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No. 16239

PROCLAMATION

by the

President

of the Republic of South Africa

No. R. 5, 1995

RATIONALISATION OF THE SOUTH AFRICAN POLICE SERVICE

Under the powers vested in me by section 237 (3) of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), I hereby take the legislative measures as set out in the Schedule hereto.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Twenty-fifth day of January, One thousand Nine hundred and Ninety-five.

T. M. MBEKI,

Acting President.

By Order of the President-in-Cabinet:

F. S. MUFAMADI,

Minister of the Cabinet.

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PROKLAMASIE

van die

President

van die Republiek van Suid-Afrika

No. R. 5, 1995

RASIONALISASIE VAN DIE SUID-AFRIKAANSE POLISIEDIENS

Kragtens die bevoegdheid my verleen by artikel 237 (3) van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), tref ek die wetgewende maatreëls in die Skedule uiteengesit.

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

T. M. MBEKI,

Waarnemende President.

Op las van die President-in-Kabinet:

F. S. MUFAMADI,

Minister van die Kabinet.

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1. DEFINITIONS

In this Proclamation, unless the context otherwise indicates—

"Board of Commissioners" means the National Commissioner and the Provincial Commissioners, or their nominees, acting in a meeting as contemplated in section 237 (2) (aA) (ii) of the Constitution;

"Constitution" means the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993);

"fixed establishment" means the posts which have been created for the normal and regular requirements of the Service but does not include pre-rationalised posts;

"Force" means a police force or police service established in terms of a law referred to in Annexure A to this Proclamation;

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1. WOORDOMSKRYWINGS

In hierdie Proklamasie, tensy uit die samehang anders blyk, beteken—

"Diens" die Suid-Afrikaanse Polisie diens soos bedoel in artikel 214 saamgelees met artikel 236 (7) van die Grondwet;

"Grondwet" die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993);

"hierdie Proklamasie" sluit enige Regulasie of Nasionale Order of instruksie daarkragtens uitgevaardig, in;

"lid van die Uitvoerende Raad" die lid van 'n Uitvoerende Raad soos bedoel in artikel 217 (1) van die Grondwet;

"Mag" 'n polisiemag of polisie diens ingestel kragtens 'n Wet bedoel in Bylae A van hierdie Proklamasie;

"member of the Executive Council" means the member of an Executive Council referred to in section 217 (1) of the Constitution;

"Minister" means the Minister of Safety and Security;

"National Commissioner" means the National Commissioner of the Service referred to in section 2;

"Police Act" means the Police Act, 1958 (Act No. 7 of 1958), and Regulations thereunder;

"pre-rationalised", in relation to any post, area or boundary, means any post, area or boundary as it existed or applied immediately prior to any rationalisation scheme or arrangement effected in respect thereof in terms of a provision of this Proclamation;

"Provincial Commissioner" means a Provincial Commissioner referred to in section 4;

"Public Service Act" means the Public Service Act, 1994 (Proclamation No. 103 of 1994);

"Regulation" means a regulation made or deemed to have been made under this Proclamation;

"Service" means the South African Police Service contemplated in section 214, read with section 236 (7) of the Constitution;

"South African Police" means the South African Police established in terms of the Police Act;

"this Proclamation" includes any Regulation made or National Order or instruction issued thereunder.

2. APPOINTMENT OF NATIONAL COMMISSIONER

There shall be a National Commissioner of the Service who shall be appointed by the President in terms of section 216 (2) (a) of the Constitution.

3. TERM OF OFFICE OF NATIONAL COMMISSIONER

Subject to the provisions of this Proclamation, a person who is appointed as National Commissioner shall occupy that office for a period of five years from the date of his or her appointment, or such shorter period as the President may determine.

4. APPOINTMENT OF PROVINCIAL COMMISSIONERS

There shall be a Provincial Commissioner for each province within the Republic who shall be appointed by the National Commissioner in terms of section 218 (1) (b) of the Constitution.

5. TERM OF OFFICE OF PROVINCIAL COMMISSIONERS

Subject to the provisions of this Proclamation a person who is appointed as Provincial Commissioner shall occupy that office for a period of five years from the date of his or her appointment or such shorter period as the National Commissioner, in consultation with the relevant member of the Executive Council, may determine.

"Minister" die Minister van Veiligheid en Sekuriteit;

"Nasionale Kommissaris" die Nasionale Kommissaris van die Diens bedoel in artikel 2;

"Polisiewet" die Polisiewet, 1958 (Wet No. 7 van 1958), en Regulasies daarkragtens;

"Provinsiale Kommissaris" 'n Provinsiale Kommissaris bedoel in artikel 4;

"Raad van Kommissarisse" 'n vergadering van die Nasionale Kommissaris en die Provinsiale Kommissarisse of hul benoemdes soos bedoel in artikel 237 (2) (aA) (ii) van die Grondwet;

"regulasie" 'n regulasie uitgevaardig of wat geag word kragtens hierdie Proklamasie uitgevaardig te wees;

"Staatsdienswet" die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994);

"Suid-Afrikaanse Polisie" die Suid-Afrikaanse Polisie ingestel kragtens die Polisiewet;

"vaste diensstaat" die poste wat vir die normale en gereelde vereistes van die Diens geskep is maar sluit nie voorrasionalisasieposte in nie;

"voorrasionalisasie", met betrekking tot enige pos, area of grens, enige pos, area of grens soos dit bestaan het of toegepas is onmiddellik voor enige rasionalisasieskema of reëling kragtens hierdie Proklamasie ten opsigte daarvan aangegaan is.

2. AANSTELLING VAN NASIONALE KOMMISSARIS

Daar is 'n Nasionale Kommissaris vir die Diens wat kragtens artikel 216 (2) (a) van die Grondwet deur die President aangestel word.

3. DIENSTERMYN VAN NASIONALE KOMMISSARIS

Behoudens die bepalings van hierdie Proklamasie sal 'n persoon wat as Nasionale Kommissaris aangestel is in die pos dien vir 'n periode van vyf jaar vanaf die datum van sy of haar aanstelling of sodanige korter tydperk as wat die President mag bepaal.

4. AANSTELLING VAN PROVINSIALE KOMMISSARISSE

Daar is 'n Provinsiale Kommissaris vir elke provinsie binne die Republiek wat kragtens artikel 218 (1) (b) van die Grondwet deur die Nasionale Kommissaris aangestel word.

5. DIENSTERMYN VAN PROVINSIALE KOMMISSARISSE

Behoudens die bepalings van hierdie Proklamasie sal 'n persoon wat as Provinsiale Kommissaris aangestel is, in die pos dien vir 'n periode van vyf jaar vanaf die datum van sy of haar aanstelling of sodanige korter tydperk as wat die Nasionale Kommissaris in oorleg met die betrokke lid van die Uitvoerende Raad mag bepaal.

6. LOSS OF CONFIDENCE IN NATIONAL OR PROVINCIAL COMMISSIONER

(1) If the National Commissioner has lost the confidence of the Cabinet, the President may appoint a board of inquiry consisting of a judge of the Supreme Court, as chairperson, and, such other suitable person or persons, to—

- (a) inquire into the circumstances that led to the loss of confidence;
- (b) compile a report; and
- (c) make recommendations.

(2) (a) If a Provincial Commissioner has lost the confidence of the relevant Executive Council the relevant member of the Executive Council may notify the Minister of the reasons therefore.

(b) The Minister shall, where he or she deems it necessary and appropriate, refer the notice to the National Commissioner.

(c) The National Commissioner shall, upon receipt of the notice, appoint a board of inquiry consisting of not more than three members, of which the chairperson shall be qualified to be admitted as an advocate or attorney and who, for cumulative periods of at least ten years after having so qualified—

- (i) practised as an advocate or an attorney; or
- (ii) lectured in law at a university, to—

- (aa) inquire into the circumstances that led to the loss of confidence;
- (bb) compile a report; and
- (cc) make recommendations.

(3) (a) The President or National Commissioner, as the case may be, may suspend the Commissioner concerned after a hearing, pending the outcome of the inquiry referred to in subsection (2) (c).

(b) A Commissioner who is suspended in terms of paragraph (a), shall, during the period of suspension, be entitled to any salary, allowance, privilege or benefit to which he or she is under normal circumstances as a member entitled unless the President or the National Commissioner, as the case may be, determines otherwise.

(4) If a board of inquiry is appointed in terms of subsection (1) or (2), the Commissioner concerned shall be notified in writing thereof, and thereupon he or she has the right to—

- (a) make written representations to the board;
- (b) be present at the inquiry;
- (c) be assisted or represented by another person or legal adviser;
- (d) give evidence; and

6. VERLIES VAN VERTROUWEN IN NASIONALE OF PROVINSIALE KOMMISSARIS

(1) Indien die Nasionale Kommissaris die vertroue van die Kabinet verloor het, kan die President 'n raad van ondersoek bestaande uit 'n regter van die Hooggeregshof, as voorsitter, en sodanige ander geskikte persoon of persone aanstel, om—

- (a) ondersoek in te stel na die omstandighede wat aanleiding gegee het tot die verlies van vertroue;
- (b) 'n verslag op te stel; en
- (c) aanbevelings te maak.

(2) (a) Indien 'n Provinsiale Kommissaris die vertroue van die betrokke Uitvoerende Raad verloor het, kan die betrokke lid van die Uitvoerende Raad die Minister van redes daarvoor in kennis stel.

