

REPUBLIEK
VAN
SUID-AFRIKA



REPUBLIC
OF
SOUTH AFRICA

Staatskoerant Government Gazette

Verkoopprys • Selling price
(AVB uitgesluit/GST excluded)

Plaaslik **45c** Local

As 'n Nuusblad by die Poskantoor Geregistreer

Buitelands **60c** Other countries
Posvry • Post free

Registered at the Post Office as a Newspaper

Vol. 255

PRETORIA, 12 SEPTEMBER 1986

No. 10447

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN STAATKUNDIGE ONTWIKKELING EN BEPLANNING

No. 1956

12 September 1986

PLAASLIKE BESTURE.—REGULASIES BETREFFENDE WETSTOEPASSINGSBEAMPTES—WYSIGING VAN GOEWERMENSKENNISGEWING R. 1900 VAN 31 AUGUSTUS 1984

Ek, Jan Christiaan Heunis, Minister van Staatkundige Ontwikkeling en Beplanning, wysig hierby, kragtens die bevoegdheid my verleen by artikel 56 (1) van die Wet op Swart Plaaslike Owerhede, 1982 (Wet 102 van 1982), die regulasies afgekondig by Goewermenskenisgewing R. 1900 van 31 Augustus 1984, ooreenkomstig die bygaande Bylae.

J. C. HEUNIS,

Minister van Staatkundige Ontwikkeling en Beplanning.

BYLAE

1. Regulasie 1 word hierby gewysig—

(a) deur die invoeging van die volgende omskrywing voor die omskrywing van "bevelvoerende offisier":

" 'bevelvoerder' 'n bevelvoerder kragtens regulasie 1A aangewys;";

(b) deur die invoeging van die volgende omskrywing na die omskrywing van "die Wet":

" 'dros' een of meer van die handelinge of versuime bedoel in regulasie 1E deur enige wetstoepassingsbeampte;";

(c) deur die invoeging van die volgende omskrywing na die omskrywing van "gebied":

" 'noodtoestand' enige situasie wat onmiddellike optrede verg maar nie 'n noodtoestand verklaar ingevolge veiligheidswetgewing nie;";

2. Die volgende regulasies word ingevoeg na regulasie 1:

"BEVELVOERDER

1A. (1) 'n Plaaslike owerheid moet in oorleg met die bevelvoerende offisier 'n bevelvoerder aanwys om bevel te voer oor sy wetstoepassingsbeamptes.

11—A

GOVERNMENT NOTICES

DEPARTMENT OF CONSTITUTIONAL DEVELOPMENT AND PLANNING

No. 1956

12 September 1986

LOCAL AUTHORITIES.—REGULATIONS REGULATING TO LAW ENFORCEMENT OFFICERS—AMENDMENT OF GOVERNMENT NOTICE R. 1900 OF 31 AUGUST 1984

I, Jan Christiaan Heunis, Minister of Constitutional Development and Planning, do hereby, under and by virtue of the powers vested in me by section 56 (1) of the Black Local Authorities Act, 1982 (Act 102 of 1982), amend the regulations promulgated by Government Notice R. 1900 of 31 August 1984, in accordance with the accompanying Schedule.

J. C. HEUNIS,

Minister of Constitutional Development and Planning.

SCHEDULE

1. Regulation 1 is hereby amended—

(a) by the insertion of the following definition after the definition of "area":

" 'commander' shall mean a commander designated in terms of regulation 1A;";

(b) by the insertion of the following definitions after the definition of "commanding officer":

" 'desertion' shall mean any one or more of the acts or omissions referred to in regulation 1E by any law enforcement officer;

" 'emergency' shall mean any situation which requires immediate action but not an emergency declared in terms of security legislation;";

2. The following regulations are hereby inserted after regulation 1:

"COMMANDER

1A. (1) A local authority shall in consultation with the commanding officer designate a commander to exercise command over its law enforcement officers.

10447—1

(2) 'n Bevelvoerder word aangewys uit die geledere van—

- (i) wetstoepassingsbeamptes;
- (ii) persone beskikbaar gestel aan die plaaslike owerheid kragtens artikel 35 van die Wet; of
- (iii) persone beskikbaar gestel aan die plaaslike owerheid kragtens artikel 14 van die Staatsdienswet, 1984 (Wet 111 van 1984).

(3) Gelees met regulasie 6 (1) (b), oefen 'n bevelvoerder bevel uit ooreenkomstig riglyne neergelê deur die plaaslike owerheid.

WERKSAAMHEDE EN PLIGTE VAN BEVELVOERDER EN WETSTOEPASSINGSBEAMPTES

1B. (1) Die bevelvoerder is aan die hoof- uitvoerende beampte verantwoordelik vir die doeltreffende verrigting van die werksaamhede van die wetstoepassingsbeamptes soos in artikel 34 van die Wet omskryf, die handhawing van dissipline, doeltreffende administrasie en die behoorlike gebruik en versorging van uitrusting en toebehore.

