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No. 16985

GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF JUSTICE DEPARTEMENT VAN JUSTISIE

No. R. 238

9 February 1996

REGULATIONS UNDER THE PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995
(ACT No. 34 OF 1995)

The President has under section 40 of the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995), made the regulations in the Schedule.

SCHEDULE

Definition

1. In these regulations any word or expression to which a meaning has been assigned in the Act shall bear that meaning and, unless the context otherwise indicates—

“the Act” means the Promotion of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995).

Application for amnesty

2. (1) An application for amnesty in terms of section 18 of the Act shall be made in the form of Form 1 of the Annexure.
- (2) The notification referred to in section 19 (4) of the Act shall be given in the form of Form 2 of the Annexure.

ANNEXURE**FORM 1****APPLICATION FOR AMNESTY IN TERMS OF SECTION 18 OF THE PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995 (ACT No. 34 OF 1995)**

This form is also available in the other official languages at the address of the Committee on Amnesty mentioned hereunder.

To be completed in block letters, sworn to solemnly affirmed before a commissioner of oaths and returned to the Committee on Amnesty, P.O. Box 3162, Cape Town, 8000.

(Please use a separate page if more space is required)

1. Surname
2. First names in full
3. Address
..... Postal Code.....
4. Identity number/Passport number
5. Date of birth
6. Place of birth
7. (a) If you are/were an officer/office-bearer/member/supporter of any political organisation/institution/body or liberation movement, state name thereof:
.....
.....
- (b) State capacity in which you served in the organisation/institution/body or liberation movement concerned, if applicable, and membership number, if any:
.....
.....
8. (a) If you are/were an officer/office-bearer/employee of the State or any former state or if you are/were a member of the security forces of the State or any former state, state the department/division:
.....
.....
- (b) State capacity and period in which you were in the service of the State or former state or served in the security forces, if applicable, and force number, if any:
.....
.....
.....
9. (a) Furnish sufficient particulars of the act/s, omission/s or offence/s associated with a political objective in respect of which amnesty is sought, including date/s, place/s and nature thereof and the name/s of any other person/s involved:
 - (i) Act/s, omission/s or offence/s
.....
.....
.....
 - (ii) Date/s
.....
.....
 - (iii) Place/s
.....
.....

[illegible]

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This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be from a notebook or a set of legal pads. The edges of the paper are slightly irregular, suggesting it might be a scan of a physical document. There is no handwriting or other markings on the page.

- (c) Did you benefit in any way, financially or otherwise?
.....
.....
- (d) If so, explain the nature and extent of such benefits:
.....
.....
.....
11. (a) Was/were the act/s, omission/s or offence/s committed in the execution of an order of, or on behalf of, or with the approval of, the organisation, institution, body, liberation movement, state department or security force concerned?
.....
.....
.....
- (b) If so, state particulars of such order or approval and the date thereof and, if known, the name and address of the person/s who gave such order or approval:
.....
.....
.....
.....
.....
.....
.....
12. If prosecution followed, state:
- (a) In which court.....
- (b) Case number.....
- (c) On which charge.....
.....
- (d) Date of next appearance in court (if any).....
- (e) Offence in respect of which found guilty and sentenced (if applicable).....
.....
- (f) Date of sentence (if applicable).....
- (g) Sentence imposed (if applicable).....
- (h) Prison number (if applicable).....
13. (a) Are civil proceedings pending or envisaged as a result of the act/s, omission/s or offence/s in respect of which amnesty is sought?
.....
.....
- (b) If so, state:
- (i) The identity and addresses of the parties and their legal advisers, if any:
.....
.....
.....
- (ii) The case number and the court in which the proceedings are pending:
.....
.....
.....

.....
Deponent

The deponent has acknowledged that he/she knows and understands the contents of the declaration. This declaration was duly sworn to/solemnly affirmed before me on this..... day of..... 19..... at.....

.....
Commissioner of Oaths

FORM 2

Investigation No.19....