(b) Die Minister moet, indien hy dit noodsaaklik en gepas ag, die kennisgewing na die Nasionale Kommissaris verwys.

(c) Die Nasionale Kommissaris moet, by ontvangs van die kennisgewing, 'n raad van ondersoek bestaande uit nie meer as drie lede aanstel, waarvan die voorsitter bevoeg moet wees om as prokureur of advokaat toegelaat te word en wat nadat hy of sy sodanig gekwalifiseer het vir kumulatiewe periodes van ten minste 10 jaar—

- (i) as prokureur of advokaat gepraktiseer het; of
- (ii) regte aan 'n universiteit gedoseer het, om—

- (aa) ondersoek in te stel na die omstandighede wat aanleiding gegee het tot die verlies van vertroue;
- (bb) 'n verslag op te stel; en
- (cc) aanbevelings te maak.

(3) (a) Die President of Nasionale Kommissaris, na gelang van die geval, kan na aanhoor van die betrokke Kommissaris, hangende die uitslag van die ondersoek kragtens subartikel (2) (c), die betrokke Kommissaris skors.

(b) 'n Kommissaris wat kragtens paragraaf (a), geskors is, sal gedurende die tydperk van skorsing enige salaris, toelae, voorreg of voordele ontvang waartoe hy of sy onder normale omstandighede geregtig is tensy die President of Nasionale Kommissaris, na gelang van die geval, anders bepaal.

(4) Indien 'n raad van ondersoek kragtens subartikel (1) of (2) ingestel word, moet die betrokke Kommissaris skriftelik daarvan in kennis gestel word, waarna hy of sy die reg sal hê om—

- (a) skriftelik verhoë aan die raad te rig;
- (b) by die ondersoek teenwoordig te wees;
- (c) deur 'n ander persoon of regsadviseur bygestaan of verteenwoordig te word;
- (d) getuigenis te lewer; en

(e) either personally or through a representative—

- (i) be heard;
- (ii) call witnesses;
- (iii) cross-examine any person called as a witness; and
- (iv) have access to documents relevant to the inquiry.

(5) The board of inquiry shall determine its own procedures.

(6) (a) At the conclusion of the inquiry, the board shall submit its report—

- (i) (aa) to the President, in the event of an inquiry in terms of subsection (1), or
- (bb) to the National Commissioner, in the event of an inquiry in terms of subsection (2), and

(ii) to the Commissioner concerned.

(b) The report referred to in paragraph (a) may recommend—

- (i) that no action be taken in the matter;
- (ii) that the Commissioner concerned be transferred to another post or be employed additional to the fixed establishment;
- (iii) that his or her salary or grade or both his or her salary and grade be reduced to an extent recommended;
- (iv) that action be taken against him or her as prescribed in paragraph (b) as well as paragraph (c);
- (v) that his or her services be terminated;
- (vi) that any other appropriate steps (including the postponement of any decision by the President or the National Commissioner, as the case may be, consequent upon any recommendation in terms of this subsection, for a period not exceeding 12 calendar months), be taken.

(7) The President or National Commissioner, as the case may be, may, upon receipt of such recommendation, terminate the services of the Commissioner concerned, or take any other appropriate action.

(8) If a Provincial Commissioner has lost the confidence of the National Commissioner, the provisions of subsections (2) (c), (3), (4), (5), (6) and (7) shall *mutatis mutandis* apply.

(9) In the event of a commissioner's services being terminated pursuant to an inquiry resulting from a finding of a loss of confidence in such a Commissioner, or pursuant to a finding of a loss of confidence referred to in section 7 (3), his or her term of office shall be deemed to have expired on the day immediately preceding the date on which such termination takes effect.

(e) hetsy persoonlik of deur 'n verteenwoordiger—

- (i) aangehoor te word;
- (ii) getuies te roep;
- (iii) iemand wat as getuie opgeroep is onder kruisverhoor te neem; en
- (iv) insae te hê in stukke wat relevant tot die ondersoek is.

(5) Die raad van ondersoek bepaal sy eie prosedures.

(6) (a) Na afloop van die ondersoek moet die raad sy verslag voorlê—

- (i) (aa) aan die President, in die geval van 'n ondersoek kragtens subartikel (1), of
- (bb) aan die Nasionale Kommissaris, in die geval van 'n ondersoek kragtens subartikel (2), en

(ii) aan die betrokke Kommissaris.

(b) Die verslag bedoel in paragraaf (a) kan aanbeveel dat—

- (i) geen stappe in die saak gedoen word nie;
- (ii) die betrokke Kommissaris na 'n ander pos oorgeplaas of addisioneel tot die vaste diensstaat in diens gehou word;
- (iii) sy of haar salaris of graad of beide sy of haar salaris of graad verlaag word in die mate wat aanbeveel word;
- (iv) dat teen hom of haar opgetree word soos in paragrawe (b) en (c) voorgeskryf;
- (v) sy of haar dienste beëindig word;
- (vi) enige ander gepaste stappe (insluitende die uitstel van enige besluit deur die President of Nasionale Kommissaris, na gelang van die geval, op grond van enige aanbeveling kragtens hierdie subartikel, vir 'n tydperk wat nie 12 kalendermaande oorskryf), gedoen word.

(7) Die President of Nasionale Kommissaris, na gelang van die geval, kan by ontvangs van sodanige aanbeveling die dienste van die betrokke Kommissaris beëindig of enige ander gepaste stappe doen.

(8) Indien 'n Provinsiale Kommissaris die vertroue van die Nasionale Kommissaris verloor het, sal die bepalinge van subartikels (2) (c), (3), (4), (5), (6) en (7) *mutatis mutandis* van toepassing wees.

(9) In die geval waar 'n kommissaris se dienste beëindig word as gevolg van 'n ondersoek voortspruitend uit 'n bevinding van verlies van vertroue in sodanige Kommissaris, of voortspruitend uit 'n bevinding van verlies van vertroue kragtens artikel 7 (3), word geag dat sy of haar dienstermyn op die dag wat die dag van sodanige diensbeëindiging onmiddellik voorafgaan, verstryk het.

7. INEFFICIENCY OF AND MISCONDUCT BY NATIONAL OR PROVINCIAL COMMISSIONER

(1) Subject to the provisions of this section, the provisions of subsections (1) to (8) of section 6 shall *mutatis mutandis* apply to inquiries into allegations of misconduct by a National or Provincial Commissioner respectively, or into his or her fitness for duties or capability of carrying them out efficiently.

(2) The board of inquiry constituted in terms of subsection (1) shall make a finding as to the alleged misconduct, or alleged unfitness for duties or incapability of carrying them out efficiently, as the case may be, and make recommendations as contemplated in subsection 6 (b) of section 6.

(3) Where the Cabinet, the relevant Executive Council or the National Commissioner, as the case may be, loses confidence in the Commissioner concerned pursuant to an inquiry in terms of this section, the President or National Commissioner, as the case may be, may take any appropriate action, which may include terminating the services of the Commissioner concerned without appointing a board of inquiry in terms of section 6.

8. TERMS AND CONDITIONS OF SERVICE OF NATIONAL AND PROVINCIAL COMMISSIONERS

(1) The salary, salary scale and allowances in respect of the National and Provincial Commissioners shall be determined by the Minister in consultation with the Public Service Commission.

(2) Medical and leave benefits in respect of the National and Provincial Commissioners shall be in accordance with the corresponding benefits from time to time applicable to members of the South African Police in terms of the Police Act, subject to rationalisation in terms of this Proclamation or any other law.

(3) The provisions of section 12 (2) (e) or section 12 (2) (g) of this Proclamation shall, as the case may be, apply to the National and Provincial Commissioners.

(4) (a) Subject to this Proclamation a National or Provincial Commissioner has the right to retire from the Service, and he or she shall be so retired at the expiry of the term contemplated in sections 3 and 5.

(b) If such a Commissioner retires or is retired in terms of subparagraph (a), he or she shall be deemed to have been so retired in accordance with section 17 (2) (b) of the Public Service Act.

(c) The provisions of section 16 (2) (c) of the Public Service Act, 1994, shall *mutatis mutandis* apply to such a Commissioner.

7. ONBEKWAAMHEID VAN EN WANGEDRAG DEUR NASIONALE OF PROVINSIALE KOMMISSARIS

(1) Die bepalings van subartikels (1) tot (8) van artikel 6 sal, behoudens die bepalings van hierdie artikel, *mutatis mutandis* van toepassing wees op ondersoek na bewerings van wangedrag deur 'n Nasionale of Provinsiale Kommissaris, of na sy of haar geskiktheid vir diens of dat hy of sy nie in staat is om dit op 'n bekwame wyse uit te voer nie.

(2) Die raad van ondersoek, kragtens die bepalings van subartikel (1) saamgestel, maak 'n bevinding ten opsigte van die beweerde wangedrag of beweerde ongeskiktheid vir diens of die onbevoegdheid om dit op 'n bekwame wyse uit te voer, na gelang van die geval, en aanbevelings maak soos bedoel in subartikel (6) (b) van artikel 6.

(3) Wanneer die Kabinet, die betrokke Uitvoerende Raad of die Nasionale Kommissaris, na gelang van die geval, vertrou in die betrokke Kommissaris verloor na aanleiding van 'n ondersoek kragtens hierdie artikel, kan die President of die Nasionale Kommissaris, na gelang van die geval, enige gepaste stappe doen insluitende die beëindiging van die dienste van die betrokke Kommissaris sonder dat 'n raad van ondersoek kragtens artikel 6 aangestel word.

