

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

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PRETORIA, 21 JANUARY 1999  
JANUARIE 1999

**No. 19697**

## **PROCLAMATION**

*by the*

*President of the Republic of South Africa*

**No. R. 6, 1999**

### **PREVENTION OF ORGANISED CRIME ACT, 1998 (ACT NO. 121 OF 1998)**

Under of section 81 of the Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998), I hereby fix **21 January 1999** 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 Pretoria this 20th day of January One thousand Nine hundred and Ninety-nine.

**N. R. MANDELA**  
**President.**

**By Order of the President-in-Cabinet:**

**A. M. OMAR**  
**Minister of the Cabinet.**

**PROKLAMASIE**  
*van die*  
**President van die Republiek van Suid-Afrika**

No. R. 6, 1999

**WET OP DIE VOORKOMING VAN GEORGANISEERDE MISDAAD, 1998**

**(WET No. 121 VAN 1998)**

Kragtens artikel 81 van die Wet op die Voorkoming van Georganiseerde Misdaad, 1998 (Wet No. 121 van 1998), bepaal ek hierby **21 Januarie 1999** as die datum waarop genoemde Wet in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die 20ste dag van Januarie Eenduisend Negehonderd Nege-en-negentig.

**N. R. MANDELA**

**President.**

**Op las van die President-in-Kabinet:**

**A. M. OMAR**

**Minister van die Kabinet.**

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## GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

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### DEPARTMENT OF JUSTICE DEPARTEMENT VAN JUSTISIE

No. R. 86

21 January 1999

#### PREVENTION OF ORGANISED CRIME ACT, 1998 (ACT NO. 121 OF 1998)

#### PREVENTION OF ORGANISED CRIME REGULATIONS

The Minister of Justice has, under section 77 of the Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998), made the regulations in the Schedule.

#### SCHEDULE

##### Definitions

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

"designated person" means the person referred to in regulation 2 and includes, for the purposes of regulations 3(2) and 4, any official of the subcomponent of that person; and

"the Act" means the Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998).

**Person to whom suspicion regarding proceeds of unlawful activities to be reported**

2. The Commander of the Subcomponent: Commercial Crime Investigations of the South African Police Service is hereby designated for the purposes of section 7 of the Act.

**Nature of information and manner in which it is to be reported**

3. (1) A report contemplated in section 7 of the Act shall be made in writing and shall -

- (a) substantially correspond to Form 1 of the Annexure;
- (b) contain full particulars of -
  - (i) the person making the report;
  - (ii) the person against whom the suspicion has been formed, in so far as such particulars are available;
  - (iii) the transaction or other action whereby the property concerned has come into the possession of the person making the report;
  - (iv) the property concerned;
- (c) set out the grounds on which the suspicion rests;
- (d) indicate what documentary or other proof is available in respect of the transaction or other action referred to in paragraph (b)(iii), and of the

grounds mentioned in paragraph (c); and

(e) be accompanied by copies of documentation directly relevant to the suspicion and the grounds on which it rests.

(2) The report shall be handed or faxed to the designated person.

#### **Acknowledgement of receipt of report**

4. The designated person shall, on receipt of a report, forthwith acknowledge receipt thereof to the person who has made it, on a form substantially corresponding to Form 2 of the Annexure, and shall affix the stamp of his or her office thereto.

#### **Title**

5. These regulations shall be called the **Prevention of Organised Crime Regulations, 1999**, and shall come into operation on 21 January 1999.

**ANNEXURE**

**FORM 1**

**REPORT IN TERMS OF SECTION 7 OF THE PREVENTION OF  
ORGANISED CRIME ACT, 1998 (ACT NO. 121 OF 1998)**

**TO: THE COMMANDER: COMMERCIAL CRIME INVESTIGATIONS OF THE  
SOUTH AFRICAN POLICE SERVICE**

I, .....

(Name)

.....

.....

.....

(Contact address, telephone number and fax number)

.....  
.....  
.....  
(Business/employment address, telephone number and fax number)

in my capacity as .....

of ....., hereby

report as follows:

**(a) Particulars of the person against whom the suspicion has been formed**

Full names: .....

Identity/passport number: .....

Nationality: .....

Occupation: .....

Residential address in the Republic: .....

.....

Business/employment address: .....

.....

Telephone numbers: (i) work: .....

(ii) home: .....

- (b) **Particulars of the transaction or other action whereby the property concerned came into my possession (including date and place thereof)**

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- (c) **Particulars of the property in respect of which the suspicion has been formed**

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**(d) Grounds on which the suspicion rests**

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**(e) List of documentation and other proof available in respect of the transaction or other action (paragraph (b)), and grounds (paragraph (d))**

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- (f) **Copies of the following documentation, directly relevant to the suspicion and the grounds on which it rests, are attached:**

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Signed at ..... this ..... day of .....

