. 203 in *Staatskoerant* No. 719 van 14 Februarie 1964, soos gewysig by Goewermentskennisgewing R. 389 in *Staatskoerant* 748 van 20 Maart 1964, en Goewermentskennisgewing R. 823 in *Staatskoerant* 806 van 29 Mei 1964, en Goewermentskennisgewing R. 1543 in *Staatskoerant* 918 van 9 Oktober 1964, en Goewermentskennisgewing R. 1836 in *Staatskoerant* 948 van 13 November 1964, en Goewermentskennisgewing R. 425 in *Staatskoerant* 1068 van 26 Maart 1965, en Goewermentskennisgewing R. 1557 in *Staatskoerant* 1251 van 8 Oktober 1965, en Goewermentskennisgewing R. 1843 in *Staatskoerant* 1290 van 26 November 1965, en Goewermentskennisgewing R. 266 in *Staatskoerant* 1383 van 25 Februarie 1966, en Goewermentskennisgewing R. 1848 in *Staatskoerant* 1595 van 18 November 1966, en Goewermentskennisgewing R. 1950 in *Staatskoerant* 1605 van 9 Desember 1966, en Goewermentskennisgewing R. 189 in *Staatskoerant* 1662 van 17 Februarie 1967, en Goewermentskennisgewing R. 683 in *Staatskoerant* 1735 van 12 Mei 1967, en Goewermentskennisgewing R. 1390 in *Staatskoerant* 1837 van 8 September 1967, en Goewermentskennisgewing R. 1513 in *Staatskoerant* 1858 van 29 September 1967, en Goewermentskennisgewing R. 1880 in *Staatskoerant* 1899 van 24 November 1967, en Goewermentskennisgewing R. 114 in *Staatskoerant* 1962 van 26 Januarie 1968, en Goewermentskennisgewing R. 286 in *Staatskoerant* 1996 van 1 Maart 1968, en Goewermentskennisgewing R. 562 in *Staatskoerant* 2034 van 5 April 1968, en Goewermentskennisgewing R. 2353 in *Staatskoerant* 2244 van 20 Desember 1968, en Goewermentskennisgewing R. 2031 in *Staatskoerant* 2488 van 18 Julie 1969, en Goewermentskennisgewing R. 3476 in *Staatskoerant* 2538 van 9 Oktober 1969, en Goewermentskennisgewing R. 3737 in *Staatskoerant* 2560 van 14 November 1969, en Goewermentskennisgewing R. 3876 in *Staatskoerant* 2573 van 5 Desember 1969, en Goewermentskennisgewing R. 941 in *Staatskoerant* 2735 van 19 Junie 1970, en Goewermentskennisgewing R. 1445 in *Staatskoerant* 2803 van 4 September 1970, en Goewermentskennisgewing R. 1897 in *Staatskoerant* 2910 van 30 Oktober 1970, en Goewermentskennisgewing R. 2230 in *Staatskoerant* 2985

promulgated by Government Notice No. R. 203 of 14 February 1964, as amended, in accordance with the accompanying Schedule, with effect from 1 February 1992.

Signed at Cape Town on this 1st day of February 1992.

H. J. KRIEL,

Minister of Law and Order.

SCHEDULE

Definition

1. In these regulations "the Regulations" means the South African Police Regulations published by Government Notice No. R. 203 in *Gazette* No. 719 of 14 February 1964, as amended by Government Notice No. R. 389 in *Gazette* No. 748 of 20 March 1964, and Government Notice No. R. 823 in *Gazette* No. 806 of 29 May 1964, and Government Notice No. R. 1543 in *Gazette* No. 918 of 9 October 1964, and Government Notice No. R. 1836 in *Gazette* No. 948 of 13 November 1964, and Government Notice No. R. 425 in *Gazette* No. 1068 of 26 March 1965, and Government Notice No. R. 1557 in *Gazette* No. 1251 of 8 October 1965, and Government Notice No. R. 1843 in *Gazette* No. 1290 of 26 November 1965, and Government Notice No. R. 266 in *Gazette* No. 1383 of 25 February 1966, and Government Notice No. R. 1848 in *Gazette* No. 1595 of 18 November 1966, and Government Notice No. R. 1950 in *Gazette* No. 1605 of 9 December 1966, and Government Notice No. R. 189 in *Gazette* No. 1662 of 17 February 1967, and Government Notice No. R. 683 in *Gazette* No. 1735 of 12 May 1967, and Government Notice No. R. 1390 in *Gazette* No. 1837 of 8 September 1967, and Government Notice No. R. 1513 in *Gazette* No. 1858 of 29 September 1967, and Government Notice No. R. 1880 in *Gazette* No. 1899 of 24 November 1967, and Government Notice No. R. 114 in *Gazette* No. 1962 of 26 January 1968, and Government Notice No. R. 286 in *Gazette* No. 1996 of 1 March 1968, and Government Notice No. R. 562 in *Gazette* No. 2034 of 5 April 1968, and Government Notice No. R. 2353 in *Gazette* No. 2244 of 20 December 1968, and Government Notice No. R. 2031 in *Gazette* No. 2488 of 8 July 1969, and Government Notice No. R. 3476 in *Gazette* No. 2538 of 9 October 1969, and Government Notice No. R. 3737 in *Gazette* No. 2560 of 14 November 1969, and Government Notice No. R. 3876 in *Gazette* No. 2573 of 5 December 1969, and Government Notice No. R. 941 in *Gazette* No. 2735 of 19 June 1970, and Government Notice No. R. 1445 in *Gazette* No. 2803 of 4 September 1970, and Government Notice No. R. 1897 in

van 24 Desember 1970, en Goewermentskennisgewing R. 191 in *Staatskoerant* 2991 van 12 Februarie 1971, en Goewermentskennisgewing R. 212 in *Staatskoerant* 2996 van 19 Februarie 1971, en Goewermentskennisgewing R. 226 in *Staatskoerant* 2996 van 19 Februarie 1971, en Goewermentskennisgewing R. 1031 in *Staatskoerant* 3153 van 18 Junie 1971, en Goewermentskennisgewing R. 1507 in *Staatskoerant* 3238 van 27 Augustus 1971, en Goewermentskennisgewing R. 1508 in *Staatskoerant* 3238 van 27 Augustus 1971, en Goewermentskennisgewing R. 1509 in *Staatskoerant* 3238 van 27 Augustus 1971, en Goewermentskennisgewing R. 1700 in *Staatskoerant* 3270 van 1 Oktober 1971, en Goewermentskennisgewing R. 630 in *Staatskoerant* 3474 van 21 April 1972, en Goewermentskennisgewing R. 631 in *Staatskoerant* 3474 van 21 April 1972, en Goewermentskennisgewing R. 1311 in *Staatskoerant* 3622 van 28 Julie 1971, en Goewermentskennisgewing R. 1 in *Staatskoerant* 3755 van 5 Januarie 1973, en Goewermentskennisgewing R. 1682 in *Staatskoerant* 4023 van 14 September 1973, en Goewermentskennisgewing R. 1931 in *Staatskoerant* 4053 van 19 Oktober 1973, en Goewermentskennisgewing R. 2034 in *Staatskoerant* 4067 van 2 November 1973, en Goewermentskennisgewing R. 2146 in *Staatskoerant* 4081 van 16 November 1973, en Goewermentskennisgewing R. 2147 in *Staatskoerant* 4081 van 16 November 1973, en Goewermentskennisgewing R. 1206 in *Staatskoerant* 4334 van 12 Julie 1974, en Goewermentskennisgewing R. 1252 in *Staatskoerant* 4338 van 19 Julie 1974, en Goewermentskennisgewing R. 1350 in *Staatskoerant* 4354 van 19 Augustus 1974, en Goewermentskennisgewing R. 1627 in *Staatskoerant* 4383 van 13 September 1974, en Goewermentskennisgewing R. 228 in *Staatskoerant* 4582 van 7 Februarie 1975, en Goewermentskennisgewing R. 412 in *Staatskoerant* 4601 van 7 Maart 1975, en Goewermentskennisgewing R. 993 in *Staatskoerant* 4714 van 23 Mei 1975, en Goewermentskennisgewing R. 1319 in *Staatskoerant* 4783 van 11 Julie 1975, en Goewermentskennisgewing R. 1595 in *Staatskoerant* 4828 van 22 Augustus 1975, en Goewermentskennisgewing R. 2300 in *Staatskoerant* 4915 van 5 Desember 1975, en Goewermentskennisgewing R. 140 in *Staatskoerant* 4972 van 30 Januarie 1976, en Goewermentskennisgewing R. 841 in *Staatskoerant* 5114 van 14 Mei 1976, en Goewermentskennisgewing R. 310 in *Staatskoerant* 5418 van 4 Maart 1977, en Goewermentskennisgewing R. 412 in *Staatskoerant* 5453 van 18 Maart 1977, en Goewermentskennisgewing R. 603 in *Staatskoerant* 5510 van 15 April 1977, en Goewermentskennisgewing R. 2022 in *Staatskoerant* 5762 van 7 Oktober 1977, en Goewermentskennisgewing R. 785 in *Staatskoerant* 5996 van 21 April 1978, en Goewermentskennisgewing R. 1136 in *Staatskoerant* 6035 van 2 Junie 1978, en Goewermentskennisgewing R. 1416 in *Staatskoerant* 6110 van 7 Julie 1978, en Goewermentskennis-

