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GOEWERMENSKENNISGEWING

MINISTERIE VAN WET EN ORDE

No. R. 829 **25 April 1994**

POLISIEWET, 1958
(WET No. 7 VAN 1958)

WYSIGING VAN REGULASIES UITGEVAARDIG
KRAGTENS ARTIKEL 33 VAN DIE POLISIEWET,
1958

Kragtens artikel 33 van die Polisiewet, 1958 (Wet
No. 7 van 1958), vaardig ek, Hermanus Jacobus Kriel,
Minister van Wet en Orde, hierby die regulasies in die
Bylae uit.

H. J. KRIEL,
Minister van Wet en Orde.

BYLAE

Woordbepaling

1. In hierdie regulasies beteken "die Regulasies"
die Regulasies vir die Suid-Afrikaanse Polisie, gepubli-
seer by Goewermentskennisgewing No. 719 van 14
Februarie 1964, soos gewysig.

Invoeging van regulasie 67A

2. Die Regulasies word hierby gewysig deur die vol-
gende regulasie na regulasie 67 van die Regulasies in
te voeg:

"Oorplasing van lede van Munisipale Polisie- eenhede

67A. (1) Die Kommissaris kan, behoudens die
bepalings van hierdie Regulasies en
hierdie regulasie, 'n lid van 'n munisi-
pale polisie-eenheid na enige ander
pos in die Mag oorplaas.

GOVERNMENT NOTICE

MINISTRY OF LAW AND ORDER

No. R. 829 **25 April 1994**

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

AMENDMENT OF REGULATIONS MADE UNDER
SECTION 33 OF THE POLICE ACT, 1958

By virtue of section 33 of the Police Act, 1958 (Act
No. 7 of 1958), I, Hermanus Jacobus Kriel, Minister of
Law and Order, hereby make the regulations in the
Schedule.

H. J. KRIEL,
Minister of Law and Order.

SCHEDULE

Definition

1. In these regulations "the Regulations" means
the Regulations for the South African Police published
by Government Notice No. 719 of 14 February 1964,
as amended.

Insertion of regulation 67A

2. The Regulations are hereby amended by the
insertion of the following regulation after regulation 67:

"Transfer of Members of Municipal Police Units

67A. (1) The Commissioner may, subject to the
provisions of these Regulations and
this regulation, transfer any member
of a municipal police unit to any other
post in the Force.

- (2) Die bepalings van hierdie Regulasies met betrekking tot die oorpasing van 'n lid van die Mag na 'n ander pos in die Mag, en enige aangeleentheid wat daarmee verband hou, is *mutatis mutandis* van toepassing ten opsigte van so 'n oorpasing van 'n lid van 'n munisipale polisie-eenheid en so 'n lid.
- (3) 'n Sodanige lid wat onmiddellik voor die oorpasing 'n rang in die betrokke munisipale polisie-eenheid beklee het wat ooreenkomstig regulasie 67 as ooreenstemmend geag word—
- (a) met 'n nie-offisiërsrang in die Mag, vermeld in Kolom 1 van genoemde regulasie 67, word aldus oorgeplaas na 'n pos in die Mag waaraan so 'n ooreenstemmende rang toegewys is; en
- (b) met 'n aldus vermelde offisiërsrang in die Mag, word aldus oorgeplaas na 'n pos in die Mag waaraan 'n offisiërsrang toegewys is, soos deur die Kommissaris bepaal, indien die lid by die inwerkingtreding van die oorpasing deur die Staatspresident by kommissie kragtens artikel 3 van die Wet as offisiër aangestel word:
- Met dien verstande dat—
- (i) die salaris, loon of toelaes van so 'n lid in die pos waarheen hy oorgeplaas word nie minder gunstig is as die salaris, loon of toelaes wat op hom as lid van die betrokke munisipale polisie-eenheid van toepassing was;
- (ii) siekte- en vakansieverlof waarmee hy gekrediteer was onmiddellik voor die inwerkingtreding van die oorpasing, geag word verlof te wees wat hy as lid van die Mag verdien het; en
- (iii) enige dissiplinêre stappe wat teen so 'n lid voor die inwerkingtreding van die oorpasing ingestel is, of ingestel kon word, nie deur sodanige inwerkingtreding geaffekteer word nie en ingestel of voortgesit kan word ooreenkomstig die Wet en hierdie Regulasies asof die gedrag waarop daardie stappe gegrond is, of gegrond kon word, op of na die datum van daardie inwerkingtreding voorgekom het.

- (2) The provisions of these Regulations in regard to the transfer of a member of the Force to any other post in the Force, and any other matter connected therewith, shall *mutatis mutandis* apply in respect of any such transfer of a member of a municipal police unit and such member.
- (3) Any such member who immediately prior to the transfer held a rank in the relevant municipal police unit which is in accordance with regulation 67 deemed to be corresponding—
- (a) to a non-commissioned rank in the Force, mentioned in Column 1 of the said regulation 67, shall be so transferred to a post in the Force to which a so corresponding rank has been assigned; and
- (b) to a so mentioned post in the Force to which a commissioned rank has been assigned, shall be so transferred to a post in the Force to which a commissioned rank has been assigned, as determined by the Commissioner, if the member is at the coming into force of the transfer appointed by commission by the State President under section 3 of the Act as officer:

Provided that—

- (i) the salary, wage or allowances of such a member in the post to which he is transferred shall not be less favourable than the salary, wage and allowances which were applicable to him as member of the relevant municipal police unit;
- (ii) any sick or vacation leave which stood to his credit immediately prior to the coming into force of the transfer, shall be deemed to be leave earned by him as member of the Force; and
- (iii) any disciplinary steps instituted, or which could have been instituted, against any such member prior to the coming into force of the transfer, shall not be affected on such coming into force and may be instituted or continued with in accordance with the Act and these Regulations as if the conduct upon which those steps are based, or could have been based, had occurred on or after the date of that coming into operation.

(4) (a) By die oorplasing van so 'n lid word 'n aanstellingstifikaat ooreenkomstig artikel 4 (3) van die Wet, saamgelees met regulasie 13 (1) van hierdie Regulasies, in die vorm wat die Kommissaris van tyd tot tyd bepaal, aan die lid uitgereik.

(b) Daar word oor enige aanstellingstifikaat wat aan die lid as lid van 'n munisipale polisie-eenheid uitgereik is, beskik op die wyse wat die Kommissaris bepaal.

(5) Hierdie regulasie tree in werking op **25 April 1994.**"

(4) (a) On the transfer of any such member a certificate of appointment shall in accordance with section 4 (3) of the Act, read with regulation 13 (1) of these Regulations, and in the form determined by the Commissioner from time to time, be issued to the member.

(b) A certificate of appointment issued to the member as member of a municipal police unit, shall be disposed of in the manner determined by the Commissioner.

(5) This regulation shall come into operation on **25 April 1994.**"

INHOUD			CONTENTS		
No.		Bladsy No.	No.		Page No.
	GOEWERMENTSKENNISGEWING			GOVERNMENT NOTICE	
	Wet en Orde, Ministerie van			Law and Order, Ministry of	
	<i>Goewermentskennisgewing</i>			<i>Government Notice</i>	
R. 829	Polisiewet (7/1958): Wysiging van Regulasies	1	R. 829	Police Act (7/1958): Amendment of Regulations.....	1
		15672			15672