**NOTIFICATION IN TERMS OF SECTION 19 (4) OF THE PROMOTION OF NATIONAL UNITY AND RECONCILIATION
ACT, 1995 (ACT No. 34 OF 1995)**

TO:

(Name)

(Address)

TAKE NOTICE that* your application for amnesty/the application for amnesty of
(name and surname of applicant) in terms of section 18 of the Promotion
 of National Unity and Reconciliation Act, 1995 (Act No. 34 of 1995), will be heard and considered at
(place) on theday of9..... at.....(time).

TAKE FURTHER NOTICE that as the *applicant/victim/person implicated or having an interest in the application, you have
 the right to be present and to be represented by a legal representative at the hearing and to testify, adduce evidence and submit
 any article to be taken into consideration.

Signed aton thisday of19....

Commissioner

* Delete whichever is not applicable.

No. R. 238

9 Februarie 1996

**REGULASIES KRAGTENS DIE WET OP DIE BEVORDERING VAN NASIONALE EENHEID EN VERSOENING, 1995
(WET No. 34 VAN 1995)**

Die President het kragtens artikel 40 van die Wet op die Bevordering van Nasionale Eenheid en Versoening, 1995 (Wet No.
 34 van 1995), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie regulasies het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, die betekenis aldus
 daaraan geheg en, tensy uit die samehang anders blyk, beteken—

“die Wet” die Wet op die Bevordering van Nasionale Eenheid en Versoening, 1995 (Wet No. 34 van 1995).

Aansoek om amnestie

2. (1) 'n Aansoek om amnestie kragtens artikel 18 van die Wet word gedoen in die vorm van Vorm 1 van die
 Aanhangsel.

(2) 'n Verwittiging bedoel in artikel 19 (4) van die Wet word gedoen in die vorm van Vorm 2 van die Aanhangsel.

AANHANGSEL**VORM 1****AANSOEK OM AMNESTIE INGEVOLGE ARTIKEL 18 VAN DIE WET OP DIE BEVORDERING VAN NASIONALE EENHEID EN VERSOENING, 1995 (WET No. 34 VAN 1995)**

Hierdie vorm is ook in die ander amptelike tale by ondergemelde adres van die Komitee oor Amnestie verkrygbaar.

Vul in blokletters in, beëdig/bevestig voor 'n kommissaris van ede en stuur terug aan die Komitee oor Amnestie, Posbus 3162, Kaapstad, 8000.

(Gebruik asseblief 'n afsonderlike bladsy indien meer ruimte nodig is)

1. Van
2. Volle voorname
3. Adres
.....
..... Poskode
4. Identiteitsnommer/Paspoortnommer
5. Geboortedatum
6. Geboorteplek
7. (a) Indien u 'n beampte/ampsdraer/lid/ondersteuner is/was van enige politieke organisasie/instelling/liggaam of bevrydingsbeweging, meld naam daarvan:
.....
.....
(b) Meld hoedanigheid waarin u in die betrokke organisasie/instelling/liggaam of bevrydingsbeweging gedien het, indien van toepassing, en lidmaatskapnommer, indien enige:
.....
.....
8. (a) Indien u 'n beampte/ampsdraer/werknemer is/was in diens van die Staat of enige voormalige staat of indien u 'n lid is/was van die veiligheidsmagte van die Staat of enige voormalige staat, meld die departement/afdeling/divisie:
.....
.....
(b) Meld hoedanigheid en tydperk waarin u in diens van die Staat of voormalige staat was of in die veiligheidsmagte gedien het, indien van toepassing, en magnummer, indien enige:
.....
.....
.....
9. (a) Verskaf voldoende besonderhede van die daad/dade, versuim/e of misdryf/misdrywe wat met 'n politieke oogmerk in verband staan ten opsigte waarvan amnestie verlang word, insluitende datum/s, plek/ke en aard daarvan en die naam/name van enige ander persoon/personne betrokke:
 - (i) Daad/dade, versuim/e of misdryf/misdrywe
.....
.....
.....
 - (ii) Datum/s
.....
.....
 - (iii) Plek/ke
.....
.....