Gazette No. 2910 of 30 October 1970, and Government Notice No. R. 2230 in *Gazette* No. 2985 of 24 December 1970, and Government Notice No. R. 191 in *Gazette* No. 2991 of 12 February 1971, and Government Notice No. R. 212 in *Gazette* No. 2996 of 19 February 1971, and Government Notice No. R. 226 in *Gazette* No. 2996 of 19 February 1971, and Government Notice No. R. 1031 in *Gazette* No. 3153 of 18 June 1971, and Government Notice No. R. 1507 in *Gazette* No. 3238 of 27 August 1971, and Government Notice No. R. 1508 in *Gazette* No. 3238 of 27 August 1971, and Government Notice No. R. 1509 in *Gazette* No. 3238 of 27 August 1971, and Government Notice No. R. 1700 in *Gazette* No. 3270 of 1 October 1971, and Government Notice No. R. 630 in *Gazette* No. 3474 of 21 April 1972, and Government Notice No. R. 631 in *Gazette* No. 3474 of 21 April 1972, and Government Notice No. R. 1311 in *Gazette* No. 3622 of 28 July 1971, and Government Notice No. R. 1 in *Gazette* No. 3755 of 5 January 1973, and Government Notice No. R. 1682 in *Gazette* No. 4023 of 14 September 1973, and Government Notice No. R. 1931 in *Gazette* No. 4053 of 19 October 1973, and Government Notice No. R. 2034 in *Gazette* No. 4067 of 2 November 1973, and Government Notice No. R. 2146 in *Gazette* No. 4081 of 16 November 1973, and Government Notice No. R. 2147 in *Gazette* No. 4081 of 16 November 1973, and Government Notice No. R. 1206 in *Gazette* No. 4334 of 12 July 1974, and Government Notice No. R. 1252 in *Gazette* No. 4338 of 19 July 1974, and Government Notice No. R. 1350 in *Gazette* No. 4354 of 19 August 1974, and Government Notice No. R. 1627 in *Gazette* No. 4383 of 13 September 1974, and Government Notice No. R. 228 in *Gazette* No. 4582 of 7 February 1975, and Government Notice No. R. 412 in *Gazette* No. 4601 of 7 March 1975, and Government Notice No. R. 993 in *Gazette* No. 4714 of 23 May 1975, and Government Notice No. R. 1319 in *Gazette* No. 4783 of 11 July 1975, and Government Notice No. R. 1595 in *Gazette* No. 4824 of 22 August 1975, and Government Notice No. R. 2300 in *Gazette* No. 4915 of 5 December 1975, and Government Notice No. R. 140 in *Gazette* No. 4972 of 30 January 1976, and Government Notice No. R. 841 in *Gazette* No. 5114 of 14 May 1976, and Government Notice No. R. 310 in *Gazette* No. 5418 of 4 March 1977, and Government Notice No. R. 412 in *Gazette* No. 5453 of 18 March 1977, and Government Notice No. R. 603 in *Gazette* No. 5510 of 15 April 1977, and Government Notice No. R. 2022 in *Gazette* No. 5762 of 2 October 1977, and Government Notice No. R. 785 in *Gazette* No. 5996 of 21 April 1978, and Government Notice No. R. 1136 in *Gazette* No. 6035 of 2 June 1978, and Government Notice No. R. 1416 in *Gazette*

gewing R. 1552 in *Staatskoerant* 6120 van 28 Julie 1978, en Goewermentskennisgewing R. 2155 in *Staatskoerant* 6195 van 27 Oktober 1978, en Goewermentskennisgewing R. 2333 in *Staatskoerant* 6223 van 14 November 1978, en Goewermentskennisgewing R. 353 in *Staatskoerant* 6317 van 2 Maart 1979, en Goewermentskennisgewing R. 1025 in *Staatskoerant* 6451 van 18 Mei 1979, en Goewermentskennisgewing R. 2666 in *Staatskoerant* 6753 van 30 November 1979, en Goewermentskennisgewing R. 2728 in *Staatskoerant* 6765 van 7 Desember 1979, en Goewermentskennisgewing R. 424 in *Staatskoerant* 6874 van 7 Maart 1980, en Goewermentskennisgewing R. 1231 in *Staatskoerant* 7068 van 13 Julie 1980, en Goewermentskennisgewing R. 143 in *Staatskoerant* 7387 van 30 Januarie 1981, en Goewermentskennisgewing R. 685 in *Staatskoerant* 7522 van 31 Maart 1981, en Goewermentskennisgewing R. 1966 in *Staatskoerant* 7802 van 18 September 1981, en Goewermentskennisgewing R. 2000 in *Staatskoerant* 7813 van 25 September 1981, en Goewermentskennisgewing No. R. 2169 in *Staatskoerant* 7833 van 16 Oktober 1981 en Goewermentskennisgewing R. 253 in *Staatskoerant* 8019 van 12 Februarie 1982, en Goewermentskennisgewing R. 1316 in *Staatskoerant* 8285 van 2 Julie 1982, en Goewermentskennisgewing R. 1894 in *Staatskoerant* 8367 van 3 September 1982, en Goewermentskennisgewing R. 2030 in *Staatskoerant* 8536 van 4 Februarie 1983, en Goewermentskennisgewing R. 211 in *Staatskoerant* 8536 van 4 Februarie 1983, en Goewermentskennisgewing R. 987 in *Staatskoerant* 8704 van 13 Mei 1983, en Goewermentskennisgewing R. 2571 in *Staatskoerant* 8975 van 25 November 1983, en Goewermentskennisgewing R. 2730 in *Staatskoerant* 9000 van 15 Desember 1983, en Goewermentskennisgewing R. 828 in *Staatskoerant* 9194 van 27 April 1984, en Goewermentskennisgewing R. 1451 in *Staatskoerant* 9316 van 13 Julie 1984, en Goewermentskennisgewing R. 2667 in *Staatskoerant* 9520 van 7 Desember 1984, en Goewermentskennisgewing R. 793 in *Staatskoerant* 9685 van 4 April 1985, en Goewermentskennisgewing R. 700 in *Staatskoerant* 10191 van 18 April 1986, en Goewermentskennisgewing R. 933 in *Staatskoerant* 10234 van 16 Mei 1986, en Goewermentskennisgewing R. 1183 in *Staatskoerant* 10282 van 20 Junie 1986, en Goewermentskennisgewing R. 2532 in *Staatskoerant* 10537 van 5 Desember 1986, en Goewermentskennisgewing R. 1517 in *Staatskoerant* 10827 van 17 Julie 1987, en Goewermentskennisgewing R. 290 in *Staatskoerant* 11147 van 18 Februarie 1988, en Goewermentskennisgewing R. 520 in *Staatskoerant* 11197 van 25 Maart 1988, en Goewermentskennisgewing R. 835 in *Staatskoerant* 11278 van 29 April 1988, en Goewermentskennisgewing R. 1422 in *Staatskoerant* 11422 van 15 Julie 1988, en Goewermentskennisgewing R. 1591 in *Staatskoerant* 11454 van 12 Augustus 1988, en Goewermentskennisgewing R. 497 in *Staatskoerant* 11765 van 16 Maart

No. 6110 of 7 July 1978, and Government Notice No. R. 1552 in *Gazette* No. 6120 of 28 July 1978, and Government Notice No. R. 2155 in *Gazette* No. 6195 of 27 October 1978, and Government Notice No. R. 2333 in *Gazette* No. 6224 of 24 November 1978, and Government Notice No. R. 353 in *Gazette* No. 6317 of 2 March 1979, and Government Notice No. R. 1025 in *Gazette* No. 6451 of 18 May 1979, and Government Notice No. R. 2666 in *Gazette* No. 6753 of 30 November 1979, and Government Notice No. R. 2728 in *Gazette* No. 6765 of 7 December 1979, and Government Notice No. R. 424 in *Gazette* No. 6874 of 7 March 1980, and Government Notice No. R. 1231 in *Gazette* No. 7068 of 13 June 1980, and Government Notice No. R. 143 in *Gazette* No. 7387 of 30 January 1981, and Government Notice No. R. 685 in *Gazette* No. 7522 of 31 March 1981, and Government Notice No. R. 1966 in *Gazette* No. 7802 of 18 September 1981, and Government Notice No. R. 2000 in *Gazette* No. 7813 of 25 September 1981, and Government Notice No. R. 2169 in *Gazette* No. 7833 of 16 October 1981, and Government Notice No. R. 253 in *Gazette* No. 8019 of 12 February 1982, and Government Notice No. R. 1316 in *Gazette* No. 8285 of 2 July 1982, and Government Notice No. R. 1894 in *Gazette* No. 8367 of 3 September 1982, and Government Notice No. R. 2030 in *Gazette* No. 8390 of 24 September 1982, and Government Notice No. R. 212 in *Gazette* No. 8536 of 4 February 1983, and Government Notice No. R. 978 in *Gazette* No. 8704 of 13 May 1983, and Government Notice No. R. 2571 in *Gazette* No. 8975 of 25 November 1983, and Government Notice No. R. 2730 in *Gazette* No. 9000 of 15 December 1983, and Government Notice No. R. 828 in *Gazette* No. 9194 of 27 April 1984, and Government Notice No. R. 1451 in *Gazette* No. 9316 of 13 July 1984, and Government Notice No. R. 2667 in *Gazette* No. 9520 of 7 December 1984, and Government Notice No. R. 793 in *Gazette* No. 9685 of 4 April 1985, and Government Notice No. R. 700 in *Gazette* No. 9685 of 18 April 1986, and Government Notice No. R. 933 in *Gazette* No. 10234 of 16 May 1986, and Government Notice No. R. 1183 in *Gazette* No. 10282 of 20 June 1986, and Government Notice No. R. 2532 in *Gazette* No. 10537 of 5 December 1986, and Government Notice No. R. 1517 in *Gazette* No. 10827 of 17 July 1987, and Government Notice No. R. 290 in *Gazette* No. 11147 of 18 February 1988, and Government Notice No. R. 520 in *Gazette* No. 11197 of 25 March 1988, and Government Notice No. R. 835 in *Gazette* No. 11278 of 29 April 1988, and Government Notice No. R. 1422 in *Gazette* No. 11422 of 15 July 1988, and Government Notice No. R. 1591 in *Gazette* No. 11454 of 12 August 1988, and Govern-

1989, en Goewermentskennisgewing R. 702 in *Staatskoerant* 11823 van 14 April 1989, en Goewermentskennisgewing R. 1530 in *Staatskoerant* 12003 van 14 Julie 1989, en Goewermentskennisgewing R. 45 in *Staatskoerant* 12250 van 12 Januarie 1990, en Goewermentskennisgewing R. 106 in *Staatskoerant* 12265 van 26 Januarie 1990, en Goewermentskennisgewing R. 1092 in *Staatskoerant* 13227 van 17 Mei 1991.