.....  
(Signature of person making the report)

**FORM 2****ACKNOWLEDGEMENT OF RECEIPT IN TERMS OF REGULATION 4 OF  
THE PREVENTION OF ORGANISED CRIME REGULATIONS, 1999**

I, .....,  
being the/acting as .....,  
designated as contemplated in regulation 2 of the Prevention of Organised Crime  
Regulations, 1999, hereby acknowledge receipt of the following report(s)

.....  
.....  
made in terms of section 7 of the Prevention of Organised Crime Act, 1998 (Act No. 121  
of 1998), by ..... in his/her capacity as  
..... of ..... on .....

I also acknowledge receipt of copies of the following documentation which accompanied  
the report(s) : .....

.....  
.....  
.....

Signed at ..... this..... day of .....

.....  
(Signature of designated person)

No. R. 86

21 Januarie 1999

**WET OP DIE VOORKOMING VAN GEORGANISEERDE MISDAAD, 1998  
(WET NO. 121 VAN 1998)**

**REGULASIES INSAKE DIE VOORKOMING VAN GEORGANISEERDE  
MISDAAD**

Die Minister van Justisie het kragtens artikel 77 van die Wet op die Voorkoming van Georganiseerde Misdad, 1998 (Wet No. 121 van 1998), die regulasies in die Bylae uitgevaardig.

**BYLAE**

**Woordomskrywing**

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

"aangewese persoon" die persoon in regulasie 2 bedoel en sluit dit, vir doeleindes van regulasies 3(2) en 4, 'n beampte van die subkomponent van daardie persoon in; en

"die Wet" die Wet op die Voorkoming van Georganiseerde Misdad, 1998 (Wet No. 121 van 1998).

**Persoon by wie verdenking betreffende die opbrengs van onregmatige aktiwiteite aangemeld moet word**

2. Die Bevelvoerder van die Subkomponent: Handelsmisdadondersoeke van die Suid-Afrikaanse Polisie diens word hierby vir die doeleindes van artikel 7 van die Wet aangewys.

**Aard van inligting en wyse waarop dit aangemeld word**

3. (1) 'n Aanmelding beoog in artikel 7 van die Wet word skriftelik gemaak en -

(a) stem wesenlik ooreen met Vorm 1 van die Aanhangsel;

(b) bevat volle besonderhede van -

(i) die persoon wat die aanmelding maak;

(ii) die persoon teen wie die suspisie gevorm is, in sover sodanige besonderhede beskikbaar is;

(iii) die transaksie of ander handeling waardeur die betrokke eiendom in die besit van die persoon wat die aanmelding maak, gekom het;

(iv) die betrokke eiendom;

(c) sit die gronde uiteen waarop die suspisie berus;

- (d) dui aan welke dokumentêre of ander bewys beskikbaar is ten opsigte van die transaksie of ander handeling vermeld in paragraaf (b)(iii) en van die gronde vermeld in paragraaf (c); en
  - (e) gaan vergesel van afskrifte van dokumentasie wat direk verband hou met die suspisie en die gronde waarop dit berus.
- (2) Die aanmelding word aan die aangewese persoon oorhandig of gefaks.

#### **Erkenning van ontvangs van aanmelding**

4. By ontvangs van 'n aanmelding erken die aangewese persoon onverwyld ontvangs daarvan aan die persoon wat dit gemaak het, op 'n vorm wat wesenlik ooreenstem met Vorm 2 van die Aanhangsel en bring die stempel van sy of haar kantoor daarop aan.

#### **Titel**

5. Hierdie regulasies heet die **Regulasies insake die Voorkoming van Georganiseerde Misdaad, 1999**, en tree in werking op 21 Januarie 1999.

**AANHANGSEL****VORM 1****AANMELDING INGEVOLGE ARTIKEL 7 VAN DIE WET OP DIE  
VOORKOMING VAN GEORGANISEERDE MISDAAD, 1998 (WET NO. 121  
VAN 1998)**

**AAN: DIE BEVELVOERDER: HANDELSMISDAADONDERSOEKE VAN DIE  
SUID-AFRIKAANSE POLISIEDIENS**

Ek, .....

(Naam)

.....

.....

.....

(Kontakadres, telefoonnommer en faksnommer)

.....  
.....  
.....  
(Besigheids-/werkadres, telefoonnommer en faksnommer)

in my hoedanigheid as .....

van ....., meld

hierby as volg aan:

(a) **Besonderhede van die persoon teen wie die suspisie gevorm is**

Volle name: .....

Identiteits-/paspoortnommer: .....

Nasionaliteit: .....

Beroep: .....

Woonadres binne die Republiek: .....

.....

Besigheids-/werkadres: .....