(iv) Aard en besonderhede

[illegible]

(b) Meld indien enige persoon beseer is, gedood is of enige skade aan eiendom gelyk het as gevolg van sodanige daad/dade, versuim/e of misdryf/misdrywe:

.....

(c) Indien wel, meld:

(i) Die naam/name van die slagoffer/s

.....

(ii) Die beroep/e en adres/se van die slagoffer/s

.....

(iii) Die name en adresse van die slagoffer/s se naasbestaandes

(iv) Enige ander inligting wat met die identifisering en opsporing van die slagoffer/s behulpzaam kan wees

10. (a) Meld politieke oogmerk wat bereik wou word:

[illegible]

(b) U motivering waarom u sodanige daad/dade, versuim/e of misdryf/misdrywe as daad/dade, versuim/e of misdryf/misdrywe wat met 'n politieke oogmerk in verband staan, beskou:

[illegible]

- (c) Is u op enige wyse bevoordeel, finansiële of andersins?
.....
.....
- (d) Indien wel, verduidelik die aard en omvang daarvan:
.....
.....
.....
11. (a) Is die daad/dade, versuim/e of misdryf/misdrywe verrig in die uitvoering van 'n bevel van, of ten behoeve van, of met die goedkeuring van die betrokke organisasie, instelling, liggaam, bevrydingsbeweging, staatsdepartement of veiligheidsmag?
.....
.....
.....
- (b) Indien wel, meld besonderhede met betrekking tot sodanige bevel of goedkeuring en die datum daarvan en, indien bekend, die naam en adres van die persoon/personne wat sodanige bevel gegee of goedkeuring verleen het:
.....
.....
.....
.....
.....
12. Indien vervolging gevolg het, meld:
- (a) In welke hof
(b) Saaknommer
(c) Op welke aanklag
(d) Datum van volgende verskyning in hof (indien enige)
(e) Misdryf ten opsigte waarvan skuldig bevind en gevonnissen is (indien van toepassing)
(f) Datum van vonnis (indien van toepassing)
(g) Vonnis opgelê (indien van toepassing)
(h) Gevangenisnommer (indien van toepassing)
13. (a) Is siviele verrigtinge hangende of word dit beoog na aanleiding van die daad/dade, versuim/e of misdryf/misdrywe ten opsigte waarvan amnestie verlang word?
.....
.....
- (b) Indien wel, meld:
- (i) Die identiteit en adresse van die partye en hulle regsadviseurs, indien enige:
.....
.....
.....
- (ii) Die saaknommer en die hof waarin die verrigtinge hangend is:
.....
.....
.....

.....
Verklaarder

Die verklaarder erken dat hy/sy vertrou is met die inhoud van die verklaring en dit begryp. Hierdie verklaring is behoorlik voor my beëdig/bevestig op hede die dag van 19..... te

.....
Kommissaris van Ede

VORM 2

Ondersoek No. 19

**VERWITTIGING INGEVOLGE ARTIKEL 19 (4) VAN DIE WET OP DIE BEVORDERING VAN NASIONALE EENHEID EN
VERSOENING, 1995 (WET No. 34 VAN 1995)**

AAN:

(Naam)

(Adres)

NEEM KENNIS dat *u aansoek om amnestie/die aansoek om amnestie van (naam en van van applikant) ingevolge artikel 18 van die Wet op die Bevordering van Nasionale Eenheid en Versoening, 1995 (Wet No. 34 van 1995), aangehoor en oorweeg sal word te (plek) op die dag van 19 om (tyd).

NEEM VERDER KENNIS dat u as *aansoeker/slagoffer/persoon wat betrek is of 'n belang by die aansoek het, die reg het om teenwoordig te wees en om deur 'n regsverteenwoordiger verteenwoordig te word by die verhoor en te getuig, getuienis aan te voer en enige voorwerp voor te lê om oorweeg te word.