Wysiging van regulasie 1 van Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig deur in subregulasie (1) die omskrywing van "wangedrag" deur die volgende omskrywing te vervang:

"'wangedrag' soos in [subartikel (7) van] artikel [tien] 10 van die Wet omskryf;"

Wysiging van regulasie 15 van Regulasies

3. Regulasie 15 van die Regulasies word hierby gewysig—

- (a) deur in subregulasie (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

"Behoudens die bepalings van die Regeringsdienspensioenwet, 1973 (Wet No. 57 van 1973), en van artikels 3, 8, [10] 10E en 17 van die Wet, kan 'n lid uit die Mag afgedank of ontslaan word—";

- (b) deur paragraaf (d) van genoemde subregulasie (1) deur die volgende paragraaf te vervang:

"(d) weens sy ongeskiktheid [om] vir sy pligte [uit te voer of sy] of onvermoë om [dit] hulle op 'n [doeltreffende] bekwame wyse [te doen] uit te voer, of sy ongeskiktheid weens enige gedrag wat tot nadeel van die goeie orde, doeltreffende administrasie, beheer of dissipline van die Mag strek;" en

- (c) deur subregulasie (5) deur die volgende subregulasie te vervang:

"(5) 'n Lid wat ingevolge [artikels drie en veertien] artikel 14 van die Wet, saamgelees met regulasie 60, in sy [diens] amp geskors is, of [teen] ten opsigte van wie 'n raad van ondersoek ingevolge [subregulasie (1) van] regulasie 64 byeengeroep is, of wat [ingevolge subregulasie (1) van regulasie 66] van wangedrag [aangekla is] beskuldig word en op wie die kennisgewing bedoel in regulasie 61 of 'n dagvaarding bedoel in regulasie 61A beteken is, en wat uit die Mag bedank of hom uitkoop voordat—

- (a) die skorsing opgehef; of

ment Notice No. R. 497 in *Gazette* No. 11765 of 16 March 1989, and Government Notice No. R. 702 in *Gazette* No. 11823 of 14 April 1989, and Government Notice No. R. 1530 in *Gazette* No. 12003 of 14 July 1989, and Government Notice No. R. 45 in *Gazette* No. 12250 of 12 January 1990, and Government Notice No. R. 106 in *Gazette* No. 12265 of 26 January 1990, and Government Notice No. R. 1092 in *Gazette* No. 13227 of 17 May 1991.

Amendment of regulation 1 of Regulations

2. Regulation 1 of the Regulations is hereby amended by the substitution in subregulation (1) for the definition of "misconduct" of the following definition:

"'misconduct' means misconduct as defined in [subsection (7) of] section 10 of the Act;"

Amendment of regulation 15 of Regulations

3. Regulation 15 of the Regulations is hereby amended—

- (a) by the substitution in subregulation (1) for the words preceding paragraph (a) of the following words:

"Subject to the provisions of the Government Service Pensions Act, 1973 (Act No. 57 of 1973), and sections 3, 8, [10] 10E and 17 of the Act, a member may be discharged or dismissed from the Force—";

- (b) by the substitution for paragraph (d) of the said subregulation (1) of the following paragraph:

"(d) on account of his unfitness [to carry out] for his duties or [his] incapacity to [do so] carry them out efficiently, or his unfitness on account of any conduct which is prejudicial to the good order, efficient administration, control or discipline of the Force;" and

- (c) by the substitution for subregulation (5) of the following subregulation:

"(5) A member who has been suspended from his office [duty] in terms of [sections three and] section [fourteen] 14 of the Act, read with regulation 60, or [against] in respect of whom a board of enquiry has been convened in terms of [subregulation (1) of] regulation 64, or [against whom] who is accused of [a charge of] misconduct [has been preferred in terms of subregulation (1) of regulation 66] and on whom the notice referred to in regulation 61 or the summons referred to in section 61A has been served, and who resigns or purchases his discharge from the Force before—

- (a) the suspension has been raised; or

(b) sodanige ondersoek of **[aan-
klag]** verhoor finaal afgehandel
is,

na gelang van die geval word, ondanks
die bepalings van **[subartikel (2) van]**
artikel **[drie]** 3 (2) van die Wet en su-
bregulasie (1) (e) van hierdie regulasie,
geag weens wan-
gedrag ontslaan te **[ge]**wees **[het]** op
die datum waarop sy bedanking of
ontslag kragtens subregulasie (4) in
werking tree, tensy **[die Staatspresi-
dent,]**—

(i) in die geval van 'n offisier, die
Staatspresident; en

(ii) **[die Kommissaris]** in die geval
van 'n ander lid, die Kommissa-
ris,

skriftelik, anders gelas.”.

Wysiging van regulasie 58 van Regulasies

4. Regulasie 58 van die Regulasies word hierby
gewysig—

(a) deur na subregulasie (39) die volgende sub-
regulasie in te voeg:

“(39A) sonder gegronde rede weier of ver-
suim om te voldoen aan die bepalings
van enige dagvaarding of bevel wat
ingevolge enige bepaling van hierdie
regulasies op hom beteken is;”.

Vervanging van regulasie 61 van Regulasies

5. Regulasie 61, en die opskrif daarvan, word
hierby deur die volgende regulasie en opskrif vervang:

“Skulderkenningsboetes

61. (1) Die skriftelike kennisgewing bedoel in
artikel 10D van die Wet is in die voor-
geskrewe vorm.

(2) 'n Lid wat 'n skulderkenningsboete
beoog in artikel 10D van die Wet wil
betaal, kan die boete in kontant aan
die vervolgingsoffisier of die aanklaer
betaal of kan 'n magtiging onderteken
dat die boete by wyse van die maan-
delikse aftrekkings wat die Kommis-
saris bepaal, van sy salaris afgetrek
word.

(3) Ondertekening van 'n magtiging soos
bedoel in subregulasie 2, stel vir die
doeleindes van die Wet en hierdie
regulasies betaling van die
skulderkenningsboete op datum van
bedoelde ondertekening daar: Met
dien verstaande dat indien die bedrag
of enige gedeelte daarvan om watter
rede ook al nie van sy salaris afgetrek
kan word nie, dit by wyse van aksie in
'n bevoegde hof van die lid verhaal
kan word.

(b) such inquiry or **[charge]** trial has
been finally disposed of,

as the case may be, shall, notwithstanding
the provisions of **[subregulation**
(2) of] section **[three]** 3 (2) of the Act
and subregulation (1) (e) of this regula-
tion be **[regarded]** deemed as **[having**
been] discharged on account of mis-
conduct on the date on which his resig-
nation or discharge becomes effective
in terms of subregulation (4), unless
[the State President]—

(i) in the case of a commissioned
officer, the State President; or

(ii) **[the Commissioner]** in the
case of any other member, the
Commissioner,

in writing otherwise directs.”.

Amendment of regulation 58 of Regulations

4. Regulation 58 of the Regulations is hereby
amended—

(a) by the insertion after subregulation (39) of the
following subregulation:

“(39A) without good cause refuses or fails to
comply with the terms of any sum-
mons or order served on him in terms
of any provision of these regula-
tions;”.

Substitution of regulation 61 of Regulations

5. The Regulations are hereby amended by the
substitution for regulation 61, and the heading thereto,
of the following regulation and heading:

“Admission of guilt fines

61. (1) The written notice referred to in
section 10D of the Act shall be in the
prescribed form.

(2) A member who wishes to pay the
admission of guilt fine contemplated in
section 10D of the Act, may pay the
fine in cash to the prosecuting officer
or the prosecutor.

(3) Where a member does not pay such
fine in cash, the fine shall be deducted
from the salary of the member by
means of such monthly deductions as
may have been determined by the
Commissioner.

- (4) By die betaling van 'n skuld-
erkenningsboete word die voorge-
skrewe aantekening in die voorge-
skrewe verhoorregister aangebring,
en daarop word die lid vir die doel-
eindes van hierdie regulasie geag
deur 'n verhooroffisier skuldig bevind
te wees aan die betrokke wangedrag
en die betrokke boete as straf opgelê
te gewees het."

***Invoeging van regulasie 61A tot en met 61I in
Regulasies***

6. Die volgende regulasies word hierby na regulasie 61 van die Regulasies ingevoeg:

***"Verkryging van aanwesigheid van lid
by verhoor op aanklag van wangedrag***

- 61A.** (1) (a) Die teenwoordigheid van 'n lid
wat van wangedrag beskuldig
word by sy verhoor word verkry
deur die betekening op hom
deur die aanklaer of 'n ander lid
van die Mag van 'n afskrif van
die dagvaarding in die voor-
geskrewe vorm waarop die
plek, datum en tyd van die aan-
vang van die verhoor vermeld
word.
- (b) 'n Dagvaarding word beteken
deur 'n afskrif daarvan aan die
betrokke lid daarin genoem, te
oorhandig of, indien hy nie ge-
vind kan word nie, deur dit by
sy woon of werksplek aan 'n
persoon te oorhandig wat blyk-
baar bo die ouderdom van 16
jaar is en blykbaar op die be-
trokke plek woon of werk.
- (c) 'n Relas van die betekening
van 'n dagvaarding deur 'n lid
in die voorgeskrewe vorm is
prima facie-bewys van die
betekening van die dagvaar-
ding ooreenkomstig paragraaf
(b).
- (d) 'n Lid op wie 'n dagvaarding
behoortlik ooreenkomstig die
bepalings van hierdie subregu-
lasie beteken is, is verplig om
hom op die plek, datum en tyd
in die dagvaarding vermeld vir
sy verhoor, of waar die verhoor
uitgestel word, op die nuwe
plek, datum en tyd, aan te
meld.

- (4) On the payment of an admission of
guilt fine the prescribed entry shall be
effected in the prescribed trial register,
and thereupon the member shall for
the purposes of these regulations be
deemed to have been found guilty by
a trial officer of the relevant miscon-
duct and the relevant fine shall be
deemed to have been imposed on him
as sentence."

***Insertion of regulation 61A to 61I, inclusive,
in Regulations***

6. The following regulations are hereby inserted in the Regulations after regulation 61:

***"Securing of attendance of member at
trial on charge of misconduct***

- 61A.** (1) (a) The attendance at his trial of a
member accused of miscon-
duct shall be secured by the
serving on him by the prosecu-
tor or any other member of the
Force of a copy of the sum-
mons in the prescribed form on
which the place, date and time
of commencement of the trial
are mentioned.
- (b) A summons shall be served by
delivering a copy thereof to the
member concerned referred to
therein or, if he cannot be
found, by delivering it at his res-
idence or place of employment
to a person who is apparently
over the age of 16 years and
apparently residing or em-
ployed there.
- (c) A return of service of a sum-
mons by a member in the pres-
cribed form shall be prima facie
proof of the serving of the sum-
mons in accordance with para-
graph (b).
- (d) A member on whom a sum-
mons has in accordance with
the provisions of this subregu-
lation been properly served,
shall be in duty bound to report
for his trial at the place, date
and time mentioned in the sum-
mons.