8. DIENSVOORWAARDES VAN NASIONALE EN PROVINSIALE KOMMISSARISSE

(1) Die salaris, salarisskaal en toelae van die Nasionale en Provinsiale Kommissarisse word deur die Minister in oorleg met die Staatsdienskommissie bepaal.

(2) Mediese en verlofvoordele van die Nasionale en Provinsiale Kommissarisse is gelykluidend aan die ooreenstemmende voordele wat van tyd tot tyd van toepassing is op lede van die Suid-Afrikaanse Polisie kragtens die Polisiewet, behoudens rasionalisasie kragtens hierdie Proklamasie of enige ander wet.

(3) Die bepalings van artikel 12 (2) (e) of artikel 12 (2) (g) van hierdie Proklamasie is, na gelang van die geval, van toepassing op die Nasionale en Provinsiale Kommissarisse.

(4) (a) Die Nasionale of Provinsiale Kommissaris is, behoudens hierdie Proklamasie, geregtig om uit die Diens te tree en hy of sy sal uit die Diens tree by verstryking van die tydperk genoem in artikels 3 en 5.

(b) As sodanige Kommissaris uit diens tree of kragtens paragraaf (a) uit diens tree, word hy of sy geag uit diens te getree het kragtens artikel 17 (2) (b) van die Staatsdienswet.

(c) Die bepalings van artikel 16 (2) (c) van die Staatsdienswet, 1994, sal *mutatis mutandis* op sodanige Kommissaris van toepassing wees.

9. POWERS, DUTIES AND FUNCTIONS OF NATIONAL AND PROVINCIAL COMMISSIONERS

(1) Subject to the Constitution, this Proclamation, and the directions of the Minister, the National Commissioner shall—

- (a) exercise executive command of the Service;
- (b) rationalise the forces in accordance with the provisions of section 237 of the Constitution;
- (c) be responsible for the functions mentioned in sections 218 and 219 of the Constitution, as may be applicable, and have the corresponding authority and power to perform any such function; and
- (d) preside over the Board of Commissioners (or appoint an *ad hoc* nominee in his or her stead), and convene such Board at such time and place as may be convenient.

(2) Without derogating from the generality of subsection (1), the powers, duties and functions referred to in that subsection, may include the power, duty and function to—

- (a) determine the fixed establishment of the Service at national and provincial level, and the number and grading of such posts;
- (b) determine after consultation with the Board of Commissioners the distribution of the numerical strength of the Service;
- (c) organise or reorganise the Service on a national and provincial level;
- (d) delimit, change or abolish any pre-rationalised area or boundary applicable to the organisation of the Service; and
- (e) perform any legal act or act in any legal capacity, on behalf of the Service.

(3) Subject to the Constitution, this Proclamation and the executive command of the National Commissioner, a Provincial Commissioner—

- (a) shall exercise command of the Service resorting under his or her jurisdiction in the relevant province;
- (b) shall assist in the rationalisation and amalgamation of the forces in accordance with section 237 of the Constitution, and shall be responsible for executing and overseeing the rationalisation process in the relevant province;
- (c) may delimit any area in a province as a sub-province and determine the boundaries thereof as he or she may deem necessary for the purposes of the organisation of the Service under his or her jurisdiction, and may at any time alter such boundaries; and

9. BEVOEGDHED, PLIGTE EN WERKSAAMHEDE VAN NASIONALE EN PROVINSIALE KOMMISSARISSE

(1) Behoudens die Grondwet, hierdie Proklamasie en die voorskrifte van die Minister, sal die Nasionale Kommissaris—

- (a) uitvoerende bevel oor die Diens voer;
- (b) die magte in ooreenstemming met die bepalings van artikel 237 van die Grondwet rasionaliseer;
- (c) verantwoordelik wees vir die werksaamhede gemeld in artikels 218 en 219 van die Grondwet, wat toepaslik mag wees, en sal die ooreenstemmende gesag en bevoegdheid hê om enige sodanige werksaamheid uit te oefen; en
- (d) as voorsitter van die Raad van Kommissarisse optree (of 'n *ad hoc* benoemde in sy of haar plek aanwys), en sodanige Raad op 'n tyd en plek wat gerieflik mag wees, byeenroep.

(2) Sonder om afbreuk te doen aan die algemeenheid van subartikel (1) kan die bevoegdheid, pligte en werksaamhede waarna in die subartikel verwys word, die bevoegdheid, plig en werksaamheid insluit om—

- (a) die vaste diensstaat van die Diens op nasionale en provinsiale vlak en die getal en gradering van sodanige poste te bepaal;
- (b) na konsultasie met die Raad van Kommissarisse die verdeling van die getalsterkte van die Diens te bepaal;
- (c) die Diens op nasionale en provinsiale vlak te organiseer of te re-organiseer;
- (d) enige voorrasionalisasiegebied of -grens van toepassing op die organisasie van die Diens af te baken, te verander of af te skaf; en
- (e) namens die Diens enige regshandeling te verrig, of in enige regshoedanigheid op te tree.

(3) Die Provinsiale Kommissaris behoudens die Grondwet, hierdie Proklamasie en die uitvoerende bevel van die Nasionale Kommissaris—

- (a) sal bevel voer oor die Diens wat onder sy of haar jurisdiksie in die betrokke provinsie ressorteer;
- (b) sal behulpsaam wees met die rasionalisasie en amalgamasie van die magte in ooreenstemming met artikel 237 van die Grondwet, en sal verantwoordelik wees vir die uitvoering en toesig van die rasionalisasieproses in die betrokke provinsie;
- (c) mag enige area in die provinsie as 'n subprovinsie afbaken en die grense daarvan bepaal soos wat hy of sy vir die doeleindes van organisasie van die Diens onder sy of haar jurisdiksie nodig ag, en kan te eniger tyd bedoelde grense wysig; en

- (d) shall determine the distribution of the numerical strength of the Service under his or her jurisdiction in a province among the different subprovinces, station areas, offices and units.

(4) (a) The responsibility for any function referred to in section 219 of the Constitution, may, subject to the Constitution, be assigned by Notice in the *Gazette* to a Provincial Commissioner by the National Commissioner, after consultation with the relevant member of the Executive Council of that Province.

(b) Such an assignment may be effected, notwithstanding the fact that the rationalisation of the Service may not be completed in the relevant province:

Provided that—

- (i) the National Commissioner is satisfied that the Provincial Commissioner concerned has the necessary administrative and other capacity at his or her disposal to exercise and perform the relevant powers and functions; and
- (ii) that the rationalisation and amalgamation process with respect to the Service in that province warrants such assignment.

(5) The Provincial Commissioner shall be responsible for the functions assigned to him or her in terms of subsection (4) and have the corresponding authority and power to exercise any such function so assigned, subject to the directions of the relevant member of the Executive Council with respect to any such function mentioned in section 219 (1) of the Constitution, and subject to the directions of the National Commissioner with respect to any such function mentioned in section 219 (2) of the Constitution.

(6) The Provincial Commissioner or his or her nominee shall serve on the Board of Commissioners in accordance with the Constitution.

(7) Any power vested in the National Commissioner in terms of the Constitution, this Proclamation or any other law, may, subject to the Constitution, be delegated in writing by the National Commissioner to any member of the Service or other person in the employment of the Service or a board or body established or deemed to have been established under this Proclamation, who shall exercise that power subject to the direction, reservations or conditions of the National Commissioner: Provided that the powers referred to in sections 4, 5, 6 and 7 of this Proclamation and section 15 of the Exchequer Act, 1975 (Act No. 66 of 1975), may not be delegated.

(8) The provisions of subsection (7) shall, subject to the Constitution, apply *mutatis mutandis* to the delegation in writing by a Provincial Commissioner, of a power vested in him or her in terms of the Constitution, this Proclamation or any other law, including such power vesting in him or her upon an assignment in terms of subsection (4) or a delegation in terms of subsection (7), subject to any reservation, direction or condition applicable to such delegation or assignment.

- (d) sal die verdeling van die getalsterkte van die Diens onder sy of haar jurisdiksie in die provinsie onder die verskillende subprovinsies, stasie-areas, kantore en eenhede bepaal.

(4) (a) Die verantwoordelikheid vir enige werksaamheid waarna in artikel 219 van die Grondwet verwys word, kan behoudens die Grondwet by Kennisgewing in die *Staatskoerant* aan 'n Provinsiale Kommissaris opgedra word deur die Nasionale Kommissaris na oorlegpleging met die betrokke lid van die Uitvoerende Raad van daardie Provinsie.

(b) Die opdra van sodanige werksaamhede kan plaasvind nieetenaande die feit dat die rasionalisasieproses nie in die provinsie voltooi is nie:

Met dien verstande dat—

- (i) die Nasionale Kommissaris tevrede is dat die betrokke Provinsiale Kommissaris oor die nodige administratiewe en ander infrastruktuur beskik om die betrokke bevoegdhede en werksaamhede uit te oefen; en
- (ii) die rasionalisasie en amalgamasieproses met betrekking tot die Diens in daardie provinsie sodanige opdra van werksaamhede regverdig.