(2) 'n Wetstoepassingsbeampte moet sy werksaamhede op die plek verrig deur die bevelvoerder aangewys.

ORDERS EN VOORSKRIFTE

1C. (1) Die bevelvoerder kan in oorleg met die plaaslike owerheid sodanige orders en voorskrifte uitvaardig wat hy nodig en dienstig ag ten einde doeltreffende administrasie, beheer en dissipline van wetstoepassingsbeamptes te bewerkstellig.

(2) Orders en voorskrifte van 'n blywende aard word as 'Staande' uitgevaardig.

(3) Orders en voorskrifte uitgevaardig kragtens subregulasies (1) en (2), word gehoorsaam deur elke wetstoepassingsbeampte.

GEREGVERDIGE OPTREDE IN 'N OOMBLIK VAN NOODTOESTAND

1D. (1) Indien 'n noodtoestand ontstaan binne die gebied van 'n plaaslike owerheid kan die bevelvoerder, ondanks die bepalings van regulasie 1C, enige redelike maatregel tref en enige bevel gee wat hy redelikerwys noodsaaklik ag of 'n afwyking van hierdie regulasies magtig ten einde die toestand die hoof te bied: Met dien verstande dat sodanige maatregel, bevel of afwyking gerig moet wees op—

- (a) die beskerming van die eiendom van die plaaslike owerheid;
- (b) die bewaring van die veiligheid van die inwoners van die gebied van die plaaslike owerheid; en
- (c) die herstel van of die handhawing van wet en orde.

BESONDERE VORME VAN WANGEDRAG VAN WETSTOEPASSINGSBEAMPTES

1E. (1) Sonder om afbreuk te doen aan die bepalings van die regulasies afgekondig by Goewermmentskennisgewing R. 2568 van 25 November 1983, is 'n wetstoepassingsbeampte skuldig aan wangedrag en daar kan ooreenkomstig die bepalings van regulasie 13 of 13A van gemelde regulasies met hom gehandel word indien hy—

- (a) hetsy aan of van diens af, willens en wetens, 'n wapen, embleem, vaandel, kleure, saluut, groet, onderskeidende gebaar of teken, van watter aard ook al, of homself gedra op 'n wyse wat die onpartydigheid, aansien of agting van 'n wetstoepassingsbeampte of sy meerdere, wetstoepassingsbeamptes in die algemeen, of die plaaslike owerheid of enige lid, werknemer of departement daarvan, in 'n ongunstige lig of moontlik ongunstige lig mag stel;

(2) A commander shall be designated from the ranks of—

- (i) law enforcement officers;
- (ii) persons placed at the disposal of the local authority in terms of section 35 of the Act; or
- (iii) persons placed at the disposal of the local authority in terms of section 14 of the Public Services Act, 1984 (Act 111 of 1984).

(3) Read with regulation 6 (1) (b), a commander shall exercise command in conformity with guide-lines laid down by the local authority.

FUNCTIONS AND DUTIES OF COMMANDER AND LAW ENFORCEMENT OFFICERS

1B. (1) The commander shall be responsible to the chief executive officer for the efficient performance of the functions of the law enforcement officers as defined in section 34 of the Act, the maintenance of discipline, efficient administration and the proper use and care of equipment and requisites.

(2) A law enforcement officer shall exercise his functions at the place designated by the commander.

ORDERS AND INSTRUCTIONS

1C. (1) The commander may in consultation with the local authority issue such orders and instructions as he deems necessary and expedient in order to accomplish efficient administration, control and discipline of law enforcement officers.

(2) Orders and instructions of a permanent nature shall be issued as 'Standing'.

(3) Orders and instructions issued in terms of subregulations (1) and (2) shall be obeyed by every law enforcement officer.

JUSTIFIED ACTION IN A MOMENT OF EMERGENCY

1D. (1) If an emergency arises within the area of a local authority the commander may, notwithstanding the provisions of regulation 1C, take any reasonable measure and may give any order which he deems reasonably necessary or may authorise a departure from these regulations in order to overcome the emergency: Provided that such measure, order or departure shall be directed at—

- (a) the protection of the property of the local authority;
- (b) the preservation of the safety of the residents of the area of the local authority; and
- (c) the restoration of or the maintenance of law and order.