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**(d) Gronde waarop die suspisie berus**

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**(e) Lys van dokumentasie en ander bewys beskikbaar ten opsigte van die transaksie of ander handeling (paragraaf (b)), en gronde (paragraaf (d))**

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- (f) **Afskrifte van die volgende dokumentasie, wat direk verband hou met die suspisie en die gronde waarop dit berus is, aangeheg:**

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Geteken te ..... op hede die ..... dag van

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.....  
(Handtekening van persoon wat aanmelding maak)

## VORM 2

**ERKENNING VAN ONTVANGS INGEVOLGE REGULASIE 4 VAN DIE  
REGULASIES INSAKE DIE VOORKOMING VAN GEORGANISEERDE  
MISDAAD, 1999**

Ek, ....., synde  
die/handelende as .....,  
aangewys soos bedoel in regulasie 2 van die Regulasies insake die Voorkoming van  
Georganiseerde Misdaad, 1999, erken hierby ontvangs van die volgende aanmelding(s)  
.....  
.....  
gemaak ingevolge artikel 7 van die Wet op die Voorkoming van Georganiseerde  
Misdaad, 1998 (Wet No. 121 van 1998), deur ..... in  
sy/haar hoedanigheid as ..... van .....  
op.....

Ek erken ook ontvangs van afskrifte van die volgende dokumentasie wat die  
aanmelding(s) vergesel het : .....

.....  
.....  
.....

Geteken te ..... op hede die ..... dag van .....

.....  
(Handtekening van aangewese persoon)



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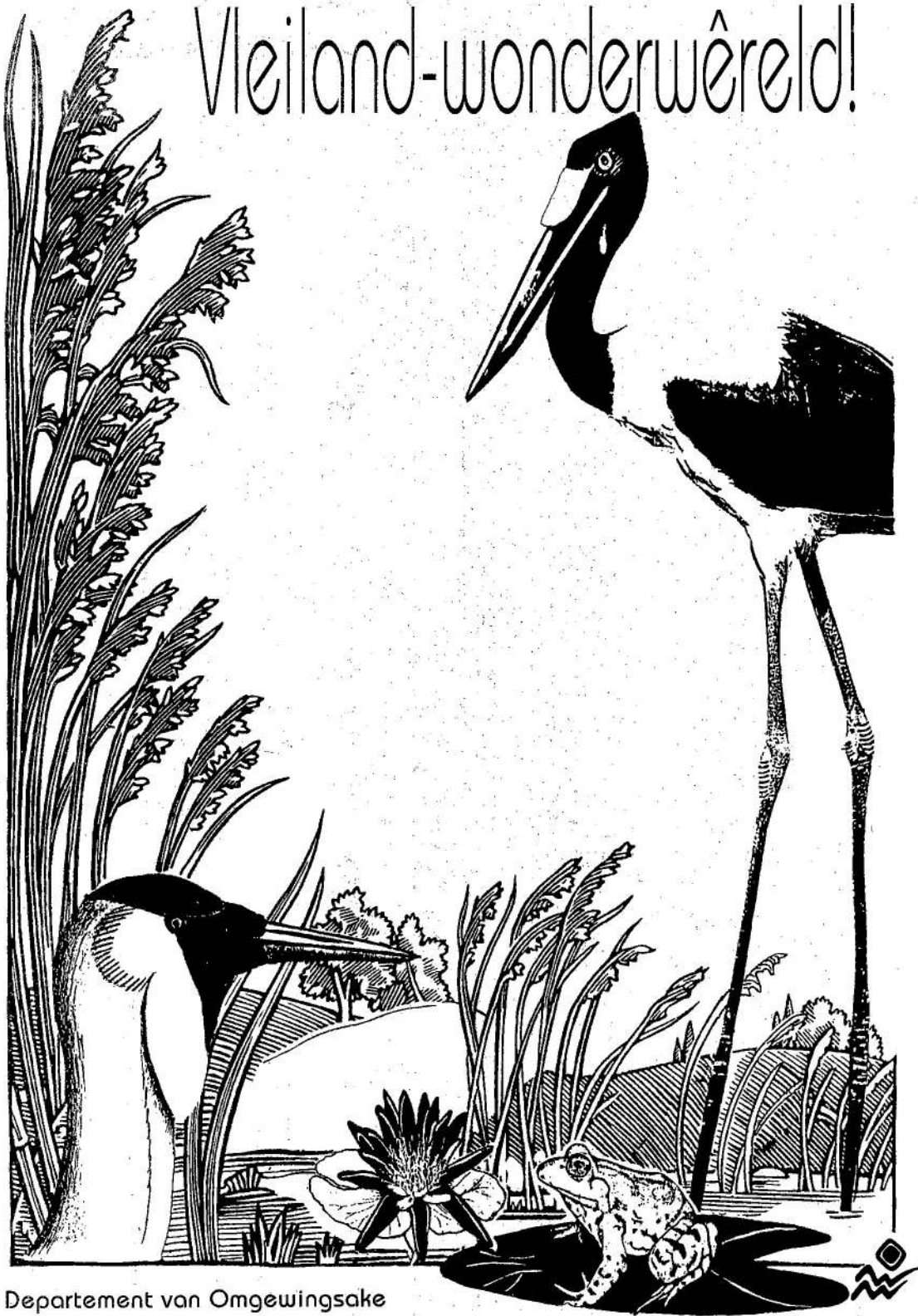
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Departement van Omgewingsake

LIVE IN HARMONY WITH NATURE



THE WEATHER BUREAU: DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

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