(5) Die Provinsiale Kommissaris is verantwoordelik vir die werksaamhede wat kragtens subartikel (4) aan hom of haar opgedra is en besit die ooreenstemmende gesag en bevoegdheid om enige werksaamheid sodanig opgedra, uit te oefen, onderworpe aan die voorskrifte van die betrokke lid van die Uitvoerende Raad met betrekking tot enige sodanige werksaamheid wat gemeld word in artikel 219 (1) van die Grondwet, en onderworpe aan die voorskrifte van die Nasionale Kommissaris met betrekking tot enige sodanige werksaamheid wat gemeld word in artikel 219 (2) van die Grondwet.

(6) Die Provinsiale Kommissaris of sy of haar benoemde sal in ooreenstemming met die Grondwet op die Raad van Kommissarisse dien.

(7) Enige bevoegdheid wat kragtens die Grondwet, hierdie Proklamasie of enige ander wet in die Nasionale Kommissaris setel, mag behoudens die Grondwet, skriftelik deur die Nasionale Kommissaris aan enige lid van die Diens of enige ander persoon in diens van die Diens of 'n raad of liggaam ingestel of geag kragtens hierdie Proklamasie ingestel te wees, gedelegeer word, wat daardie bevoegdheid onderworpe aan die voorskrifte, voorbehoude en voorwaardes van die Nasionale Kommissaris uitoefen: Met dien verstande dat die bevoegdhede in artikels 4, 5, 6 en 7 van hierdie Proklamasie en artikel 15 van die Skatkiswet, 1975 (Wet No. 66 van 1975), nie gedelegeer kan word nie.

(8) Die bepalings van subartikel (7) sal behoudens die Grondwet *mutatis mutandis* van toepassing wees op 'n skriftelike delegasie van 'n Provinsiale Kommissaris van 'n bevoegdheid wat kragtens die Grondwet, hierdie Proklamasie of enige ander wet in hom of haar setel, insluitend sodanige bevoegdheid wat in hom of haar setel by die opdra van 'n werksaamheid kragtens subartikel (4) of 'n delegasie kragtens subartikel (7), onderworpe aan enige voorbehoud, voorskrif of voorwaarde van toepassing op sodanige opdrag of delegasie.

(9) (a) The National Commissioner may issue orders and instructions concerning all matters which—

- (i) in terms of the Constitution or this Proclamation shall or may be prescribed by him or her;
- (ii) are not inconsistent with the Constitution or this Proclamation and which he or she deems necessary to achieve the objects of this Proclamation, and which are appropriate for him or her to take responsibility for and which are necessary for efficient administration;
- (iii) are necessary to ensure the maintenance of an impartial, accountable, transparent and efficient police service; or
- (iv) are necessary to provide for the establishment and maintenance of uniform standards of policing at all levels.

(b) Orders referred to in paragraph (a) which are of a permanent nature and applicable to all members of the Service, including members under the command of a Provincial Commissioner, shall be known and issued as "National Orders".

(c) The Provincial Commissioner may also issue orders and instructions which are not inconsistent with this Proclamation or National Orders, which shall be applicable only to members under his or her command.

10. POWERS, DUTIES AND FUNCTIONS OF MEMBERS OF SERVICE

Any law, which confers any power or imposes any duty in a part of the National Territory on a member of any force, shall be deemed to confer such power and impose such duty in that part on every member of the Service.

11. REGULATIONS

(1) Subject to the provisions of this Proclamation, the Minister may make regulations regarding—

- (a) the exercise of powers and the performance of duties and functions by members of the Service;
- (b) the enrolment, appointment, promotion and transfer of members of the Service;
- (c) suspension, dismissal and matters concerning discipline and grievances;
- (d) the training, conduct and conditions of service of members of the Service;
- (e) the general management, control and maintenance of the Service;
- (f) returns, registers, records, documents, forms and correspondence;
- (g) matters concerning labour relations;
- (h) a code of conduct for the Service;

(9) (a) Die Nasionale Kommissaris kan orders en voorskrifte uitvaardig ten opsigte van alle sake wat—

- (i) kragtens die Grondwet of hierdie Proklamasie deur hom of haar voorgeskryf moet of kan word;
- (ii) nie met die Grondwet of hierdie Proklamasie onbestaanbaar is nie en wat hy of sy nodig ag vir die verwesenliking van die oogmerke van hierdie Proklamasie en waarvoor dit doelmatig is dat hy of sy verantwoordelikheid aanvaar en wat noodsaaklik is vir doeltreffende administrasie;
- (iii) noodsaaklik is om die handhawing van 'n onpartydige, aanspreeklike, openlike en doeltreffende polisie diens te verseker; of
- (iv) noodsaaklik is om voorsiening te maak vir die instelling en handhawing van eenvormige standaarde van polisieëring op alle vlakke.

(b) Orders waarna in paragraaf (a) verwys word, wat van 'n blywende aard en van toepassing op alle lede is, insluitende lede onder die bevel van 'n Provinsiale Kommissaris, staan bekend en word uitgevaardig as "Nasionale Orders".

(c) Die Provinsiale Kommissaris kan ook orders en voorskrifte uitvaardig wat nie met hierdie Proklamasie of Nasionale Orders onbestaanbaar is nie en wat slegs van toepassing sal wees op lede onder sy of haar bevel.

10. PLIGTE, BEVOEGDHEDE EN WERKSAAMHEDE VAN LEDE VAN DIE DIENS

Enige wet wat enige bevoegdheid of plig aan 'n lid van enige mag in 'n deel van die Nasionale Grondgebied opdra, sal geag word sodanige bevoegdheid of plig in daardie deel aan elke lid van die Diens op te dra.

11. REGULASIES

(1) Behoudens die bepalings van hierdie Proklamasie kan die Minister regulasies uitvaardig betreffende—

- (a) die uitoefening van bevoegdheide en die verrigting van pligte en werksaamhede deur lede van die Diens;
- (b) die inskrywing, aanstelling, bevordering en oorpasing van lede van die Diens;
- (c) skorsing, ontslag en aangeleenthede rakende dissipline en griewe;
- (d) die opleiding, gedrag en diensvoorwaardes van lede van die Diens;
- (e) die algemene bestuur, beheer en instandhouding van die Diens;
- (f) opgawes, registers, rekords, dokumente, vorms en korrespondensie;
- (g) aangeleenthede rakende arbeidsverhoudinge;
- (h) 'n gedragskode vir die Diens;

(i) the establishment and distribution of the numerical strength of the Service and the establishment of different categories of personnel, components, ranks, designations and appointments in the Service: Provided that the Minister shall designate different categories of ranks of corresponding nature in terms of this Proclamation and the Constitution;

(j) (i) the standards of physical and mental fitness and the medical examination of members of the Service;

(ii) the medical, dental and hospital treatment of such members and their families;

(k) (i) the establishment, management and control of a scheme to provide for medical, dental and hospital treatment of the provision of medicines, other medical requirements and medical aids to, and the transportation during their indisposition of—

(aa) members of the Service and members of their families;

(bb) members of the Service who have retired or retire on pension, and members of their families; and

(cc) the families of members of the Service who have died;

(ii) the class of members of the Service or other persons who shall be or may become members of such a scheme;

(iii) the portion of the costs of the provision of such treatment, medicines, medical requirements, medical aids or transportation which shall be payable under such a scheme by any member or class of members of that scheme;

(iv) the termination of membership of such a scheme;

(v) the rights, privileges and obligations of members of such a scheme;

(vi) the vesting in such a scheme of assets, rights, liabilities or obligations, or the disposal in any other way of the assets, of any fund established by regulations made under this paragraph; and

(vii) generally, all matters reasonably necessary for the regulation and operation of such a scheme;

(l) resignation or reduction in rank of members of the Service;

(m) grading of posts and/or the posting, the remuneration structure, including allowances or benefits to which personnel appointed in terms of this Proclamation will be entitled;

(i) die vasstelling en die verspreiding van die getalsterkte van die Diens en die instelling van verskillende kategorieë van personeel, komponente, range, aanwysings en aanstellings in die Diens: Met dien verstande dat die Minister verskillende kategorieë range van ooreenstemmende aard kragtens hierdie Proklamasie en die Grondwet aanwys;

(j) (i) die standaarde van liggaamlike en geestelike geskiktheid en die geneeskundige ondersoek van lede van die Diens;

(ii) die geneeskundige, tandheelkundige en hospitaalbehandeling van sodanige lede en hul gesinne;

(k) (i) die instelling, bestuur en beheer van 'n skema om voorsiening te maak vir geneeskundige, tandheelkundige en hospitaalbehandeling, die verskaffing van medisyne, ander mediese benodigdhede en mediese hulpmiddels aan, en die vervoer tydens hul ongesteldheid van—

(aa) lede van die Diens en lede van hulle gesinne;

(bb) lede van die Diens wat aftree of met pensioen afgetree het, en lede van hulle gesinne; en

(cc) die gesinne van lede van die Diens wat te sterwe kom;

(ii) die klas van lede van die Diens of ander persone wat lede van so 'n skema is of kan word;

(iii) die gedeelte van die koste van die verskaffing van bedoelde behandeling, medisyne, mediese benodigdhede, mediese hulpmiddels of vervoer wat deur enige lid of klas lede van so 'n skema kragtens daardie skema betaalbaar is;

(iv) die beëindiging van lidmaatskap van so 'n skema;