PARTICULAR FORMS OF MISCONDUCT OF LAW ENFORCEMENT OFFICERS

1E. (1) Without derogating from the provisions of the regulations promulgated by Government Notice R. 2568 of 25 November 1983, a law enforcement officer shall be guilty of misconduct and may be dealt with in accordance with the provisions of regulation 13 or 13A of the said regulations, if he—

- (a) whether on or off duty, knowingly and deliberately wears, exhibits or uses any badge, emblem, standard, colours, salute, greeting, distinctive gesture or device of any kind or behaves himself in a manner which adversely reflects upon or is likely to adversely reflect upon the impartiality, prestige or reputation of a law enforcement officer or his superior, law enforcement officers generally or the local authority or any member, employee or department thereof;

- (b) op enige wyse aktief die kandidatuur van 'n kandidaat vir verkiesing as 'n lid van die plaaslike bestuur bevorder behalwe deur sy stem uit te bring of sy werksaamhede en ampspilte in verband met 'n verkiesing uit te voer.
- (2) 'n Wetstoepassingsbeampte word, totdat hy die teen-deel bewys het, geag te gedros het indien hy—
- (a) weier of versuim om aan te hou met werk (hetsy die stopsetting volkome of gedeeltelik is) of om sy werk te hervat of om aan die bedinge of voorwaardes van diens wat op hom van toepassing is te voldoen of indien hy die vooruitgang van werk vertraag of belemmer; of
- (b) sy dienskontrak verbreek of beëindig het deurdat—
- (i) sodanige weiering, versuim, vertraging, belemmering, verbreking of beëindiging plaasvind na aanleiding van 'n samespanning, ooreenkoms of verstandhouding met enigiemand, hetsy uitgedruk of nie; en
- (ii) die doel van daardie weiering, versuim, vertraging, belemmering, verbreking of beëindiging is om die plaaslike owerheid by wie hy of enige ander persoon in diens is of was te beweeg of te dwing om—
- (aa) toe te stem tot of te voldoen aan enige eise of voorstelle in verband met bedinge of voorwaardes van diens of ander aangeleenthede wat gestel of gemaak is deur of namens hom of enige ander persoon wat in diens is of was; of
- (bb) na te laat om gevolg te gee aan enige voorname om bedinge of voorwaardes van diens te verander, of, as so 'n verandering aangebring is, die bedinge of voorwaardes te herstel tot wat hulle gewees het voor die verandering aangebring is.
- (3) Enige handeling, versuim of deelneming beoog in subregulasie (2) is *prima facie* bewys dat 'n wets-toepassingsbeampte gedros het."
3. Regulasie 6 word hierby gewysig deur die skraping van paragraaf (a) van subregulasie (2).
- (b) in any way actively promotes the candidature of a candidate for election as a member of the local authority beyond recording his vote or carrying out his functions and official duties in connection with an election.
- (2) A law enforcement officer shall be deemed, until he has proved the contrary, to have deserted if he—
- (a) refuses or fails to continue to work (whether the discontinuance is complete or partial) or to resume his work or to comply with the terms or conditions of employment applicable to him or retards or obstructs the progress of work;
- (b) has breached or terminated his contract of employment in that—
- (i) such refusal, failure, retardation, obstruction, breach or termination occurred in pursuance of any act of collusion, agreement or understanding with any person, whether expressed or not; and
- (ii) the purpose of that refusal, failure, retardation, obstruction, breach or termination is to induce or compel the local authority by which he or any other person is or has been employed to—
- (aa) agree to or comply with any demands or proposals concerning terms and conditions of service or other matters made by or on behalf of him or any other person who is or has been employed; or
- (bb) refrain from giving effect to any intention to change terms or conditions of service, or, if such a change has been made, to restore the terms or conditions to those which existed before the change was made.
- (3) Any act, omission or participation contemplated in subregulation (2) shall be *prima facie* proof that a law enforcement officer has deserted."
3. Regulation 6 is hereby amended by the deletion of paragraph (a) of subregulation (2).

No. 1957

12 September 1986

PERSONEELREGULASIES VIR SWART PLAASLIKE BESTURE.—WYSIGING VAN GOEWERMENSKENNISGEWING R. 2568 VAN 25 NOVEMBER 1983

Ek, Jan Christiaan Heunis, Minister van Staatkundige Ontwikkeling en Beplanning, wysig hierby, kragtens die bevoegdheid my verleen by artikel 56 (1) van die Wet op Swart Plaaslike Owerhede, 1982 (Wet 102 van 1982), die regulasies afgekondig by Goewermenskennisgewing R. 2568 van 25 November 1983, ooreenkomstig die bygaande Bylae.

J. C. HEUNIS,

Minister van Staatkundige Ontwikkeling en Beplanning.