- (2) 'n Verhoor word, behoudens die bepalings van artikel 10B (3) van die Wet, gehou by 'n polisiestasie, polisiekantoor, polisiepos of enige ander plek wat die verhooroffisier vir die doeleindes van die verhoor geskik ag en wat hy bepaal.

Terugtrekking van aanklagte

61B. Die vervolgingsoffisier, of die betrokke aanklaer, kan—

- (a) voordat 'n lid by sy verhoor op 'n aanklag van wangedrag pleit, die aanklag terugtrek, in welke geval die lid nie op vryspraak ten opsigte van die aanklag geregtig is nie;
- (b) te eniger tyd nadat die lid gepleit het, maar voor skuldigbevinding, die vervolging ten opsigte van die aanklag staak, in welke geval die verhooroffisier die lid ten opsigte van die aanklag moet vryspreek.

Aanwysing van verdedigingsoffisiere

61C. (1) Onder die omstandighede beoog in artikel 12 (2) van die Wet moet die dissipline-offisier so gou doenlik na die ontvangs van 'n versoek deur die vervolgingsoffisier om 'n verdedigingsoffisier vir 'n lid wat op 'n aanklag van wangedrag verhoor staan te word, aan te wys, 'n geskikte offisier by skriftelike bevel in die voorgeskrewe vorm aanwys om die betrokke lid te verteenwoordig en by te staan by sy verhoor.

Verkryging van aanwesigheid van getuies by verhoor

- 61D.** (1) 'n Dagvaarding beoog in artikel 11 (1) (a) (i) van die Wet is in die voorgeskrewe vorm.
- (2) Die bepalings van regulasie 61A (1) (a) en (b) is *mutatis mutandis* van toepassing op die betekening van so 'n dagvaarding en 'n relaas van sodanige betekening.
- (3) Dit is die plig van die betrokke aanklaer om sorg te dra dat betyds voldoende reëlins getref word om die aanwesigheid van alle vereiste getuies by 'n verhoor van 'n lid op 'n aanklag van wangedrag te verseker, met inbegrip van getuies wat die lid wat verhoor staan te word vir die doeleindes daarvan wil laat dagvaar.

- (2) A trial shall, subject to the provisions of section 10B (3) of the Act, be held at a police station, police office, police post or any other place deemed suitable by the trial officer for the purposes of the trial and which he determines.

Withdrawal of charges

61B. The prosecuting officer, or the prosecutor concerned, may—

- (a) before a member pleads at his trial to a charge of misconduct, withdraw the charge, in which case the member shall not be entitled to a verdict of acquittal in respect of the charge;
- (b) at any time after the member has pleaded, but before conviction, terminate the prosecution in respect of the charge, in which case the trial officer shall acquit the member in respect of the charge.

Designation of defence officers

61C. (1) Under the circumstances contemplated in section 12 (2) of the Act, the disciplinary officer shall as soon as possible after having received a request by the prosecuting officer to designate a defence officer for a member who is to be tried on a charge of misconduct, designate by written order in the prescribed form a suitable officer to represent and assist the member concerned at his trial.

Securing of attendance of witnesses at trial

- 61D.** (1) A subpoena contemplated in section 11 (1) (a) (i) of the Act shall be in the prescribed form.
- (2) The provisions of regulation 61A (1) (a) and (b) *mutatis mutandis* apply to the serving of any such subpoena and a return of such service.
- (3) It shall be the duty of the prosecutor concerned to ensure that sufficient arrangements are made in time to secure the attendance of all required witnesses at a trial of a member on a charge of misconduct, including any witnesses whom the member who is to be tried, wishes for the purposes thereof to be subpoenaed.

- (4) (a) 'n Lid van die Mag wat gedagvaar is om 'n verhoor by te woon, is geregtig op die reis-voorregte en verblyftoeleas waarvoor in hierdie regulasies vir 'n lid van die Mag voorsiening gemaak word, asof hy tydens die duur van die bywoning amptelike diens verrig.
- (b) Enige ander persoon as iemand in paragraaf (a) bedoel wat gedagvaar is om 'n verhoor by te woon, is op koste van die Staat geregtig op die voorregte, toelaes en fasiliteite waarop, ingevolge 'n wet wat van toepassing is op getuies in strafsake in 'n landdroshof, sodanige getuies geregtig is.

Reëls van toepassing op verhoor

- 61E.** (1) Behoudens die bepalings van die Wet en hierdie regulasies is die bepalings van die Strafproseswet, 1977 (Wet No. 51 van 1977), wat in verband met strafsake in 'n summier verhoor in 'n landdroshof van toepassing is met betrekking tot—
- (a) aanklagte;
- (b) pleite; en
- (c) voortsetting van verrigtinge,
- mutatis mutandis*, en tensy dit in 'n bepaalde geval klaarblyklik ontoepaslik is, van toepassing met betrekking tot 'n lid wat verhoor word op 'n aanklag van wangedrag en die verhoor.
- (2) Tensy die betrokke verhooroffisier voor of tydens 'n verhoor anders gelas, is geen ander persoon as die aanklaer, die lid wat verhoor word, sy regsverteenvoerder, 'n getuie wat getuieenis aflê en 'n tolk geregtig om by 'n verhoor aanwesig te wees nie.
- (3) Die verhooroffisier kan by die gee van 'n ander lasgewing in subregulasie (2) beoog, die deur hom in die lasgewing vermelde kategorie of kategorieë lede van die publiek uitsluit van toegang tot die verrigtinge.

- (4) (a) A member of the Force who has been summoned to attend a trial, shall be entitled to the travelling privileges and subsistence allowances provided for in these regulations for a member of the Force, as if he during the duration of the attendance performs official service.
- (b) Any person other than a person referred to in paragraph (a) who has been summoned to attend a trial, shall at the expense of the State be entitled to the privileges, allowances and facilities to which, in terms of any law applying to witnesses at a criminal trial in a magistrate's court, such witnesses are entitled.

Rules applying to trials

- 61E.** (1) Subject to the provisions of the Act and these regulations, the provisions of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), applying in connection with criminal cases at a summary trial in a magistrate's court in respect of—
- (a) charges;
- (b) pleas; and
- (c) conduct of proceedings,
- shall *mutatis mutandis*, and except where in a particular case it is clearly inappropriate, apply in respect of a member being tried on a charge of misconduct and the trial.
- (2) Unless the trial officer concerned before or during a trial directs otherwise, no person other than the prosecutor, the member being tried, his legal representative, a witness giving evidence and an interpreter, shall be entitled to be present at a trial.
- (3) The officer may, where he otherwise directs as contemplated in subregulation (2), exclude such category or categories of members of the public as may be mentioned by him in the direction from access to the proceedings.

(4) Geen lid van die Mag mag enige inligting betreffende 'n verhoor op enige wyse publiseer of laat publiseer nie, behalwe—

- (a) waar sodanige publikasie geskied by die wettige uitvoering of uitoefening van 'n plig hom by wet opgelê of 'n bevoegdheid aldus aan hom verleen; of
- (b) vir die doeleindes van verrigtinge in 'n geregshof; of
- (c) met die voorafverkreë skriftelike toestemming van die Kommissaris.

Uitstel of opskorting van vonnisse

61F. (1) Waar 'n verhooroffisier 'n lid skuldig bevind op 'n aanklag van wangedrag, kan die offisier na goeddunke—

(a) die oplegging van vonnis vir 'n tydperk van hoogstens vyf jaar—

(i) op een of meer voorwaardes uitstel, hetsy betreffende—

(aa) goeie gedrag;

(bb) onderwerping aan opleiding of behandeling;

(cc) verpligte bywoning of inwoning van of by 'n vermelde plek, sentrum of inrigting ooreenkomstig reëlings deur die Kommissaris met die persoon of liggaam in beheer van so 'n plek, sentrum of inrigting aangegaan; of

(dd) skadeloosstelling aan die Staat of iemand anders,

en so 'n lid beveel om by verstryking van die betrokke tydperk voor 'n verhooroffisier te verskyn; of

(ii) onvoorwaardelik uitstel, en so 'n lid beveel om voor 'n verhooroffisier te verskyn, indien voor die verstryking van die betrokke tydperk daartoe opgeroep; of

(4) No member of the Force may in any manner publish, or cause to be published, any information relating to a trial, except—

(a) where such publication is effected in the lawful carrying out or exercising of a duty or power imposed on him by law or so granted to him; or

(b) for the purposes of proceedings in a court of law; or

(c) with the previously obtained written permission of the Commissioner.

Postponement or suspension of sentences

61F. (1) When a trial officer finds a member guilty on a charge of misconduct, the officer may in his discretion—

(a) postpone the imposition of sentence for a period not exceeding five years—

(i) discharge the member on one or more conditions, whether relating to—

(aa) good conduct;

(bb) submission to training or treatment;

(cc) compulsory attendance of or residence at a specified place, centre or institution in accordance with arrangements made by the Commissioner with the person or body in control of any such place, centre or institution; or

(dd) compensation to the State or any other person,

and shall order such member to appear before a trial officer on the expiration of the said period; or

(ii) discharge the member unconditionally, and shall order such member to appear before a trial officer if called upon to so appear before the expiration of the relevant period; or