(v) die regte, voorregte en verpligtinge van lede van so 'n skema;

(vi) die oorgang op so 'n skema van bates, regte, laste of verpligtinge of die beskikking op 'n ander wyse oor die bates, van 'n fonds ingestel by regulasies uitgevaardig kragtens hierdie paragraaf; en

(vii) oor die algemeen alle aangeleenthede wat redelikewys vir die reëling en werking van so 'n skema nodig is;

(l) bedanking of verlaging in rang van lede van die Diens;

(m) gradering van poste en/of plasing, die vergoedingsstruktuur, insluitend toelae en voordele waarop personeel aangestel kragtens hierdie Proklamasie geregtig is;

- (n) the establishment and maintenance of training institutions or centres for members of the Service and the instruction, training, discipline and control of members at such institutions or centres;
- (o) the management and accessibility of laboratories established for the purposes of the analysis of forensic evidence as well as fees payable for services rendered in that regard;
- (p) the attendance by members of the Service of instructional or training courses at institutions or centres other than those established and maintained in terms of this Proclamation;
- (q) the establishment and control of funds of clubs;
- (r) the deductions to be made from the salaries, wages or allowances of members of the Service;
- (s) the provisioning of the Service including the provision of stores and equipment required for the Service, and the care, safe custody and maintenance thereof;
- (t) the requirements for enrolment, training, ranks, promotion, discipline, discharge, uniform and equipment, conditions of service and reporting for service of members of the Reserve Police Service or anything which is deemed necessary to establish and maintain such a Service;
- (u) the design, award, use, care, loss, forfeiture and restoration of any decoration or medal instituted, constituted or created under this Proclamation, and its bar, clasp or ribbon;
- (v) the design of an official flag and coat of arms for the Service;
- (w) the dress and clothing of the Service, and the control or disposal of any article of uniform or equipment by any member of the Service;
- (x) the utilisation by the Service of property forfeited to the State, abandoned or lost, or unclaimed property found or taken charge of, or other property taken charge of by a member of the Service;
- (y) the retention of rank on retirement from the Service and the award of honorary ranks;
- (z) the occupation by members of the Service of quarters, whether owned or rented by the State or placed at its disposal;
- (aa) the participation in sport and recreational activities by members;
- (bb) the procedures to be applied in the preservation of internal security;
- (cc) the prioritisation of investigation or prevention of crime in consultation with the relevant departments or authorities;
- (n) die oprigting en instandhouding van opleidingsinrigtings of sentrums vir lede van die Diens en die onderrig, opleiding, dissipline en beheer van sodanige lede by sodanige inrigtings of sentrums;
- (o) die bestuur en toeganklikheid van laboratoria's ingestel vir die doeleindes van die ontleding van forensiese getuienis insluitend fooie betaalbaar vir dienste in dié verband gelewer;
- (p) die bywoning deur lede van die Diens van onderrig of opleidingskursusse by ander inrigtings of sentrums as dié wat ingevolge hierdie Proklamasie opgerig en in stand gehou word;
- (q) die instelling en beheer oor fondse van klubs;
- (r) die aftrekkings wat van die salaris, lone of toelae van lede van die Diens gemaak kan word;
- (s) die bevoorrading van die Diens insluitende die voorsiening van voorrade en uitrusting benodig vir die Diens en die versorging, veilige bewaring en instandhouding daarvan;
- (t) die vereistes vir inskrywing, opleiding, range, bevordering, dissipline, ontslag, uniform en uitrusting, diensvoorwaardes en aanmelding vir diens deur lede van die Reserwe Polisiediens, of enigiets wat hy of sy nodig ag vir die instelling en instandhouding van sodanige Diens;
- (u) die ontwerp, toekenning, gebruik, versorging, verlies, verbeuring en herstel van enige deko-rasie of medalje ingevolge hierdie Proklamasie ingestel, daargestel of ingevoer, en die balk, gespe of lint daarvan;
- (v) die ontwerp van 'n amptelike vlag en wapen;
- (w) die drag en kleding van die Diens en die beheer of beskikking oor uniform- of uitrustingstukke deur lede van die Diens;
- (x) die gebruik deur die Diens van eiendom aan die Staat verbeurd verklaar, eiendom wat laat vaar of verloor, of onopgeëis en deur 'n lid van die Diens gevind of in bewaring geneem of enige ander eiendom wat deur 'n lid in bewaring geneem is;
- (y) die behoud van rang by aftrede of bedanking uit die Diens en die toekenning van ererange;
- (z) die okkupasie deur lede van die Diens van kwartiere, hetsy behorende aan of gehuur deur die Staat of tot sy beskikking gestel;
- (aa) die deelname aan sport en ontspanning deur lede;
- (bb) die prosedures wat toegepas moet word by die handhawing van binnelandse veiligheid;
- (cc) die prioritisering van die ondersoek en voorkoming van misdaad in oorleg met die relevante departemente of owerhede;

- (dd) the fair distribution and accessibility of police services and police resources to all communities;
- (ee) the management of criminal records, the gathering of crime data and statistics and the reporting thereof to the National Commissioner;
- (ff) the circumstances under which the commission of any officer shall be deemed to have been cancelled;
- (gg) the necessary consequential adjustments in relation to command, control, powers and duties, by virtue of the appointment or transfer in terms of the Public Service Act or in terms of this Proclamation, of members or employees in or to the South African Police Service;
- (hh) the definition of offences against duty and discipline, and generally the control and discipline of the Service;
- (ii) the assemblage of boards of enquiry constituted under this Proclamation, the procedure of such boards and the attendance of witnesses thereat; and
- (jj) all matters generally which are necessary or expedient for the achievement of the purposes of this Proclamation.

(2) Any provision of a law mentioned or referred to in section 12 (2) which remains in operation in terms of that section, containing a provision which is inconsistent with a regulation made under subsection (1), shall, on the date of coming into operation of such regulation, be deemed to be repealed under section 12 (1) to the extent of such inconsistency: Provided that the provisions of paragraph (d) of the said section 12 (2) shall apply *mutatis mutandis* to any such provision and the provision of any such regulation, respectively, and, provided further, that where any such regulation is disapproved by resolution contemplated in subsection (3) (a), any such repeal shall, with effect from the date specified in the resolution, be deemed not to have been effected.

(3) (a) A regulation made under this Proclamation shall be in force unless and until Parliament, by resolution, disapproves of the regulation in which event the regulation shall lapse with effect from a date to be specified by the Speaker by Notice in the *Gazette* as determined by such resolution.

(b) The lapsing of a regulation in terms of this subsection shall not affect the validity of anything done under the regulation prior to the date mentioned in the resolution.

(c) The provisions of this subsection shall not affect the power of the Minister to make a new regulation regarding the subject dealt with by a regulation that has lapsed in terms of paragraph (a).

(dd) die billike verspreiding en toeganklikheid van polisiedienste en polisiehulpbronne aan alle gemeenskappe;

(ee) die bestuur van kriminele rekords, die versameling van misdaadgegevens en statistiek en die rapportering daarvan aan die Nasionale Kommissaris;

(ff) die omstandighede waaronder die kommissie van enige offisier geag word gekanselleer te wees;

(gg) die noodsaaklike gevolglike aanpassings met betrekking tot die bevel, beheer, bevoegdhede en funksies as gevolg van die aanstelling of oorplasing van lede of werknemers in of na die Suid-Afrikaanse Polisiediens kragtens die Staatsdienswet of kragtens hierdie Proklamasie;

(hh) die omskrywing van diens- en dissiplinêre oortredings en in die algemeen die beheer oor en dissipline van die Diens;

(ii) die aanstelling van rade van ondersoek saamgestel kragtens hierdie Proklamasie, die procedure en die bywoning van getuies by sodanige rade; en

(jj) alle aangeleenthede in die algemeen wat nodig of dienstig is vir die verwesenliking van die doeleindes van hierdie Proklamasie.

(2) Enige bepaling van 'n wet verwys na of bedoel in artikel 12 (2) wat in werking bly kragtens die bepalings van daardie artikel, sal, op die datum waarop 'n regulasie uitgevaardig kragtens subartikel (1) van hierdie artikel in werking tree wat 'n bepaling bevat waarmee die voormelde bepaling strydig is, geag word herroep te wees kragtens artikel 12 (1) tot die mate van sodanige teenstrydigheid: Met dien verstande dat die bepalings van paragraaf (d) van die genoemde artikel 12 (2) *mutatis mutandis* op sodanige voormelde bepaling en die bepaling van sodanige regulasie, onderskeidelik, van toepassing is: Met dien verstande voorts dat waar enige sodanige regulasie by besluit bedoel in subartikel (3) (a) afgekeur word, sal sodanige herroeping, met ingang van die datum in die besluit aangedui, geag word nie plaas te gevind het nie.

(3) (a) 'n Regulasie kragtens hierdie Proklamasie uitgevaardig, sal van krag wees tensy en totdat die Parlement by besluit die regulasie afkeur in welke geval die regulasie opgeskort word met ingang van 'n datum deur die Speaker by Kennisgewing in die *Staatskoerant* gespesifiseer soos in sodanige besluit bepaal.

(b) Die opskorting van 'n regulasie kragtens hierdie subartikel sal nie die geldigheid van enigiets wat kragtens die regulasie gedoen is voor die datum bedoel in die besluit, aantas nie.