BYLAE

1. Die volgende woordomsrywings word onderskeidelik na paragrawe (xv) en (xxxi) van regulasie 1 ingevoeg:

"(xvA) 'munisipale polisiebeampte' enige persoon kragtens artikel 34 van die Wet deur die plaaslike owerheid aangestel;"

No. 1957

12 September 1986

BLACK LOCAL AUTHORITIES STAFF REGULATIONS.—AMENDMENT OF GOVERNMENT NOTICE R. 2568 OF 25 NOVEMBER 1983

I, Jan Christiaan Heunis, Minister of Constitutional Development and Planning, do hereby, under the powers vested in me by section 56 (1) of the Black Local Authorities Act, 1982 (Act 102 of 1982), amend the regulations promulgated by Government Notice R. 2568 of 25 November 1983, in accordance with the accompanying Schedule.

J. C. HEUNIS,

Minister of Constitutional Development and Planning.

SCHEDULE

1. The following definitions are inserted in regulation 1 after paragraphs (xx) and (xxiv) respectively:

"(xxA) 'municipal police officer' shall mean any person appointed by the local authority under section 34 of the Act;"

“(xxxIA) ‘voorsittende beampte’ die persoon kragtens regulasie 13A (1) aangewys uit die geledere van die senior werknemers van die plaaslike owerheid of persone kragtens artikel 35 (2) van die Wet of artikel 14 van die Staatsdienswet, 1984 (Wet 111 van 1984), aan sodanige plaaslike owerheid afgestaan;”

2. Die volgende subregulasie word ingevoeg na subregulasie (r) van regulasie 12 (1):

“(s) met iemand anders saamsweer om ’n staking, oproer of opstand te veroorsaak, of indien hy ’n staking, oproer of opstand begin, daarby aansluit of iemand daartoe aanhits, of indien hy, terwyl ’n staking, oproer of opstand in sy teenwoordigheid plaasvind, versuim om alles in sy vermoë te doen om dit te onderdruk, of indien hy, terwyl hy weet of vermoed dat iemand anders by ’n sameswering tot staking, oproer of opstand betrokke is of daarby aangesluit het, in gebreke bly om sonder versuim al die feite waarvan hy kennis dra aan sy departementshoof te rapporteer.”

3. Die volgende subregulasie word ingevoeg na regulasie 12 (3):

“(4) Sonder om afbreuk te doen aan die ander bepalings van hierdie regulasie is ’n munisipale polisiebeampte skuldig aan wangedrag en kan daar ooreenkomstig die bepalings van regulasie 13 of 13A met hom gehandel word, indien hy—

- (a) met iemand anders saamsweer om muitery te pleeg of om ’n muitery, staking, oproer of opstand te veroorsaak, of indien hy ’n muitery, staking, oproer of opstand begin, daarby aansluit of iemand daartoe aanhits, of indien hy, terwyl ’n muitery, staking, oproer of opstand in sy teenwoordigheid plaasvind, versuim om alles in sy vermoë te doen om dit te onderdruk, of indien hy, terwyl hy weet of vermoed dat iemand anders by ’n sameswering tot muitery, staking, oproer of opstand betrokke is of daarby aangesluit het, in gebreke bly om sonder versuim al die feite waarvan hy kennis dra aan sy departementshoof te rapporteer;
- (b) sy meerdere aanrand, hom met geweld dreig, dreigende of beledigende taal teenoor hom besig, homself met woord of daad teen hom verset of ’n minagende, weerspannige of parmantige houding teenoor hom aanneem;
- (c) ’n valse aantying van onbetaamlike handelwyse of wangedrag teen ’n meerdere maak;
- (d) ’n ondergeskikte op ’n tirannieke of onderdrukkende wyse behandel;
- (e) welwetende ’n valse beskuldiging teen enige ander munisipale polisiebeampte maak of tydens ’n ondersoek, verhoor of navraag ’n valse verklaring aflê of opsetlik tersaaklike feite verswyg of verberg;
- (f) versuim om sonder ’n geldige en afdoende rede vir diens aan te meld op ’n bepaalde tyd en plek of enige ander plek deur sy meerdere aangewys;
- (g) strydig met die bevele of voorskrifte van sy meerdere van diens gaan voordat hy afgelos is of sonder dat hy vooraf toestemming van sy meerdere verkry het;
- (h) strydig met die bevele of voorskrifte van ’n meerdere, van sy kwartiere of woning afwesig is sonder verlof of ’n ander geldige rede;
- (i) malinge of veins of voorgee dat hy siek, kranklik, ongesteld of beseer is of aan pyn ly;

“(xxivA) ‘presiding officer’ shall mean the person appointed under regulation 13A (1) from the ranks of the senior employees of the local authority or persons seconded under section 35 (2) of the Act or section 14 of the Public Service Act, 1984 (Act 111 of 1984), to such local authority;”

2. The following subregulation is inserted after subregulation (r) of regulation 12 (1):

“(s) conspires with any other person to commit or to cause a strike, riot or revolt or if he starts, or joins in any strike, riot or revolt or incites any person to do so or if he, while a strike, riot or revolt, takes place in his presence, fails to do his utmost to suppress it, or if he, while knowing or suspecting any other person to be involved in any conspiracy to cause a strike, riot or revolt or to have joined in it, fails to report all the facts which he knows without delay to his departmental head.”