- (b) vonnis opgelê, maar beveel dat die tenuitvoerlegging van die geheel of 'n gedeelte daarvan vir 'n tydperk van hoogstens vyf jaar opgeskort word op een of meer in paragraaf (a) (i) van hierdie subregulasie bedoelde voorwaardes; of
- (c) die betrokke lid met 'n waarskewing of berisping ontslaan, en so 'n ontslag het die uitwerking van 'n vryspraak, behalwe dat die skuldigbevinding as 'n vorige veroordeling aan wangedrag aangeteken word.
- (2) Waar 'n verhooroffisier, ingevolge paragraaf (a) (i) van subregulasie (1) die oplegging van vonnis uitgestel het, en die verhooroffisier, hetsy dieselfde offisier of 'n ander, by verstryking van die betrokke tydperk oortuig is dat die betrokke lid die voorwaardes nagekom het wat ingevolge daardie paragraaf opgelê is, ontslaan die verhooroffisier hom sonder om 'n straf op te lê, en so 'n ontslag het die uitwerking van 'n vryspraak, behalwe dat die skuldigbevinding as 'n vorige veroordeling aan wangedrag aangeteken word.
- (3) Waar 'n verhooroffisier ingevolge paragraaf (a) (ii) van subregulasie (1) die oplegging van vonnis onvoorwaardelik uitgestel het, en die betrokke lid by die verstryking van die betrokke tydperk nie opgeroep is om voor 'n verhooroffisier te verskyn nie, word so 'n persoon geag ingevolge subregulasie (1) (c) met 'n waarskewing ontslaan te gewees het.
- (4) Waar 'n lid 'n kragtens hierdie regulasie opgelegde voorwaarde nie nagekom het nie, of dit oortree het, word die lid by wyse van 'n dagvaarding in die voorgeskrewe vorm wat *mutatis mutandis* ooreenkomstig regulasie 61A (1) (b) op hom beteken word, aangesê om voor 'n verhooroffisier op 'n vermelde plek, datum en tyd te verskyn.
- (5) Waar 'n verhooroffisier —
- (a) die oplegging van vonnis ingevolge subregulasie (1) (a) (i) uitgestel het; of
- (b) die tenuitvoerlegging van vonnis ingevolge subregulasie (1) (b) opgeskort het,
- (b) impose sentence, but order the operation of the whole or any part thereof to be suspended for a period not exceeding five years on any one or more conditions referred to in paragraph (a) (i) of this subregulation; or
- (c) discharge the member concerned with a warning or reprimand, and such discharge shall have the effect of an acquittal, except that the conviction shall be recorded as a previous conviction of misconduct.
- (2) Where 'n trial officer has in terms of paragraph (a) (i) of subregulation (1) postponed the imposition of sentence, and the trial officer, whether the same officer or any other, is convinced at the expiration of the relevant period that the member concerned has complied with the condition imposed upon him in terms of that paragraph, the trial officer shall discharge him without imposing sentence, and such discharge shall have the effect of an acquittal, except that the conviction shall be recorded as a previous conviction of misconduct.
- (3) Where a trial officer has in terms of (a) (ii) of subregulation (1) postponed the imposition of sentence unconditionally, and the member concerned has at the expiration of the relevant period not been called upon to appear before a trial officer, such person shall be deemed to have been discharged in terms of subregulation (1) (c) with a warning.
- (4) Where a member has not complied with a condition imposed under this regulation, or has contravened it, the member shall by means of a summons in the prescribed form which is served on him *mutatis mutandis* in accordance with regulation 61A (1) (b), be called upon to appear before a trial officer at an indicated place, date and time.
- (5) A trial officer, whether the same officer or another may, where —
- (a) the imposition of sentence has in terms of subregulation (1) (a) (i) been postponed by a trial officer; or
- (b) the operation of a sentence has been suspended by a trial officer in terms of subregulation (1) (b),

kan 'n verhooroffisier, hetsy dieselfde offisier of 'n ander, indien oortuig dat die betrokke lid vanweë omstandighede buite sy beheer nie in staat was om 'n betrokke voorwaarde na te kom nie, of weens 'n ander gegronde of voldoende rede, die oplegging van vonnis verder uitstel of die tenuitvoerlegging van vonnis verder opskort, onderworpe aan enige bestaande of sodanige verdere voorwaardes as wat ten tyde van bedoelde uitstel of opskorting opgelê kon gewees het.

- (6) Waar die verhooroffisier nie oortuig is soos in subregulasie (5) beoog nie, kan hy, waar die oplegging van vonnis uitgestel is, 'n bevoegde straf opleë, of waar die ten uitvoerlegging van vonnis opgeskort is, kan hy die opgeskorte vonnis ten uitvoer lê.
- (7) 'n Lid wat ingevolge subregulasie (1) (a) (ii) opgeroep word om voor 'n verhooroffisier te verskyn, kan deur die verhooroffisier, hetsy die offisier wat die oplegging van die vonnis uitgestel het of 'n ander, 'n bevoegde straf opgelê word.

Vorige veroordelings

- 61G.** (1) Nadat 'n lid by 'n verhoor op 'n aanklag van wangedrag skuldig bevind is, dien die aanklaer 'n getuierende uittreksel van die gedragstaat, bedoel in regulasie 63, van die betrokke lid by die verhooroffisier in wat die uittreksel aan die lid voorlê en hom versoek om enige vorige veroordelings ten opsigte van wangedrag wat daarop aangeteken is, te erken of te ontken.
- (2) Indien die lid 'n beweerde vorige veroordeling ontken, kan die aanklaer getuierende aanvoer om die vorige veroordeling te bewys.
- (3) 'n Vorige veroordeling wat deur die lid erken of regtens bewys is, word deur die verhooroffisier by die oplegging van 'n straf in ag geneem.

Optredes deur ander verhooroffisiere na skuldigbevindings

- 61H.** Indien 'n lid nie onmiddellik by skuldigbevinding deur die verhooroffisier op 'n aanklag van wangedrag 'n straf opgelê word nie, of indien, vanweë 'n beslissing of bevel van 'n dissipline-offisier of sy gedelegeerde op appèl of hersiening, dit nodig

if convinced that the member concerned was due to circumstances beyond his control, or due to any other sound or sufficient reason, not able to comply with a relevant condition, further postpone the imposition of sentence or so further suspend the operation of the sentence, subject to any existing condition or such further conditions as could have been imposed at the time of the said postponement or suspension.

- (6) Where the trial officer is not convinced as contemplated in subregulation (5), he may, where the imposition of sentence has been postponed, impose a competent sentence or, where the execution of the sentence has been suspended, may put the suspended sentence into operation.
- (7) A member who has in terms of subregulation (1) (a) (ii) been called upon to appear before a trial officer, may be sentenced by the trial officer, whether the same officer who postponed the imposition of sentence or another, with a competent sentence.

Previous convictions

- 61G.** (1) After a member has at a trial on a charge of misconduct been convicted, the prosecutor shall submit an authenticated extract of the conduct sheet, referred to in regulation 63, of the member concerned to the trial officer who shall submit the extract to the member and request him to admit or deny any previous convictions in respect of misconduct noted thereon.
- (2) If the member denies an alleged previous conviction, the prosecutor may lead evidence to prove the previous conviction.
- (3) A previous conviction admitted by a member or lawfully proved, shall be taken into consideration by the trial officer on the imposition of a sentence.

Actions by other trial officers after convictions

- 61H.** Where a member is not sentenced immediately on conviction by the trial officer on a charge of misconduct, or if, as a result of a decision or order of a disciplinary officer or delegated officer on appeal or review, it is necessary to amend a sentence

is om 'n opgelegde straf te wysig of om opnuut 'n straf op te lê, kan enige ander verhooroffisier, by onvermydelike afwesigheid van die offisier wat die lid skuldig bevind het of, na gelang van die geval, 'n straf opgelê het, na oorweging van die getuienis by die verhoor afgelê in die teenwoordigheid van die lid die opgelegde straf wysig of 'n straf oplê, na gelang wat vereis word, en die ander vereiste stappe doen wat die afwesige verhooroffisier sou kon gedoen het.

Oorkondes

611. (1) 'n Lid wat op 'n aanklag van wangedrag verhoor is, of sy regsvertegenwoordiger, mag onder toesig van 'n ander lid van die Mag deur die betrokke verhooroffisier aangewys, insae in die oorkonde van die verrigtinge by die verhoor hê en kan gratis 'n afskrif daarvan maak.
- (2) 'n Lid wat 'n versoek daartoe aan 'n verhooroffisier rig, kan van 'n afskrif van die oorkonde van die verrigtinge by sy verhoor voorsien word teen betaling van die gelde wat ingevolge 'n wet vir die verskaffing van 'n afskrif van die oorkonde van 'n summier verhoor in 'n landdroshof voorgeskryf is.
- (3) Waar die oorkonde van die verrigtinge van 'n verhoor verlore raak, of vernietig is of wesenlik onleesbaar geword het, en sodanige oorkonde vir 'n wettige doel in verband met die verhoor benodig word, moet 'n verhoor *de novo* deur 'n ander verhooroffisier gehou word en word eersbedoelde verhoor vir alle doeleindes geag nietig te wees, tensy die oorkonde deur middel van beëdigde verklarings en tot bevrediging van die betrokke lid en die vervolgingsoffisier hersaamgestel kan word: Met dien verstande dat waar die verhooroffisier en die lid saamstem dat die lid by so 'n verhoor onskuldig bevind is, hy nie weer op dieselfde aanklag verhoor word nie."

Vervanging van regulasie 62 van Regulasies

7. Regulasie 62 van die Regulasies, en die opskrif daarvan, word hierby deur die volgende regulasie en opskrif daarby vervang:

"Appelle en hersienings

62. (1) 'n Lid wat verlang om ingevolge artikel 10F (1) van die Wet teen 'n skuldigbevinding en 'n straf te appelleer,

imposed or to impose a sentence anew, any other trial officer may, in the unavoidable absence of the officer who convicted the member or imposed the sentence, as the case may be, after considering the evidence given at the trial in the presence of the member, amend the sentence imposed or imposed a sentence, according to what may be required, and take any other required steps which the absentee trial officer could have taken.

Records

611. (1) A member who has been tried on a charge of misconduct, or his legal representative, may under supervision of any other member of the Force, inspect the record of proceedings at the trial and may make a copy thereof free of charge.
- (2) A member who lodges a request therefor to a trial officer, may be provided with a copy of the record of the proceedings at his trial against payment of the fees which is in terms of a law prescribed for the furnishing of a copy of the record of a summary trial in a magistrate's court.
- (3) Where the record of the proceedings of a trial has been lost, or has been destroyed or has become substantially illegible, and such record is required for a lawful purpose in connection with a trial, the trial shall be held *de novo* by another trial officer and the firstmentioned trial shall for all purposes be deemed to be void, unless the record can by means of affidavits and to the satisfaction of the member concerned and the prosecuting officer be reconstructed: Provided that where the trial officer and the member agree that the member has at any such trial been found not guilty, he shall not be retried again on the same charge."