Geteken te op hede die dag van 19

.....
Kommissaris

* Skrap wat nie van toepassing is nie.

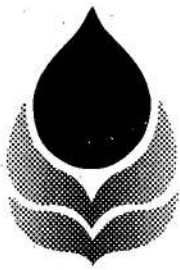
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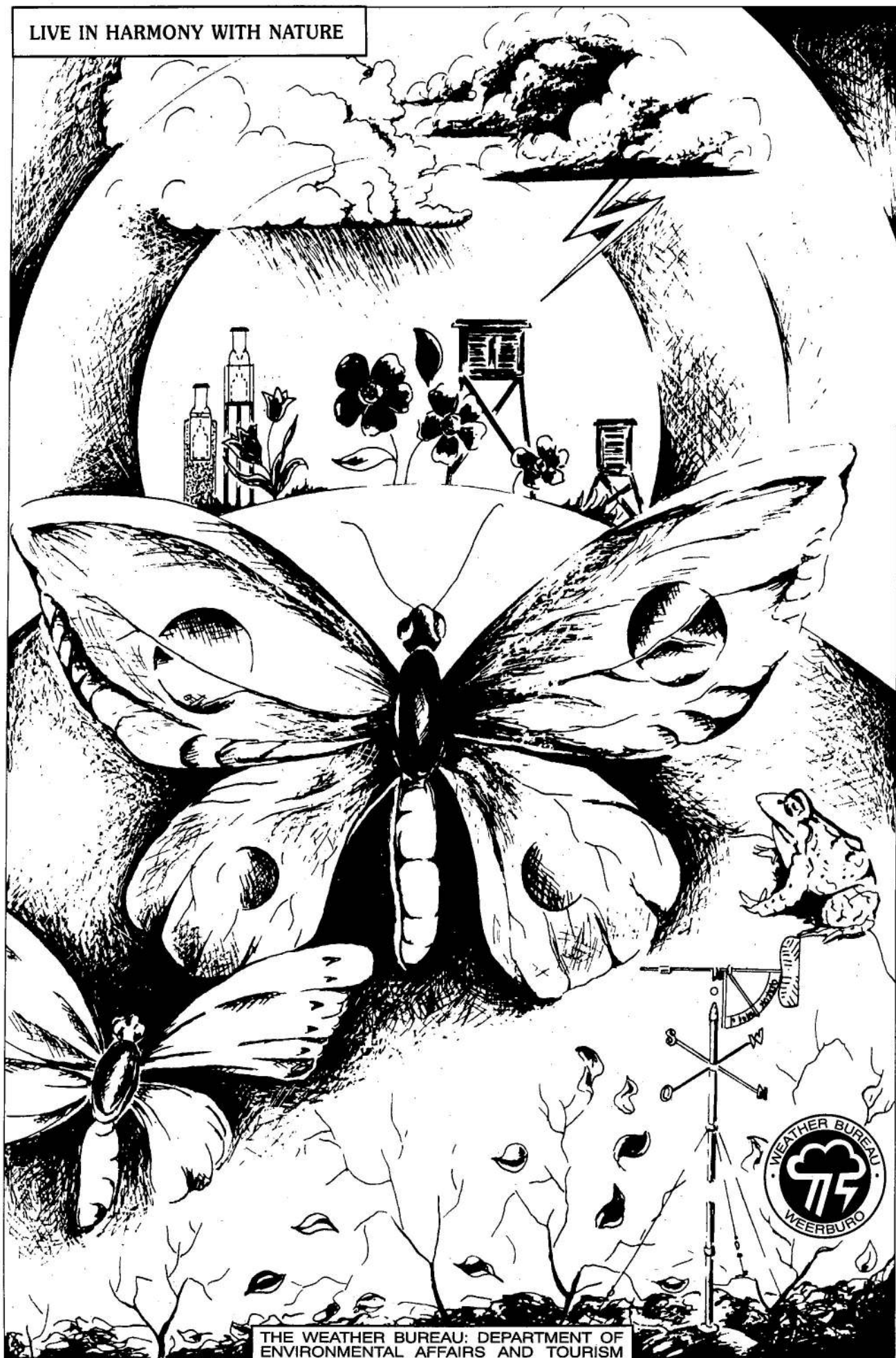
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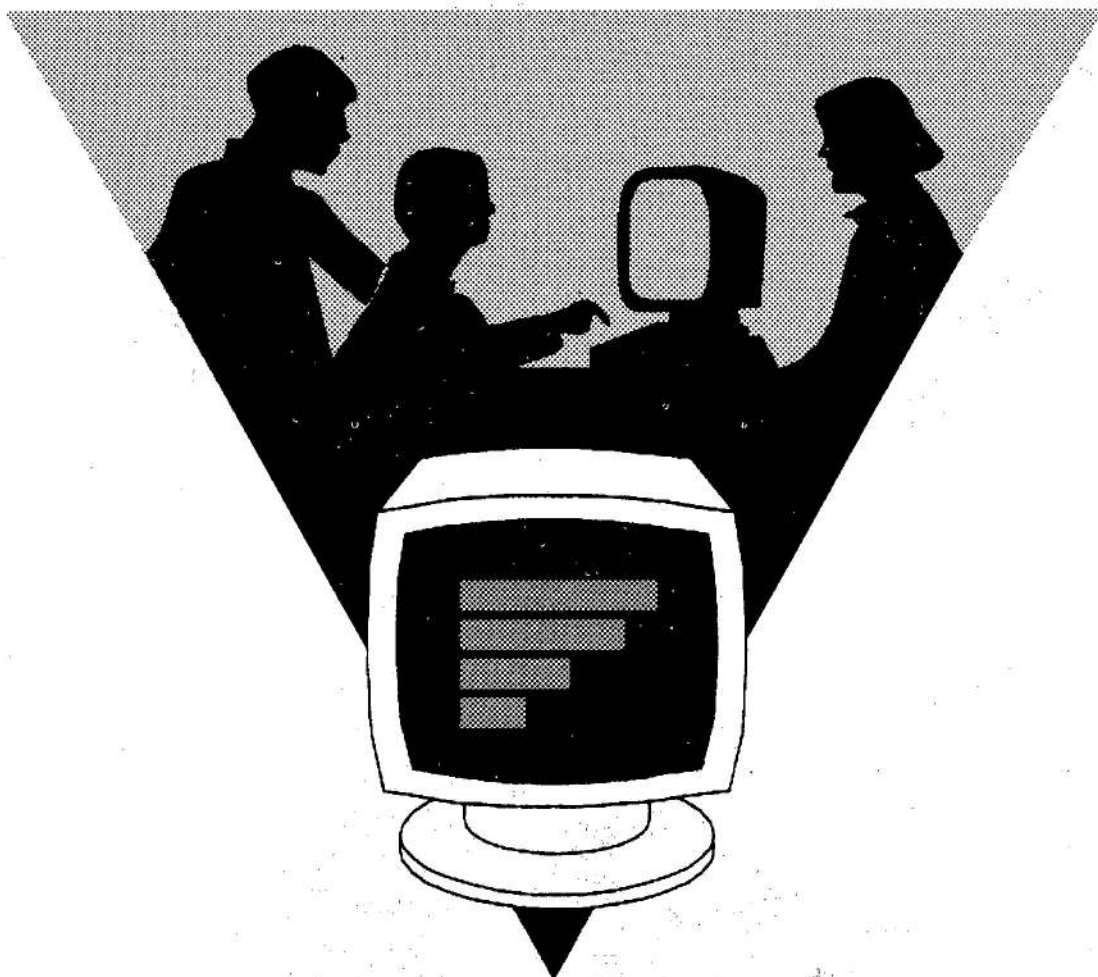


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