3. The following subregulation is inserted after regulation 12 (3):

“(4) Without derogating from the other provisions of this regulation a municipal police officer shall be guilty of misconduct and may be dealt with in accordance with the provisions of regulation 13 or 13A if he—

- (a) conspires with any other person to commit mutiny or to cause a mutiny, strike, riot or revolt or if he starts, or joins in any mutiny, strike, riot or revolt or incites any person to do so or if he, while a mutiny, strike, riot or revolt, takes place in his presence, fails to do his utmost to suppress it, or if he, while knowing or suspecting any other person to be involved in any conspiracy to cause a mutiny, strike, riot or revolt or to have joined in it, fails to report all the facts which he knows without delay to his departmental head;
- (b) assaults his superior, threatens him with violence, uses threatening or insulting language towards him, resists him by word or action or adopts towards him a disdainful, recalcitrant or insolent attitude;
- (c) falsely imputes improper demeanour or misconduct to a superior;
- (d) treats an inferior in a tyrannical or oppressive manner;
- (e) knowingly makes a false accusation against any other municipal police officer or during an investigation, trial or inquiry makes a false statement or wilfully suppresses or conceals material facts;
- (f) fails without good and sufficient cause, to report for duty at a stipulated time and place or any other place appointed by his superior;
- (g) contrary to any orders or instructions by his superior goes off duty before being relieved or without having first obtained permission from his superior;
- (h) contrary to any orders or instructions by a superior absents himself from his quarters or dwelling without leave or other valid cause;
- (i) malingers or feigns or pretends to be ill, infirm, indisposed, injured or suffering from pain;

- (j) vrystelling van diens verkry of poog om dit te verkry deur 'n valse of oordrewe verskoning op grond van siekte, krankheid, ongesteldheid, besering of pyn aan te voer;
- (k) opsetlik 'n siekte, krankheid, ongesteldheid, besering of pyn veroorsaak of homself of enige ander munisipale polisiebeampte opsetlik vermink of beseer, hetsy op versoek van so 'n beampte of nie, of homself opsetlik deur iemand anders laat vermink of beseer met die bedoeling om homself daardeur ongeskik vir diens of vir die verrigting van sy werksaamhede te maak;
- (l) aan diens slaap;
- (m) versuim om sy uitrusting netjies in voorkoms te hou;
- (n) 'n gevangene of ander persoon wat in sy bewaring of in hegtenis is, sonder behoorlike magtiging vrylaat of opsetlik of nalatiglik toelaat dat hy ontsnap;
- (o) onnodige geweld gebruik teenoor 'n gevangene of 'n ander persoon wat in sy bewaring of in hegtenis is of hom op 'n ander manier mishandel;
- (p) in die uitvoering van sy werksaamhede growwe onbeleefdheid teenoor enigiemand openbaar;
- (q) met die opset om iemand te bedrieg, te bevoordeel of te benadeel 'n verslag, opgawe, register, boek, aantekening, vorm, vordering, brief of enige ander dokument met betrekking tot sy werksaamhede of pligte, onderdruk, verberg, weerhou, skend, verander, vernietig, wegdoen, iets daarin uitwis, of 'n ander valse, misleidende, onvolledige of onnaukeurige verklaring, aantekening of inskrywing daarin maak, laat maak, toelaat of oogluikend toelaat dat dit gemaak word;
- (r) nadat hy behoorlik gewaarsku of aangesê is om op 'n bepaalde tyd en plek as 'n beskuldigde, verweerder of getuie aanwesig te wees by 'n verhoor, raad van ondersoek, of enige ander ondersoek, hetsy uit hoofde van sy werksaamhede en pligte al dan nie, sonder grondige rede versuim om op die tyd en plek aldus bepaal, aanwesig te wees of, indien hy aanwesig is, weier om 'n eed af te lê of 'n plegtige bevestiging te maak of om 'n vraag te beantwoord wat regtens aan hom gestel mag word of om 'n dokument of saak voor te lê wat in sy besit of onder sy beheer is;
- (s) hom op onbehoorlik wyse gedra of op 'n wyse wat nie vir 'n munisipale polisiebeampte betaamlik is nie; of
- (t) hom op 'n wyse gedra of 'n daad begaan of versuim om enigiets te doen, of dit in hierdie regulasies omskryf word al dan nie, welke gedrag, daad of versuim tot nadeel van die goeie orde, doeltreffende administrasie, beheer of dissipline van die munisipale polisie-afdeling strek of mag strek."