Substitution of regulation 62 of Regulations

7. The following regulation, and the heading thereto, is hereby substituted for regulation 62, and the heading thereto, of the Regulations:

"Appeals and reviews

62. (1) A member who desires to appeal in terms of section 10F (1) of the Act against a conviction and sentence,

moet binne 14 dae na die datum van die strafoplegging by die verhooroffisier 'n skriftelike kennisgewing van appèl indien waarin hy duidelik en in besonderhede die gronde, hetsy feitlike of regsgronde of feitlike sowel as regsgronde waarop die appèl gegrond word, uiteensit.

- (2) 'n Lid wat verlang om ingevolge artikel 17 (3) van die Wet te appelleer teen 'n bevel waarby hy ontslaan, afgedank of in rang verlaag word, moet binne 14 dae na die datum van die bevel by die voorsitter van die betrokke raad van ondersoek 'n skriftelike kennisgewing van appèl indien waarin hy duidelik en in besonderhede die gronde, hetsy feitlike of regsgronde of feitlike sowel as regsgronde waarop die appèl gegrond word, uiteensit.

- (3) By ontvangs van 'n kennisgewing van appèl bedoel in subregulasie (1) of (2), stel die verhooroffisier of voorsitter, na gelang van die geval, 'n skriftelike verklaring op waarin die volgende uiteengesit word:

- (a) Die feite wat bevind is bewys te wees;
- (b) die redes vir 'n beslissing aangaande feite waarteen, blykens die appellant se kennisgewing, geappelleer word; en
- (c) die redes vir 'n beslissing oor 'n regspraak of betreffende die toelating of verwerping van getuienis waarteen blykens sodanige kennisgewing geappelleer word.

en stuur die verhooroffisier of voorsitter onverwyld die stukke ten opsigte van die appèl en die verklaring, die oorkonde van die verhoor of ondersoek, enige verdere skriftelike opmerkings wat die offisier of voorsitter ten opsigte van die appèl wil voorlê, en enige verdere skriftelike verklarings of betoë (as daar is), beoog in subregulasie (4), wat van die betrokke appellant ontvang is, na die dissipline-offisier.

- (4) (a) Vir die doeleindes van subregulasie (3) moet die betrokke appellant skriftelik in kennis gestel word dat die stukke bedoel in daardie subregulasie na die dissipline-offisier gestuur staan te word, en dat

shall within 14 days after the imposition of sentence lodge a written notice of appeal with the trial officer wherein he shall clearly and in particular set out the grounds, whether factual or legal grounds or factual as well as legal grounds on which the appeal is based.

- (2) A member who desires to appeal in terms of section 17 (3) of the Act against an order whereby he is discharged, dismissed or reduced in rank, shall within 14 days after the date of the order lodge a written notice of appeal with the chairman of the relevant board of enquiry wherein he shall clearly and in particular set out the grounds, whether factual or legal grounds or factual as well as legal grounds on which the appeal is based.

- (3) On receipt of a notice of appeal referred to in subregulation (1) or (2), the trial officer or chairman, as the case may be, shall draft a written declaration wherein the following shall be set out:

- (a) The facts found to have been proved;
- (b) the reasons for any finding in respect of facts against which, as appears from the appellant's notice, appeal is lodged;
- (c) the reasons for any finding in respect of any question of law or the admission or rejection of any evidence, against which as appears from such notice, appeal is lodged.

and the trial officer or chairman shall immediately remit the documents in respect of the appeal and the reply, the record of the proceedings or enquiry, any other written remarks which the officer or chairman wishes to submit in respect of the appeal, and any other written declarations or submissions (if any), contemplated in subregulation (4), which has been received from the appellant concerned, to the disciplinary officer.

- (4) (a) For the purposes of subregulation (3) the appellant concerned shall be notified in writing that the documents referred to in that subregulation are to be remitted to the disciplinary officer, and that he may within

hy binne drie dae van die datum van die kennisgewing verdere skriftelike verklarings of betoë aan die verhooroffisier of voorsitter, na gelang van die geval, mag voorlê.

(b) Die verhooroffisier of voorsitter, na gelang van die geval, moet indien geen verklarings of betoë aldus ontvang is nie, of die appellant nie geredelik opgespoor kon word nie, 'n ondertekende sertifikaat te dien effekte saam met die betrokke stukke na die dissipline-offisier stuur.

(5) (a) Die dissipline offisier kan na ontvangs van alle stukke in verband met 'n appèl—

(i) die appèl bloot op grond van die voorgelegde stukke afhandel; of

(ii) indien hy van oordeel is dat geregtigheid dit vereis, skriftelik in die voorgeskrewe vorm gelas dat die betrokke vervolgingsoffisier of aanklaer 'n deur die dissipline-offisier aangeduide vraag met betrekking tot die appèl voor hom moet beredeneer.

(b) (i) Die dissipline-offisier moet, in 'n geval beoog in paragraaf (a) (ii), die betrokke vervolgingsoffisier of aanklaer skriftelik gelas om die appellant skriftelik in kennis te stel van die mondelinge verhoor en die aangeleent-hede wat beredeneer staan te word en dat hy geregtig is om persoonlik of deur middel van 'n regsverteenwoordiger te verskyn.

(ii) Die bepalinge van regulasie 61C is *mutatis mutandis* van toepassing indien dit na verslagdoening deur die vervolgingsoffisier of aanklaer oor hul optredes beoog in subparagraaf (i) aan die dissipline-offisier blyk dat die

three days after the date of the notice submit further written declarations or submissions to the trial officer or chairman, as the case may be.

(b) The trial officer or chairman, as the case may be, shall, if no declarations or submissions have so been received, or where the appellant cannot readily be traced, remit a signed certificate to that effect together with the relevant documents to the disciplinary officer.

(5) (a) The disciplinary officer may after receipt of all the documents in connection with an appeal—

(i) deal with the appeal merely on the basis of the documents submitted; or

(ii) if he is of opinion that justice requires it, direct in writing on the prescribed form that the prosecuting officer concerned or prosecutor must argue before him a question in connection with the appeal indicated by the disciplinary officer.

(b) (i) The disciplinary officer shall, in a case contemplated in paragraph (a) (ii), in writing direct the prosecuting officer or prosecutor to notify the appellant in writing of the oral trial and the matters which are to be argued and that he is entitled to appear personally or by means of a legal representative.

(ii) The provisions of regulation 61C shall *mutatis mutandis* apply if it appears, after report by the prosecuting officer or prosecutor on their actions contemplated in subparagraph (i), to the disciplinary officer, that the

appellant nie in staat is of onwillig is om deur 'n regsverteenwoordiger verteenwoordig te word, of dat hy nie geredelik opgespoor kan word nie.

- (6) Waar die dissipline-offisier ooreenkomstig artikel 10F (3) van die Wet wil optree, is die bepalings van subregulasies (3), (4) en (5) van hierdie regulasie *mutatis mutandis* ten opsigte van so 'n hersiening, die verhooroffisier, vervolgingsoffisier of aanklaer en die veroordeelde lid van toepassing nadat die dissipline-offisier die betrokke verhooroffisier gelas het om die rekord van die betrokke verrigtinge aan hom voor te lê."

Vervanging van regulasie 63 van Regulasies

8. Regulasie 63 van die Regulasies word hierby deur die volgende regulasie vervang:

"Gedragstate

63. (1) 'n Gedragstaat word op die voorgeskrewe wyse en vorm ten opsigte van elke lid bygehou en alle skuldigbevindings van 'n lid weens wangedrag, en strawwe ten opsigte daarvan opgelê, word op sy gedragstaat aangeteken.
- (2) Indien daar, behoudens subregulasie (3), vir 'n tydperk van vyf jaar geen aantekening ten opsigte van 'n skuldigbevinding aan wangedrag op 'n lid se gedragstaat aangeteken is nie, word alle sodanige inskrywings wat op sy gedragstaat voorkom, geskrap.
- (3) Indien daar vir 'n tydperk van drie jaar geen aantekening ten opsigte van 'n skuldigbevinding aan wangedrag op 'n lid se gedragstaat aange-teken is nie, word alle inskrywings daarop ten opsigte van skuldigbevindings wat gevolg het na die betaling deur die lid van 'n skuld-erkenningsboete ooreenkomstig regulasie 61, geskrap."

Vervanging van regulasie 64 van Regulasies

9. Regulasie 64 van die Regulasies, en die opskrif daarby, word hierby deur die volgende regulasie en opskrif vervang:

"Ondersoeke in verband met geskiktheid om in Mag te bly of rang te behou

64. (1) Indien [.] vanweë —
- (a) 'n skuldigbevinding aan enige misdryf of aan wangedrag; of

appellant is unable or unwilling to be represented by a legal representative, or that he could not readily be traced.

- (6) Where the disciplinary officer wishes to act in accordance with section 10F (3) of the Act, the provisions of subregulations (3), (4) and (5) of this regulation shall *mutatis mutandis* apply in respect of any such review, the trial officer, prosecuting officer or prosecutor, and the convicted member after the disciplinary officer has directed the trial officer concerned to submit to him the record of the relevant proceedings."

Substitution of regulation 63 of Regulations

8. The following regulation is hereby substituted for regulation 63 of the Regulations:

"Conduct sheets

63. (1) A conduct sheet, shall be maintained in the prescribed manner and form in respect of every member, and all convictions of a member for misconduct, and sentences imposed in respect thereof, shall be recorded on the conduct sheet.
- (2) If, subject to subregulation (3), no entry has for a period of five years been made in respect of a conviction for misconduct on the conduct sheet of a member, all entries recorded on his conduct sheet shall be deleted.
- (3) If no entry has for a period of three years been made in respect of a conviction for misconduct on the conduct sheet of a member, all entries recorded thereon in respect of convictions following on the payment by the member of an admission of guilt fine in accordance with regulation 61, shall be deleted."

Substitution of regulation 64 of Regulations

9. The following regulation and heading is hereby substituted for regulation 64, and the heading thereto, of the Regulations:

"Enquiries in connection with fitness to remain in force or retain rank

64. (1) If by reason of—
- (a) any conviction for an offence or for misconduct; or

- (b) die verrigting van enige handel-
ling of versuim om 'n handeling
te verrig, of enige ander gedrag
of toestand,

die vraag ontstaan of 'n lid (in hierdie
regulasie die verweerder genoem)
geskik is vir sy pligte, of oor die ver-
moë beskik om hulle op 'n bekwame
wyse uit te voer, en, met inagneming
van die vereistes betreffende die
goeie orde, doeltreffende admini-
strasie, beheer of dissipline van die
Mag, in die algemeen geskik is om in
die Mag te bly of om sy rang te be-
hou, kan die Kommissaris, of 'n offi-
sier wat die Kommissaris spesiaal of
in die algemeen daartoe aangewys
het, 'n raad van ondersoek saamstel
(in hierdie regulasie die raad ge-
noem), met homself as voorsitter en
'n lid van gelyke of hoër rang as die
verweerder as ondersoekbeampte.