(c) Die bepalings van hierdie subartikel sal nie die bevoegdheid van die Minister aantas om 'n nuwe regulasie ten opsigte van die onderwerp waarmee 'n regulasie wat opgeskort is kragtens paragraaf (a) gehandel het, uit te vaardig nie.

12. TRANSITIONAL ARRANGEMENTS

(1) Subject to the provisions of subsection (2), the laws mentioned in Annexure A are repealed to the extent indicated in the third column of that Annexure.

(2) Notwithstanding the repeal of the laws referred to in subsection (1), but subject to the provisions of this Proclamation and the Constitution—

(a) any force, Reserve Police Force or any administration, office or other institution established by or under or functioning in accordance with any such law, shall continue to so exist and function until abolished by direction of the National Commissioner or otherwise dealt with under this Proclamation;

(b) any person employed immediately before the commencement of this Proclamation by a force or other institution referred to in paragraph (a), shall, with recognition of his or her period of service by virtue of such employment, continue in such employment (which is referred to hereinafter as employment in a pre-rationlaised post) until he or she is dealt with in terms of this Proclamation, and—

- (i) the terms and conditions of service and accrued benefits;
- (ii) the powers, duties and functions; and
- (iii) the labour relations dispensation including discipline and grievance measures, procedures and proceedings,

applicable to him or her immediately before such commencement shall continue to apply to him or her subject to any alteration thereof in terms of this Proclamation;

(c) (i) any person employed on the day immediately before the commencement of this Proclamation by a force or other institution referred to in paragraph (a), who was a contributor to a pension, superannuation or provident fund or scheme by virtue of such employment on such date, shall remain without a break in his or her service, a member of such a pension, superannuation or provident fund or scheme and shall not be entitled to the payment of any benefits from such fund or scheme merely by virtue of the application of this section; and

(ii) in the application of the laws applicable to a fund or scheme referred to in subparagraph (i), the Service shall be deemed to be the relevant employment institution for any such a person;

12. OORGANGSBEPALINGS

(1) Behoudens die bepalings van subartikel (2) word die wette waarna in Bylae A verwys word, herroep in die mate aangedui in die derde kolom van die Bylae.

(2) Nieteenstaande die herroeping van die wette bedoel in subartikel (1), maar behoudens die bepalings van hierdie Proklamasie en die Grondwet—

(a) sal enige mag, Reserve Polisiemag of enige administrasie, kantoor of ander instelling ingestel deur of kragtens of wat funksioneer in ooreenstemming met enige sodanige wet, voortgaan om sodanig te bestaan en funksioneer totdat dit deur die Nasionale Kommissaris afgeskaf of andersins kragtens hierdie Proklamasie hanteer word;

(b) sal enige persoon wat onmiddellik voor die inwerkingtreding van hierdie Proklamasie in diens is van 'n mag of ander instelling bedoel in paragraaf (a), met erkenning van sy of haar dienstydperk as gevolg van sodanige indiensneming, voortgaan in sodanige diens (waarna hierna verwys word as diens in 'n voorrasionalisasiepos), totdat hy of sy ingevolge hierdie Proklamasie hanteer word, en—

- (i) die diensvoorwaardes en voordele toegeval;
- (ii) die bevoegdhede, pligte en werksaamhede; en
- (iii) die arbeidsverhoudingebedeling insluitend dissipline- en griewemaatreëls, -prosedure en -verrigtinge,

van toepassing op hom of haar onmiddellik voor sodanige inwerkingtreding sal voortgaan om van toepassing te wees, behoudens enige wysiging daarvan kragtens hierdie Proklamasie;

(c) (i) sal enige persoon wat op die dag onmiddellik voor die inwerkingtreding van hierdie Proklamasie in diens is van 'n mag of ander instelling bedoel in paragraaf (a), wat 'n bydraer was tot 'n pensioen-, uitredingsannuïteit- of voorsieningsfonds of skema as gevolg van sodanige indiensneming op sodanige datum, sonder 'n onderbreking in sy of haar diens 'n lid van sodanige pensioen-, uitredingsannuïteit- of voorsieningsfonds of skema bly en sal nie geregtig wees op die betaling van enige voordele van sodanige fonds of skema bloot kragtens die toepassing van hierdie artikel nie; en

(ii) by die toepassing van die wette van toepassing op 'n fonds of skema bedoel in subparagraaf (i) word die Diens geag die betrokke indiensnemingsinstelling van enige sodanige persoon te wees;

(d) anything done, including any regulation made or standing order issued or other administrative measure taken, or any contract entered into or any obligation incurred under any law mentioned in Annexure A, which is capable of being done, made, taken, issued, entered into or incurred under any provision of this Proclamation shall be deemed to have been done, made, taken, issued, entered into or incurred, as the case may be, under such corresponding provision until amended, abolished, withdrawn or repealed under or by virtue of a provision of this Proclamation;

(e) any appointment in the fixed establishment of the Service shall be effected in terms of the provisions of the Police Act and regulations thereunder as applicable on the day before the commencement of this Proclamation, which shall in such event *mutatis mutandis* be applicable in the whole of the National Territory to the relevant member, as well as this Proclamation, the President, the Minister, the National Commissioner and the Service, respectively, with respect to—

- (i) procedures and requirements for appointment;
- (ii) appointment and commission;
- (iii) terms and conditions of service;
- (iv) powers, functions and responsibilities;
- (v) labour relations dispensation, including discipline and grievance measures, procedures and proceedings,

subject to any alteration, replacement or amendment of such provisions in terms of or by virtue of the provisions of this Proclamation;

(f) a commissioner of a force established in terms of a law referred to in Annexure A, shall exercise the powers and perform the functions conferred upon him or her in terms of subparagraph (b), subject to the control and directions of the National Commissioner, who may reverse any decision arrived at by such Commissioner and may himself or herself, in general or in any specific matter, exercise any part of such power and perform any such function;

(g) a person employed in terms of this Proclamation in a pre-rationalised post in the Service on the day before his or her appointment in a post in the fixed establishment of the Service, shall, with recognition of his or her period of service by virtue of such employment—

- (i) be deemed to be appointed in terms of paragraph (e) and if such a person is an officer, shall be deemed upon such appointment to have been appointed by commission in terms of section 3 of the Police Act: Provided that the retirement age and rights applicable to such person shall remain unchanged;

(d) enigiets gedoen, insluitend enige regulasie gemaak of staande order uitgevaardig of ander administratiewe maatreël getref, of enige ooreenkoms gesluit of enige verpligting opgedoen kragtens enige wet bedoel in Bylae A, wat in staat is om kragtens enige bepaling van hierdie Proklamasie gedoen, gemaak, getref, uitgevaardig, gesluit of opgedoen word na gelang van die geval geag gedoen, gemaak, getref, uitgevaardig, gesluit of opgedoen te word kragtens sodanige ooreenstemmende bepaling totdat gewysig, afgeskaf, teruggetrek of herroep kragtens of as gevolg van 'n bepaling van hierdie Proklamasie;

(e) enige aanstelling op die vaste diensstaat van die Diens sal gedoen word kragtens die bepalings van die Polisie wet en regulasies daarkragtens soos van toepassing op die dag voor die inwerkingtreding van hierdie Proklamasie, wat in sodanige geval *mutatis mutandis* in die geheel van die Nasionale Grondgebied op die betrokke lid, asook hierdie Proklamasie, die President, die Minister, die Nasionale Kommissaris en die Diens, onderskeidelik, van toepassing sal wees met betrekking tot—

- (i) prosedures en vereistes vir aanstelling;
- (ii) aanstelling en kommissie;
- (iii) diensvoorwaardes;
- (iv) bevoegdhede, pligte en werksaamhede;
- (v) arbeidsverhoudingebedeling, insluitend dissipline- en griewemaatreëls, -prosedures en -verrigtinge,

behoudens enige verandering, vervanging of wysiging van sodanige bepalings kragtens of as gevolg van die bepalings van hierdie Proklamasie;

(f) 'n kommissaris van 'n mag ingestel kragtens 'n wet bedoel in Bylae A, oefen die bevoegdhede en verantwoordelikhede, aan hom of haar opgedra kragtens paragraaf (b), uit, onderhewig aan die beheer en voorskrifte van die Nasionale Kommissaris wat enige besluit van sodanige Kommissaris kan verander en self, in die algemeen of in enige spesifieke geval, enige deel van sodanige bevoegdheid of verantwoordelikheid kan uitoefen;

(g) 'n persoon in diens kragtens hierdie Proklamasie in 'n voorrasionalisasiepos in die Diens op die dag voor sy of haar aanstelling in 'n pos in die vaste diensstaat van die Diens sal met erkenning van sy of haar dienstydperk as gevolg van sodanige indiensneming—

- (i) geag aangestel te wees kragtens paragraaf (e) en indien sodanige persoon 'n offisier is, word sodanige aanstelling geag 'n aanstelling by kommissie kragtens artikel 3 van die Polisie wet te wees: Met dien verstande dat die pensioenouderdom en -regte van toepassing op sodanige persoon onveranderd bly;