4. Die volgende regulasie word na regulasie 13 ingevoeg:

"ALTERNATIEWE PROSEDURE IN GEVALLE VAN WANGEDRAG VAN MUNISIPALE POLISIEBEAMPTES

13A. (1) Indien, na die mening van die departementshoof onder wie 'n munisipale polisiebeampte werksaam is, redelike gronde bestaan om te vermoed dat sodanige beampte skuldig is aan wangedrag van 'n aard in regulasie 12 bedoel

- (j) obtains or attempts to obtain exemption from duty by advancing a false or exaggerated excuse on the grounds of illness, infirmity, indisposition, injury or pain;
- (k) wilfully causes illness, infirmity, indisposition, injury or pain to or wilfully maims or injures himself or any other municipal police officer whether at the request of such other officer or not, or wilfully causes himself to be maimed or injured by any other person with the intention of rendering himself unfit for duty or the performance of his functions;
- (l) sleeps on duty;
- (m) fails to keep his equipment tidy in appearance;
- (n) without proper authority releases a prisoner or other person who is in his custody or under arrest or wilfully or negligently allows him to escape;
- (o) uses unnecessary violence against a prisoner or other person in custody or under arrest or otherwise ill-treats him;
- (p) in the performance of his functions, displays gross discourtesy towards any person;
- (q) with intent to deceive, benefit or prejudice any person, suppresses, conceals, withholds, defaces, alters, destroys or does away with any report, return, register, book, record, form, claim, letter or any other document in relation to his functions or duties, obliterates anything therein or makes, causes or allows to be made or connives at the making of any false, misleading, incomplete or inaccurate statement, record or entry therein;
- (r) after having been duly warned or ordered to be present at an appointed time and place as an accused, defendant or witness at a trial, board of inquiry or any other investigation, whether or not by virtue of his functions and duties, fails without just cause to be present at the time and place so appointed or, being present, refuses to be sworn or to make a solemn affirmation or to answer any question which may be lawfully put to him or to produce any document or thing in his possession or under his control;
- (s) conducts himself in an improper manner or in a manner not becoming a municipal police officer; or
- (t) conducts himself in any manner or commits any act or omits to do anything, whether or not defined in these regulations, which is or may be prejudicial to the good order, efficient administration, control or discipline of the municipal police section."

4. The following regulation is inserted after regulation 13:

"ALTERNATIVE PROCEDURE IN CASES OF MISCONDUCT OF MUNICIPAL POLICE OFFICERS

13A. (1) If, in the opinion of the departmental head under whom a municipal police officer is employed, reasonable grounds exist for suspecting that such officer is guilty of misconduct of a nature referred to in regulation 12 and

en wat na die mening van die departementshoof by veroordeling nie 'n vonnis van meer as R150 sal regverdig of stappe kragtens regulasie 13 (25) (d) of (e) sal noodsaak nie, kan sodanige departementshoof, ondanks andersluidende bepalings van hierdie regulasies, 'n voorsittende beampte aanwys om ondersoek in te stel na sodanige vermoede.

(2) (a) 'n Aanklag van wangedrag kragtens hierdie regulasie bevat 'n aanseggings of gaan vergesel van 'n aanseggings waarby die munisipale polisiebeampte aangesê word om, binne 'n tydperk in sodanige aanseggings vermeld, welke tydperk nie minder as een dag moet wees nie, 'n skriftelike erkenning of ontkenning van die aanklag te stuur aan of af te lewer by sy departementshoof en, indien sodanige munisipale polisiebeampte dit verlang, ook 'n skriftelike verklaring van die wangedrag waarvan hy aangekla word.

(b) 'n Aanklag van wangedrag bevat ook 'n aanseggings of gaan ook vergesel van 'n aanseggings waarby die betrokke munisipale polisiebeampte gelas word om op 'n bepaalde tyd, datum en plek te verskyn vir doeleindes van die ondersoek.

(c) Die departementshoof laat die aanklag op die betrokke munisipale polisiebeampte beteken deur 'n werknemer gelyk aan of hoër in rang as dié van die beampte wat aangekla staan te word.

(3) Die voorsittende beampte stel 'n werknemer of 'n beampte, kragtens artikel 35 (2) van die Wet of artikel 14 van die Staatsdienswet, 1984 (Wet 111 van 1984), afgegaan, aan wat gelyk aan of hoër in rang is as die betrokke munisipale polisiebeampte, om by die ondersoek teenwoordig te wees en om getuienis en argumente ter stawing van die bewerings in subregulasie (2) bedoel, aan te voer en om enige persoon wat getuienis afgelê het om daardie bewerings te weerlê, in kruisondervraging te neem.

(4) Indien die betrokke munisipale polisiebeampte die aanklag erken, kan hy summier voor die voorsittende beampte gebring word wat die pleit van skuldig en die getuienis van die wangedrag moet aanteken en, nadat hy kennis geneem het van die aard van die beweerde wangedrag, die betrokke beampte of waarsku of berispe of vonnis tot 'n boete van hoogstens R150.