- (2) 'n Raad kan ingevolge subregulasie
(1) saamgestel word ondanks dat die
betrokke verweerder na sy jongste
verhoor op 'n aanklag van pleging
van 'n misdryf of van wangedrag
onskuldig bevind en ontslaan is.

- (3) (a) 'n Raad vergader op 'n datum,
tyd en plek deur die voorsitter
bepaal.

- (b) Die ondersoekbeampte moet
minstens twee weke voor
bedoelde datum 'n skriftelike
kenningsgewing in die voorge-
skrewe vorm op die voorge-
skrywe wyse op die verweerder
beteken waarin hy in kennis
gestel word van die besonder-
hede en aard van die onder-
soek wat gehou staan te word.

- (c) Behoudens die bepalings van
hierdie regulasie en van artikel
11 (1) (b) van die Wet, is die
bepalings van regulasie 61A,
61B, 61D, 61E, 61H en 61I *mu-
tatis mutandis* ten opsigte van
'n ondersoek in hierdie regula-
sie beoog en die partye of ge-
tuïenis daarby van toepassing.

- (d) Die voorsitter van 'n raad van
ondersoek kan te eniger tyd,
hetsy voor of na die aanvang
van die verrigtinge van 'n
ondersoek, met betrekking tot
enige aangeleentheid van pro-
cedure of bewyslewering, en in
die besonder waar dit na sy

- (b) the performance of any act or
failure to perform an act, or any
other conduct or condition,

the question arises whether a
member (in this regulation referred to
as the defendant) is fit for his duties,
or is capable to carry them out ef-
ficiently, or, taking into consideration
the requirements regarding the good
order, efficient administration, con-
trol or discipline of the Force, is in
general fit to remain in the Force or
to retain his rank, the Commissioner,
or any officer specially or generally
designated thereto by the Commis-
sioner, may convene a board of en-
quiry (in this regulation referred to as
the board), with himself as chairman
and a member of equal or higher
rank than the defendant as investi-
gating official.

- (2) A board may in terms of subregula-
tion (1) be convened notwithstanding
that the defendant concerned has af-
ter his most recent trial on a charge
of having committed an offence or
misconduct been found not guilty
and has been acquitted.

- (3) (a) A board shall sit at a date, time
and place determined by the
chairman.

- (b) The investigating official shall
at least two weeks before the
said date serve a written notice
in the prescribed form and in
the prescribed manner on the
respondent wherein he shall be
notified of the particulars and
nature of the enquiry which is to
be held.

- (c) Subject to the provisions of this
regulation and section 11 (1)
(b) of the Act, the provisions of
regulations 61A, 61B, 61D,
61E, 61H and 61I shall *mutatis
mutandis* apply in respect of
the enquiry and the parties or
witnesses thereto.

- (d) The chairman of a board of
enquiry may at any time,
whether before or after the
commencement of the pro-
ceedings of an enquiry, direct,
with reference to any matter of
procedure or evidence, and in

oordeel tot 'n billiker, goedkoper of minder uitgerekte of meer doeltreffende ondersoek sal aanleiding gee—

(i) waar dit na die oordeel van die voorsitter in die belang van billikheid en geregtigheid teenoor 'n verweerder nodig is, sonder die instemming van die ondersoekbeampte;

(ii) in enige ander geval, met die instemming van die ondersoekbeampte en van die verweerder of sy regsverteenvoordiger,

behoudens die bepalings van die Wet, gelas dat daar ten opsigte van die betrokke ondersoek van enige toepaslike bepaling van hierdie regulasie afgewyk word in die mate deur die voorsitter aangedui of dat enige ander deur die voorsitter toepaslik geagte en deur hom aangeduide reël nagekom moet word.

- (4) (a) Na afloop van die verrigtinge van 'n raad beslis die voorsitter of die verweerder geskik is om in die Mag aan te bly of, na gelang van die geval, sy rang behou, dan wel of hy ongeskik daartoe is en ontslaan, afgedank of in rang verlaag moet word, na gelang van die geval.
- (b) Waar die voorsitter beslis dat die verweerder in rang verlaag moet word, beslis hy na welke rang hy aldus verlaag moet word.
- (c) Die verweerder word op die voorgeskrewe wyse van die beslissing van die voorsitter in kennis gestel.”.

Herroeping van regulasie 65 en 66 van Regulasies

10. Regulasies 65 en 66 van die Regulasies word hierby herroep.

particular where in his opinion it would lead to a more just, less costly or protracted or more effective enquiry—

(i) where it is in the opinion of the chairman necessary in the interest of fairness and justice towards the respondent, without the consent of the investigating official;

(ii) in any other case, with the consent of the investigating official and of the respondent or his legal representative,

subject to the provisions of the Act, that there shall in respect of the enquiry concerned be deviated from any applicable provision of this regulation to the extent indicated by the chairman or that any other rule deemed suitable by the chairman and indicated by him shall be applied.

- (4) (a) After conclusion of the proceedings of a board the chairman shall decide whether the respondent is fit to remain in the Force or, as the case may be, to retain his rank, or whether he is unfit therefor and must be discharged, dismissed or reduced in rank, as the case may be.
- (b) Where the chairman decides that the respondent should be reduced in rank, he shall decide to what rank he should so be reduced.
- (c) The respondent shall be notified in the prescribed manner of the decision of the chairman.”.

Repeal of regulations 65 and 66 of Regulations

10. Regulations 65 and 66 of the Regulations are hereby repealed.

Vervanging van regulasie 67 van Regulasies

11. Regulasie 67 van die Regulasies en die opskrif daarby word hierby deur die volgende regulasie en opskrif vervang:

"Ooreenstemming tussen range van lede van Mag en lede van munisipale polisie-eenhede"

Die range in kolom 2 hieronder ten opsigte van lede van munisipale polisie-eenhede vermeld, word by die toepassing van die bepalings van die Wet en van hierdie regulasies as ooreenstemmend geag aan die range daarteenoor ten opsigte van ander lede van die Mag in kolom 1 vermeld, en omgekeerd:

Kolom 1:

Lede van die Mag

Luitenant-kolonel

Majoor

Kaptein

Luitenant

Adjutant-offisier

Sersant

Ondersersant

Konstabel

Kolom 2:

Lede van munisipale polisie-eenhede

Hoofinspekteur

Eerste inspekteur

Senior inspekteur

Inspekteur

Adjutant-offisier

Sersant

Ondersersant

Konstabel."

Wysiging van regulasie 68 van Regulasies

12. Regulasie 68 van die Regulasies word hierby gewysig—

- (a) deur in subregulasie (3) die woorde wat paragraaf (a) voorafgaan te vervang:

"Die bepalings van **[subregulasies (2), (4), (5), (6), (7), (8), (9), (10), (11), (12) en (13) van]** regulasie 64 is, vir sover dit **[doenlik en]** nie klaarblyklik onvanpas is en nie met enige ander bepalings van hierdie regulasie onbestaanbaar is nie, *mutatis mutandis* van toepassing op 'n raad van ondersoek wat kragtens subregulasie (1) byeengeroep word **[;met]** : Met dien verstande dat—";

- (b) deur in subregulasie (3) paragrafe (b) en (c) te skrap; en

- (c) deur in subregulasie (3) paragraaf (d) deur die volgende paragraaf te vervang:

"(d) ondanks andersluidende bepalings in hierdie regulasies vervat, skriftelike verklaarings in plaas van *viva voce*-getuienis deur die raad oorweeg kan word indien die voorsitter van mening is dat, ondanks die feit dat 'n getuie nie persoonlik vir ondervraging voor die raad verskyn nie, wesenlike geregtigheid inderdaad sal geskied."

Substitution of regulation 67 of Regulations

11. The following regulation and heading is hereby substituted for regulation 67, and the heading thereto, of the Regulations:

"Correspondence between ranks of members of Force and members of municipal police units"

The ranks referred to in column 2 hereunder in respect of members of municipal police units shall for the purposes of the provisions of the Act and of these regulations be deemed to correspond to the ranks referred to opposite thereto in column 1 in respect of other members of the Force, and vice versa:

Column 1:

Members of Force

Lieutenant-Colonel

Major

Captain

Lieutenant

Warrant-Officer

Sergeant

Lance Sergeant

Constable

Column 2:

Members of municipal police units

Chief inspector

First inspector

Senior inspector

Inspector

Warrant-Officer

Sergeant

Lance Sergeant

Constable."

Amendment of regulation 68 of Regulations

12. Regulation 68 of the Regulations is hereby amended—

- (a) by the substitution in subregulation (3) for the words preceding paragraph (a) of the following words:

"The provisions of **[subregulations (2), (4), (5), (6), (7), (8), (9), (10), (11), (12) and (13) of]** regulation 64 shall, in so far as **[these are practicable]** it is not clearly inappropriate and is not inconsistent with any other provision of this regulation, *mutatis mutandis* apply to a board of enquiry which is convened in terms of subregulation (1) **[; provided]** : Provided that—";

- (b) by the deletion in the said subregulation (3) of paragraphs (b) and (c); and

- (c) by the substitution in subregulation (3) for paragraph (d) of the following paragraph:

"(d) notwithstanding any provisions to the contrary contained in these regulations, written statements instead of *viva voce* evidence may be considered by the board if, in the opinion of the chairman, substantial justice will in fact be done notwithstanding the fact that a witness does not personally appear before the board for examination."

SUID-AFRIKAANSE POLISIE

No. R. 428

1 Februarie 1992

DIE POLISIEWET, 1958
(WET No. 7 VAN 1958)

REGULASIES VIR MUNISIPALE
POLISIE-EENHEDE

Die Minister van Wet en Orde het kragtens artikel 33 van die Polisiewet, 1958 (Wet No. 7 van 1958), die regulasies in die Bylae uitgevaardig.

H. J. KRIEL,

Minister van Wet en Orde.