- (ii) remain a member of a fund or scheme referred to in paragraph (c) and shall remain a member of such fund or scheme without a break in his or her service, and the provisions of paragraph (c) shall *mutatis mutandis* be applicable to such membership;
 - (iii) retain the rank, accrued leave and other accrued benefits, applicable to such person on the day before appointment to such post;
 - (iv) not be less favourably remunerated in salary and salary scale, applicable to such person on the day before the appointment to such post;
- (h) all provisions creating an offence, and providing for penalties or any other matter in connection therewith, in any law referred to in Annexure A and in force immediately prior to the coming into operation of this Proclamation, shall continue to be in force: Provided that the foregoing provisions shall not apply where an offence is so created in respect of another provision of such law which is not kept in force in terms of this subsection, except where a provision corresponding to such last-mentioned provision is contained in this Proclamation or kept in operation in terms thereof, in which case any reference in the provision creating the offence to such last-mentioned provision shall be construed as a reference to such corresponding provision;
- (i) any cause of action that arose against a force established by a law referred to in Annexure A, before the commencement of this Proclamation, will be actionable against the Service, subject also to any limitations or defences that may be applicable prior to the commencement of this Proclamation: Provided that the provisions of section 17 shall be applicable to all such causes of action;
- (j) (i) any disciplinary action in connection with alleged misconduct attributed to a member of the Service, serving in a pre-rationalised post, prior to the date of his or her appointment in a post in the fixed establishment of the Service, may be proceeded with or instituted by a competent member of the Service, as if such alleged misconduct had been committed after such date;
- (ii) bly 'n lid van 'n fonds of skema bedoel in paragraaf (c) en bly 'n lid van sodanige fonds of skema sonder onderbreking in sy of haar diens en die bepalings van paragraaf (c) sal *mutatis mutandis* van toepassing wees op sodanige lidmaatskap;
 - (iii) die rang, opgeloopte verlof en ander voordele toegeval, van toepassing op sodanige persoon op die dag voor aanstelling in sodanige pos, behou;
 - (iv) nie minder gunstig ten opsigte van salaris en salarisskaal besoldig word, soos van toepassing op sodanige persoon op die dag voor die aanstelling in sodanige pos nie;
- (h) alle bepalings in 'n wet bedoel in Bylae A wat onmiddellik voor die inwerkingtreding van hierdie Proklamasie van krag is, wat 'n misdryf skep en wat voorsiening maak vir strawwe of enige ander aangeleentheid in verband daarmee sal voortgaan om van krag te wees: Met dien verstande dat die voorafgaande bepalings nie van toepassing sal wees waar 'n misdryf met betrekking tot 'n ander bepaling van sodanige wet geskep word wat nie kragtens hierdie subartikel van krag bly nie, behalwe waar 'n ooreenstemmende bepaling ten opsigte van laasgenoemde bepaling in die Proklamasie vervat word, of daarkragtens in stand gehou word, in welke geval enige verwysing na sodanige laasgenoemde bepaling in die bepaling wat die misdryf skep uitgelê moet word as 'n verwysing na sodanige ooreenstemmende bepaling;
- (i) enige eisorsaak teen 'n mag, ingestel kragtens 'n wet bedoel in Bylae A, wat voor die inwerkingtreding van hierdie Proklamasie ontstaan het, is behoudens ook enige beperkinge of verwere wat voor die inwerkingtreding van hierdie Proklamasie van toepassing was, teen die Diens afdwingbaar: Met dien verstande dat die bepalings van artikel 17 op alle sodanige eisorsake van toepassing is;
- (j) (i) kan daar met enige dissiplinêre optrede, ten opsigte van die beweerde wangedrag van 'n lid van die Diens, wat in 'n voor-rasionalisasiepos dien, en wat voor die datum van sy of haar aanstelling op die vaste diensstaat van die Diens gepleeg is, teen sodanige lid begin of voortgegaan word deur 'n bevoegde lid van die Diens asof sodanige beweerde wangedrag na sodanige datum plaasgevind het;

(ii) appeals resulting from disciplinary action instituted against a member of the Service appointed in a pre-rationalised post and not finally disposed of upon his or her appointment in a post in the fixed establishment of the Service, shall be disposed of by a competent member of the Service in terms of the legal provisions applicable to members of the Service appointed in posts in the fixed establishment of the Service; and

(iii) where a member of the Service, serving in a pre-rationalised post, had been convicted on a disciplinary charge and had not as yet exercised his or her right of appeal upon his or her appointment in a post in the fixed establishment of the Service, such member may, within 30 days from such appointment, appeal against his or her conviction and/or sentence to the competent authority in the Service, and such an appeal shall be dealt with in accordance with the legal provisions applicable to members of the Service, appointed in posts in the fixed establishment of the Service; and

(k) the following provisions of the Police Act, and of any regulations, standing or other orders, and instructions relating thereto, made or issued under the said Act, as they existed immediately prior to the repeal of that Act, shall, *mutatis mutandis* continue to apply in the whole of the National Territory, with respect to this Proclamation, the President, the Minister, the National Commissioner, the Service, or any member of the Service, respectively, namely: sections 3 (1), (1A), (2), (3); 4 (3); 6A; 7; 8; 9; 10G; 11; 17; 18; 19; 20; 21; 22; 23; 24; 25; 26; 26A; 27; 27A; 28; 29; 30; 31; 32*bis*; 34; 34E and 34F.

13. DESIGNATION AS MEMBER OF THE SERVICE

(1) The Minister may by Notice in the *Gazette* designate categories of personnel employed on a permanent basis in the Service and who are not members of the Service, to be members of the Service, from a date specified in such Notice.

(2) Personnel designated in terms of subsection (1), shall be deemed to be members of the Service from the date specified in the Notice referred to in that subsection and such personnel shall be deemed to be appointed in the fixed establishment of the Service in terms of section 12 (2) (e) with effect from such date, subject to the provisions of section 12 (2) (g), which shall *mutatis mutandis* be applicable to such personnel: Provided that a person being a member of a

(ii) word appèlle voortspruitend uit dissiplinêre optrede teen 'n lid van die Diens wat in 'n voorrasionalisasiepos aangestel is en wat nie finaal afgehandel is by sy of haar aanstelling op die vaste diensstaat van die Diens nie, deur 'n bevoegde lid van die Diens ooreenkomstig die regsvoorskrifte van toepassing op lede van die Diens wat aangestel is in poste op die vaste diensstaat van die Diens, afgehandel;

(iii) waar 'n lid van die Diens, wat in 'n voorrasionalisasie dien, skuldig bevind is aan 'n dissiplinêre oortreding en nog nie sy of haar reg tot appèl by sy of haar aanstelling in 'n pos op die vaste diensstaat van die Diens, uitgeoefen het nie, kan sodanige lid binne 30 dae vanaf sodanige aanstelling, teen sy of haar skuldigbevinding en/of vonnis appelleer na die bevoegde gesag in die Diens en sodanige appèl word hanteer ooreenkomstig die regsbeginsele van toepassing op lede van die Diens wat in poste op die vaste diensstaat van die Diens aangestel is;

(k) die volgende bepalings van die Polisiwet, en van enige regulasies, staande of ander orders, en instruksies in verband daarmee, uitgevaardig of uitgereik kragtens bedoelde wet, soos wat dit bestaan het onmiddellik voor die herroeping van daardie wet, sal, *mutatis mutandis* voortgaan om in die geheel van die Nasionale Grondgebied van die Republiek van toepassing te wees ten opsigte van hierdie Proklamasie, die President, die Minister, die Nasionale Kommissaris, die Diens of enige lid van die Diens, onderskeidelik, naamlik: artikels 3 (1), (1A), (2), (3); 4 (3); 6A; 7; 8; 9; 10G; 11; 17; 18; 19; 20; 21; 22; 23; 24; 25; 26; 26A; 27; 27A; 28; 29; 30; 31; 32*bis*; 34; 34E en 34F.

13. AANWYSIGING AS LID VAN DIE DIENS

(1) Die Minister kan, deur Kennisgewing in die *Staatskoerant*, kategorieë van personeel wat voltyds in diens van die Diens is, en wat nie lede van die Diens is nie, vanaf 'n datum in sodanige Kennisgewing bepaal, aanwys as lede van die Diens.

(2) Personeel wat kragtens subartikel (1) aangewys is, word geag lede van die Diens te wees vanaf die datum bepaal in die Kennisgewing waarna in daardie subartikel verwys word en sodanige personeel sal geag word op die vaste diensstaat van die Diens aangestel te wees kragtens artikel 12 (2) (e) met ingang van daardie datum behoudens die bepalings van artikel 12 (2) (g) wat *mutatis mutandis* op sodanige personeel van toepassing sal wees: Met dien verstande dat

category of personnel as referred to in subsection (1) who does not consent to having the retirement age applicable to him or her on 1 October 1993, as required by section 212 (7) (b) of the Constitution, changed as a result of such Notice within one month of the publication of such Notice, shall not be affected by such notice.

14. RATIONALISATION, ACCOMMODATION AND REDUNDANCIES

(1) The Minister shall determine a scheme for the rationalisation, reorganisation and consolidation of the Service at national and provincial level as contemplated in section 237 of the Constitution.