(5) (a) Indien die munisipale polisiebeampte die aanklag ontken, moet die voorsittende beampte die pleit van onskuldig en die getuienis wat tydens sodanige ondersoek gelei is, aanteken.

(b) Indien die voorsittende beampte aan die einde van die ondersoek die munisipale polisiebeampte skuldig bevind aan die wangedrag moet hy die munisipale polisiebeampte of waarsku of berispe of vonnis tot 'n boete van hoogstens R150.

(6) Die voorsittende beampte moet die oorkonde van die ondersoek gehou kragtens subregulasie (4) of (5) aan die einde van die ondersoek aan die departementshoof voorlê.

(7) (a) By ontvangs van die oorkonde van die ondersoek bedoel in subregulasie (6) moet die departementshoof onverwyld die uitslag van die ondersoek by die plaaslike owerheid aanmeld.

(b) Die departementshoof moet in sodanige verslag die volle naam van die munisipale polisiebeampte, die klag, die feite wat daartoe aanleiding gegee het, die getuienis afneem, die vonnis opgelê en sodanige beampte se vorige veroordelings ingevolge hierdie regulasies, indien enige, verstrek.

(c) Die plaaslike owerheid oorweeg genoemde verslag en ander dokumente, en daarna moet sodanige plaaslike owerheid die bevinding in sy geheel of gedeeltelik bevestig of tersyde stel of wysig en die vonnis bekragtig of wysig, en kan hy, voordat hy tot 'n finale beslissing geraak, enige

which in the opinion of the departmental head, will upon conviction not merit a fine in excess of R150 or necessitate action under regulation 13 (25) (d) or (e), such departmental head may, notwithstanding anything to the contrary contained in these regulations, appoint a presiding officer to investigate such suspicion.

(2) (a) A charge of misconduct under this regulation shall contain or shall be accompanied by a direction calling upon the municipal police officer concerned to transmit or deliver, within a period specified in such direction, which period shall not be less than one day, to his departmental head a written admission or denial of the charge and, if such municipal police officer so desires, a written explanation of the misconduct with which he is charged.

(b) A charge of misconduct shall also contain or shall also be accompanied by a direction calling upon the municipal police officer concerned to appear at a given time, date and place for the purposes of the investigation.

(c) The departmental head shall cause the charge to be served upon the municipal police officer concerned by an employee equal or senior in rank to that of the officer who is to be charged.

(3) The presiding officer shall appoint an employee or an officer seconded under section 35 (2) of the Act or section 14 of the Public Service Act, 1984 (Act 111 of 1984), equal or senior in rank to the municipal police officer concerned, to attend the investigation and to adduce evidence and arguments in support of the allegations referred to in subregulation (2) and to cross-examine any person who has given evidence to refute such allegations.

(4) If the municipal police officer concerned has admitted the charge he may summarily be brought before the presiding officer who shall record the plea of guilty and the evidence of the misconduct and, after having taken cognisance of the nature of the alleged misconduct, either caution or reprimand the officer concerned or sentence him to a fine not exceeding R150.

(5) (a) If the municipal police officer concerned has denied the charge the presiding officer shall record the plea of not guilty and the evidence adduced at such investigation.

(b) If at the end of the investigation the presiding officer finds the municipal police officer guilty of the misconduct he shall either caution or reprimand the municipal police officer concerned or sentence him to a fine not exceeding R150.

(6) The presiding officer shall at the conclusion of the investigation under subregulation (4) or (5) submit the record of the investigation to the departmental head.

(7) (a) The departmental head shall, upon receipt of the record of the investigation referred to in subregulation (6), forthwith report the result of the investigation to the local authority.

(b) The departmental head shall in such report state in full the names of the municipal police officer, the charge, the facts which gave rise thereto, the evidence recorded, the sentence imposed and such officer's previous convictions under these regulations, if any.

(c) The local authority shall consider the said report and other documents, and thereafter such local authority shall uphold, wholly or in part, or set aside or alter the finding and shall confirm or alter the sentence and may, before arriving at a final decision, remit any question in connection

vraag in verband met die ondersoek na die voorsittende beampte terugverwys en die voorsittende beampte gelas om daarvoor verslag te doen en by ontvangs van sodanige verslag die bevinding in sy geheel of gedeeltelik bevestig of tersyde stel of wysig en die vonnis bekragtig of wysig of gelas dat die aanklag van wangedrag kragtens regulasie 13 van nuuts af ondersoek word."

with the investigation to the presiding officer and direct the presiding officer to report thereon and on receipt of such report uphold, wholly or in part, or set aside or alter the finding and confirm or alter the sentence or direct that the charge of misconduct be investigated afresh in terms of regulation 13."