BYLAE**Woordbepaling**

1. In hierdie Regulasies beteken "Die Regulasies" die Regulasies vir die Munisipale Polisie-Eenhede gepubliseer by Goewermentskennisgewing No. R. 217 in *Staatskoerant* No. 12124 van 2 Oktober 1989.

Wysiging van Regulasie 1 van Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig deur in subregulasie (1) die omskrywing van "Die Regulasies" deur die volgende omskrywing te vervang:

"'Die Regulasies' vir die Suid-Afrikaanse Polisie gepubliseer in Goewermentskennisgewing No. R. 203 in *Staatskoerant* No. 719 van 14 Februarie 1964 (insluitende enige wysigings daarvan)."

Vervanging van Regulasie 2 van Regulasies

3. Die Regulasies word hierby gewysig deur Regulasie 2, en die opskrif daarby, deur die volgende Regulasie en opskrif te vervang:

"Toepassing van die Regulasies"

2. Behoudens die bepalings van die Wet is regulasies 2, 3, 4A, 7, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21, 22, 23, 28, 29, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 61A, 61B, 61C, 61D, 61E, 61F, 61G, 61H, 62, 63, 64, 67, 68, 69, 71, 72, 73, 74, 75, 77, 78, 79, 80 en 81 *mutatis mutandis* op lede van die Munisipale Polisie-Eenhede van toepassing vir sover dit aldus toegepas kan word."

Herroeping van Regulasie 7 van Regulasies

4. Regulasie 7 van die Regulasies word hierby herroep.

No. R. 429

1 Februarie 1992

WYSIGING VAN DIE REGULASIES VIR DIE
SUID-AFRIKAANSE POLISIE

Die Minister van Wet en Orde het kragtens artikel 33 van die Polisiewet 1958 (Wet No. 7 van 1958), die Regulasies in die Bylae uitgevaardig.

SOUTH AFRICAN POLICE

No. R. 428

1 February 1992

POLICE ACT, 1958
(ACT No. 7 OF 1958)

REGULATIONS FOR THE MUNICIPAL
POLICE UNITS

The Minister of Law and Order has under section 33 of the Police Act, 1958 (Act No. 7 of 1958), made the regulations in the Schedule.

H. J. KRIEL,

Minister of Law and Order.

SCHEDULE**Definitions**

1. In these Regulations "The Regulations" means the Regulations for the Municipal Police Units published by Government Notice No. R. 216 in *Government Gazette* No. 12124 of 2 October 1989.

Amendment of Regulation 1 of Regulations

2. Regulation 1 of the Regulations is hereby amended by the substitution in subregulation (1) for the definition of "The Regulations" of the following definition:

"'Regulations' means the Regulations for the South African Police published by Government Notice No. R. 203 in *Government Gazette* No. 719 of 14 February 1964 (including any amendments thereof)."

Substitution of Regulation 2 of Regulations

3. The Regulations are hereby amended by the substitution for Regulation 2, and the heading thereto, of the following Regulation and heading:

"Application of the Regulations"

2. Subject to the provisions of the Act, Regulations 2, 3, 4A, 7, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21, 22, 23, 28, 29, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 61A, 61B, 61C, 61D, 61E, 61F, 61G, 61H, 62, 63, 64, 67, 68, 69, 71, 72, 73, 74, 75, 77, 78, 79, 80 and 81 of the Regulations apply *mutatis mutandis* to members of the Municipal Police Units in so far as they can be so applied."

Repeal of Regulation 7 of Regulations

4. Regulation 7 of the Regulations is hereby repealed.

No. R. 429

1 February 1992

AMENDMENT OF THE REGULATIONS FOR THE
SOUTH AFRICAN POLICE

The Minister of Law and Order has, under section 33 of the Police Act, 1958 (Act No. 7 of 1958), made the regulations contained in the Schedule hereto.

BYLAE**Woordomskrywing****1.** In hierdie Regulasies beteken—

die "Regulasies" die Regulasies afgekondig by Goewermentskennisgewing No. R. 203 van 14 Februarie 1964 soos gewysig.

2. Regulasie 1 van die Regulasies word hierby gewysig deur na die woordomskrywing van "afdeling" die omskrywing "afdelingshoof" in te voeg:

"Afdelingshoof"—

- (a) afdelingshoof: Sigbare Polisiëring;
- (b) afdelingshoof: Misdaadbestryding en -Onderzoek;
- (c) afdelingshoof: Menslike Hulpbronbestuur;
- (d) afdelingshoof: Ondersteuningsdienste; en
- (e) afdelingshoof: Binnelandse Stabiliteit.

3. Regulasie 8 (1) van die Regulasies word hierby deur die volgende regulasie vervang:

"8. (1) Die range in die Mag, in volgorde van voorrang is soos volg:

(a) *Offisiere*

Die Kommissaris van die Suid-Afrikaanse Polisie: Generaal.

Die adjunkkommissaris: Luitenant-generaal.

Afdelingshoof: Luitenant-generaal.

Luitenant-generaal.

Generaal-majoor.

Brigadier.

Kolonel.

Luitenant-kolonel.

Majoor.

Kaptein.

Luitenant."

SCHEDULE**Definition**

1. In these Regulations, unless the context otherwise indicates—

"the Regulations" means the Regulations promulgated by Government Notice No. R. 203 of 14 February 1964, as amended.

2. Regulation 1 of the Regulations is hereby amended by the insertion after the definition of "divisional commissioner" of the following definition:

" "Divisional head"—

- (a) divisional head: Visible policing;
- (b) divisional head: Crime Combating and Investigation;
- (c) divisional head: Human Resources Management;
- (d) divisional head: Supporting Services; and
- (e) divisional head: Internal Stability."

3. The following regulation is hereby substituted for regulation 8 (1) of the Regulations:

8. (1) The ranks in the Force, in order of precedence, are as follows:

(a) *Commissioned Officers*

The Commissioner of the South African Police: General.

The Deputy Commissioner: Lieutenant-General.

Departmental Head: Lieutenant-General.

Lieutenant-General.

Major-General.

Brigadier.

Colonel.

Lieutenant-Colonel.

Major.

Captain.

Lieutenant."

No. R. 431

1 Februarie 1992

BEPALING KRAGTENS ARTIKEL 10E (4) (b) VAN DIE POLISIEWET, 1958 (WET No. 7 VAN 1958)

Die Minister van Wet en Orde het kragtens artikel 10E van die Polisie wet, 1958 (Wet No. 7 van 1958), die bedrag van die boete bedoel in subartikel (4) (b) van artikel 10E bepaal as tweeduisend rand.

No. R. 432

1 Februarie 1992

BEPALING KRAGTENS ARTIKEL 10D (1) VAN DIE POLISIEWET, 1958 (WET No. 7 VAN 1958)

Die Minister van Wet en Orde het kragtens artikel 10D van die Polisie wet, 1958 (Wet No. 7 van 1958), die bedrag van die skulderkenningsboete bedoel in subartikel (1) van artikel 10D bepaal as driehonderd rand.

No. R. 431

1 February 1992

DETERMINATION IN TERMS OF SECTION 10E (4) (b) OF THE POLICE ACT, 1958 (ACT No. 7 OF 1958)

The Minister of Law and Order has under section 10E of the Police Act, 1958 (Act No. 7 of 1958), determined the amount of the fine contemplated in subsection (4) (b) of section 10E as two thousand rand.

No. R. 432

1 February 1992

DETERMINATION IN TERMS OF SECTION 10D (1) OF THE POLICE ACT, 1958 (ACT No. 7 OF 1958)

The Minister of Law and Order has under section 10D of the Police Act, 1958 (Act No. 7 of 1958), determined the amount of the admission of guilt fine contemplated in subsection (1) of section 10D as three hundred rand.

BELANGRIK!!

Plasing van tale:

Staatskoerante

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks geskied met die eerste uitgawe in Oktober.
2. Vir die tydperk 1 Oktober 1991 tot 30 September 1992 word Afrikaans EERSTE geplaas.
3. Hierdie reëling is in ooreenstemming met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.
4. *Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.*

—oOo—

IMPORTANT!!

Placing of languages:

Government Gazettes

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.
2. For the period 1 October 1991 to 30 September 1992, Afrikaans is to be placed FIRST.
3. This arrangement is in conformity with Gazettes containing Act of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.
4. *It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.*

BELANGRIKE AANKONDIGING

Sluitingstye

- (1) AANSOEKE OM DRANKLISENSIES
- (2) AANSOEKE OM VERPLASINGS VAN LISENSIES

Hiermee word bekendgemaak dat kennisgewings vir aanname die Vrydag, twee kalenderweke voor datum van publikasie, ingedien moet word.

Die sluitingstyd is stiptelik **15:00** op die volgende dae:

- ▷ **19 Desember 1991**, vir die uitgawe van Vrydag **3 Januarie 1992**.
- ▷ **24 Januarie 1992**, vir die uitgawe van Vrydag **7 Februarie 1992**.
- ▷ **21 Februarie 1992**, vir die uitgawe van Vrydag **6 Maart 1992**.
- ▷ **20 Maart 1992**, vir die uitgawe van Vrydag **3 April 1992**.
- ▷ **23 April 1992**, vir die uitgawe van Vrydag **8 Mei 1992**.
- ▷ **21 Mei 1992**, vir die uitgawe van Vrydag **5 Junie 1992**.

L.W.: Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word.

Gegewens word presies weergegee soos verstrek op Vorm 2 en Vorm 28 van voornemende aansoeker.

IMPORTANT ANNOUNCEMENT

Closing Times

- (1) APPLICATIONS FOR LIQUOR LICENCES
- (2) APPLICATIONS FOR REMOVAL OF LICENCES

Notice is hereby given that notices are to be submitted for acceptance on the Friday, two calendar weeks before date of publication.

The closing time is **15:00** sharp on the following days:

- ▷ **19 December 1991**, for the issue of Friday **3 January 1992**.
- ▷ **24 January 1992**, for the issue of Friday **7 February 1992**.
- ▷ **21 February 1992**, for the issue of Friday **6 March 1992**.
- ▷ **20 March 1992**, for the issue of Friday **3 April 1992**.
- ▷ **23 April 1992**, for the issue of Friday **8 May 1992**.
- ▷ **21 May 1992**, for the issue of Friday **5 June 1992**.

Note: Late notices will be placed in the subsequent issue.

Information will be reflected exactly as furnished on Form 2 and Form 28 of prospective applicant.

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