BOTHALIA

Bothalia is 'n medium vir die publikasie van plantkundige artikels oor die flora en plantegroei van Suidelike Afrika. Een of twee dele van die tydskrif word jaarliks gepubliseer.

Die volgende dele is beskikbaar:

Vol. 3 Deel	1 Uit druk 2 1937 75c 3 1938 75c 4 1939 75c	Vol. 9 Deel	1 1966 R3,00 2 1967 R3,00 3 & 4 1969 R6,00
Vol. 4 Deel	1 1941 75c 2 1942 75c 3 1948 75c 4 1948 75c	Vol. 10 Deel	1 1969 R3,00 2 1971 R3,00 3 1971 R3,00 4 1972 R3,00
Vol. 5	1950 R3,00	Vol. 11 No.	1 & 2 1973 R6,00 3 1974 R3,00 4 1975 R3,00
Vol. 6 Deel	1 1951 R1,50 2 1954 R2,50 3 1956 R2,00 4 1957 R2,00	Vol. 12 No.	1 1976 R5,00 2 1977 R5,00 3 1978 R7,50 4 1979 R7,50
Vol. 7 Deel	1 1958 R2,00 2 1960 R3,00 3 1961 R3,00 4 1962 R3,00	Vol. 13 No.	1 & 2 1980 R15,00 3 & 4 1981 R15,00
Vol. 8 Deel	1 1962 R3,00 2 1964 R3,00 3 1965 R3,00 4 1965 R3,00	Vol. 14 No.	1 1982 R7,50 2 1983 R7,50 3 & 4 1983 R30,00
Byvoegsel		Vol. 15 No.	1 & 2 1984 R15,00

Verkrygbaar van die Direkteur, Afdeling Landbouinligting, Privaatsak X144, Pretoria.

Verkoopbelasting moet by alle binnelandse bestellings ingesluit word.

BOTHALIA

Bothalia is a medium for the publication of botanical papers dealing with the flora and vegetation of Southern Africa. One or two parts of the journal are published annually.

The following parts are available:

Vol. 3 Part	1 Out of print 2 1937 75c 3 1938 75c 4 1939 75c	Vol. 9 Part	1 1966 R3,00 2 1967 R3,00 3 & 4 1969 R6,00
Vol. 4 Part	1 1941 75c 2 1942 75c 3 1948 75c 4 1948 75c	Vol. 10 Part	1 1969 R3,00 2 1971 R3,00 3 1971 R3,00 4 1972 R3,00
Vol. 5	1950 R3,00	Vol. 11 No.	1 & 2 1973 R6,00 3 1974 R3,00 4 1975 R3,00
Vol. 6 Part	1 1951 R1,50 2 1954 R2,50 3 1956 R2,00 4 1957 R2,00	Vol. 12 No.	1 1976 R5,00 2 1977 R5,00 3 1978 R7,50 4 1979 R7,50
Vol. 7 Part	1 1958 R2,00 2 1960 R3,00 3 1961 R3,00 4 1962 R3,00	Vol. 13 No.	1 & 2 1980 R15,00 3 & 4 1981 R15,00
Vol. 8 Part	1 1962 R3,00 2 1964 R3,00 3 1965 R3,00 4 1965 R3,00	Vol. 14 No.	1 1982 R7,50 2 1983 R7,50 3 & 4 1983 R30,00
Supplement		Vol. 15 No.	1 & 2 1984 R15,00

Obtainable from the Director, Division of Agricultural Information, Private Bag X144, Pretoria.

Sales tax must accompany all inland orders.

Werk mooi daarmee.

Ons leef  daarvan.

water is kosbaar

Use it.

Don't abuse  it.

water is for everybody

INHOUD			CONTENTS		
No.		Bladsy No.	No.		Page No. Gazette No.
GOEWERMENSKENNISGEWINGS			GOVERNMENT NOTICES		
Staatkundige Ontwikkeling en Beplanning, Departement van <i>Goewermenskennisgewings</i>			Constitutional Development and Planning, Department of <i>Government Notices</i>		
1956	Wet op Swart Plaaslike Owerhede (102/1982): Plaaslike besture: Regulasies betreffende Wetstoepassingsbeamptes: Wysiging van Goewermenskennisgewing R. 1900 van 31 Augustus 1984.....	1 10447	1956	Black Local Authorities Act (102/1982): Local authorities: Regulations relating to Law Enforcement Officers: Amendment of Government Notice R. 1900 of 31 August 1984	1 10447
1957	do.: Personeelregulasies vir Swart Plaaslike Besture: Wysiging van Goewermenskennisgewing R. 2568 van 25 November 1983.....	3 10447	1957	do.: Black Local Authorities Staff Regulations: Amendment of Government Notice R. 2568 of 25 November 1983	3 10447