(2) Subject to the Constitution and sections 2 and 4 of this Proclamation such scheme may include—

- (a) the appointment of the National and Provincial Commissioners;
- (b) the determination and filling of specified senior posts in the fixed establishment of the Service at national and provincial level;
- (c) the accommodation of members of the Service serving in pre-rationalised posts, in—
 - (i) posts in the fixed establishment of the Service;
 - (ii) their pre-rationalised posts on a temporary basis;
 - (iii) posts additional to the fixed establishment;
- (d) the accommodation in the fixed establishment of all the members belonging to a category or class of members of the Service, of equal rank or status, in which case the pre-rationalised posts of such members shall be deemed to be posts in the fixed establishment of the Service and the relevant members shall be deemed to be duly appointed in such posts;
- (e) the appointment to certain specified posts of—
 - (i) persons not being members of the Service; or
 - (ii) members belonging to a category or class of members of a specified or higher rank or status; and
- (f) the termination of service of members of a specified rank or status, serving in pre-rationalised posts, who are not accommodated in posts, or additional to the fixed establishment, on a permanent basis.

(3) A member of the Service serving in a pre-rationalised post, may not have his or her services terminated as a result of such non-accommodation except—

- (a) in terms of such rationalisation scheme; or

'n persoon wat 'n lid van 'n kategorie van personeel soos bedoel in subartikel (1) is, wat nie binne een maand na die publikasie van sodanige Kennisgewing, toestem dat die aftree-ouderdom wat op 1 Oktober 1993 op hom of haar van toepassing was, soos vereis deur in artikel 212 (7) (b) van die Grondwet, verander word as gevolg van sodanige Kennisgewing nie, nie deur sodanige Kennisgewing geraak sal word nie.

14. RASIONALISASIE, AKKOMMODASIE EN OORTOLLIGHEID

(1) Die Minister bepaal 'n skema vir die rasionalisasie, re-organisasie en konsolidasie van die Diens op nasionale en provinsiale vlak soos bedoel in artikel 237 van die Grondwet.

(2) So 'n skema kan, onderhewig aan die Grondwet en artikels 2 en 4 van hierdie Proklamasie, insluit—

- (a) die aanstelling van die Nasionale en Provinsiale Kommissarisse;
- (b) die bepaling en vulling van gespesifiseerde senior poste op die vaste diensstaat van die Diens op nasionale en provinsiale vlak;
- (c) die akkommodasie van lede van die Diens wat in voorrasionalisasieposte dien, in—
 - (i) poste op die vaste diensstaat van die Diens;
 - (ii) hulle voorrasionalisasieposte op 'n tydelike basis;
 - (iii) poste addisioneel tot die vaste diensstaat;
- (d) die akkommodasie op die vaste diensstaat van alle lede wat aan 'n kategorie of klas van lede van die Diens, van gelyke rang of status, behoort, in welke geval die voorrasionalisasieposte van sodanige lede geag word poste op die vaste diensstaat van die Diens te wees en die betrokke lede sal geag word behoorlik in sodanige poste aangestel te wees;
- (e) die aanstelling in sekere gespesifiseerde poste van—
 - (i) persone wat nie lede van die Diens is nie; of
 - (ii) lede van 'n sekere kategorie of klas van lede van 'n gespesifiseerde of hoër rang of status; en
- (f) die beëindiging van die diens van lede van 'n spesifieke rang of status wat in voorrasionalisasieposte dien, wat nie geakkommodeer word in poste, of addisioneel tot die vaste diensstaat, op 'n permanente basis nie.

(3) 'n Lid van die Diens wat in 'n voorrasionalisasiepos dien, se dienste word nie beëindig nie as gevolg van sodanige nie-akkommodasie behalwe—

- (a) kragtens sodanige rasionalisasieskema; of

(b) if such member consents to such termination.

(4) The termination of the service of a member as a result of the implementation of such a rationalisation scheme, shall be on such terms as may be determined by the Minister in concurrence with the Minister of Finance: Provided that such terms shall not be less favourable than those applicable to such member by virtue of such termination of service on account of the abolishment of his or her post, declaration of redundancy or reorganisation of the Service.

(5) Different rationalisation schemes may be applicable to different categories or classes of members of the Service.

(6) Prior to the implementation of such a scheme the Minister shall inform the members, who may be affected by such rationalisation scheme, of the contents thereof.

15. EFFECTIVE DATE OF RATIONALISATION

The National Commissioner shall, for the purposes of the Exchequer Act, 1975, be deemed to be the Head of the Service with effect from 1 April 1995 and the effective date of rationalisation of the Service, as contemplated in section 4A of the said Act, shall be deemed to be the said date.

16. POLICE AGREEMENTS WITH OTHER STATES OR TERRITORIES

(1) The Minister may enter into agreements in regard to co-operation and mutual aid between the Service and the police force or service of a foreign state, the circumstances and conditions in terms of which members of the respective policing agencies may undertake cross-border operations or any other matter of mutual concern.

(2) The provisions of section 34G of the Police Act shall *mutatis mutandis* apply to such agreements, the effect of publication thereof by Notice in the *Gazette*, the tabling in Parliament before both Houses of such Notice, and acts by a member of a policing agency of a foreign state in the Republic in accordance with the provisions of such agreement.

17. LIMITATION OF ACTIONS, NOTIFICATION OF ACTION AND CAUSE THEREOF, AND SERVICE OF CERTAIN PROCESS

(1) No legal proceedings shall be instituted against the State or any body or person in respect of any alleged act performed in terms of this Proclamation, or an alleged failure to do anything which should have been done in terms of this Proclamation, unless the legal proceedings are instituted before the expiry of a period of 12 calendar months after the date upon which the claimant became aware of the alleged act or omission, or after the date upon which the claimant might be reasonably expected to have become aware of the alleged act or omission, whichever is the earliest date.

(b) as sodanige lid tot sodanige beëindiging toestem.

(4) Die beëindiging van die diens van 'n lid as gevolg van die implementering van sodanige rasionalisasieskema is op die voorwaardes soos bepaal deur die Minister in samestemming met die Minister van Finansies: Met dien verstande dat sodanige voorwaardes nie minder gunstig sal wees as die voorwaardes van toepassing op sodanige lid in die geval van sodanige beëindiging van sy of haar diens weens die afskaffing van sy of haar pos, verklaring van oortolligheid of re-organisasie van die Diens nie.

(5) Verskillende rasionalisasieskemas kan van toepassing wees op verskillende kategorieë of klasse van lede van die Diens.

(6) Voor die implementering van sodanige skema moet die Minister die lede wat deur so 'n rasionalisasieskema geraak mag word, van die inhoud daarvan verwittig.

15. EFFEKTIEWE DATUM VAN RASIONALISASIE

Die Nasionale Kommissaris word vir die doeleindes van die Skatkiswet, 1975, geag die Departementshoof van die Diens te wees met ingang van 1 April 1995 en die effektiwe datum van rasionalisasie van die Diens, soos bedoel in artikel 4A van genoemde Wet, word geag genoemde datum te wees.

16. POLISIE-OOREENKOMSTE MET ANDER STATE OF GEBIEDE

(1) Die Minister kan ooreenkomste, ten opsigte van samewerking en wedersydse hulpverlening tussen die Diens en die polisiemag of -diens van 'n vreemde staat, die omstandighede en voorwaardes waarkragtens lede van die onderskeie polisie-agentskappe oor grense mag optree en enige ander aangeleentheid van wedersydse belang, sluit.

(2) Die bepalings van artikel 34G van die Polisiewet is *mutatis mutandis* van toepassing op sodanige ooreenkomste, die gevolge van publikasie daarvan deur 'n Kennisgewing in die *Staatskoerant*, die ter tafellegging van sodanige Kennisgewing in beide Kamers van die Parlement en die handelinge van 'n lid van 'n polisiëringsagentskap of 'n vreemde staat in die Republiek kragtens die bepalings van sodanige ooreenkoms.

17. BEPERKING VAN REGSGEDINGE, KENNISGEWING VAN GEDING EN EISOORSAAK EN BESTELLING VAN SEKERE PROSESSTUKKE

(1) Geen regsgeeding mag teen die Staat of 'n liggaam of persoon ten opsigte van enige beweerde handeling ingevolge hierdie Proklamasie, of enige beweerde versuim om iets te doen wat ingevolge hierdie Proklamasie gedoen behoort te word, ingestel word nie, tensy die regsgeeding ingestel word voor die verstryking van 'n tydperk van 12 kalendermaande na die datum waarop die eiser kennis van die beweerde handeling of versuim gehad het, of na die datum waarop redelikerwys verwag kan word dat die eiser van die beweerde handeling of versuim bewus sou wees, na gelang van watter datum die vroegste is.

(2) No such legal proceedings shall be instituted before the expiry of at least one calendar month after written notification of the intention to institute such proceedings has been served on the defendant, wherein particulars of the alleged act or omission are contained.

(3) If any notice contemplated in subsection (1) is given to the National Commissioner or the Provincial Commissioner within whose province the cause of action arose, it shall be deemed to be notification to the defendant concerned.

(4) Any process by which any action contemplated in subsection (1) is instituted and in which the Minister is the defendant or respondent may be served on the National Commissioner, or Provincial Commissioner referred to in subsection (3).

(5) Subsections (1) and (2) shall not be construed as precluding a court of law from dispensing with the requirements or prohibitions of those sections where the interests of justice so require.

(2) Geen sodanige regsding mag ingestel word voor die verstryking van minstens een kalendermaand nadat skriftelike kennisgewing, waarin besonderhede aangaande die beweerde handeling of versuim verstrekt word, van die voorneme om sodanige regsding in te stel, op die verweerder beteken is nie.

(3) Indien die kennisgewing beoog in subartikel (1) aan die Nasionale Kommissaris of aan 'n Provinsiale Kommissaris in wie se provinsie die eisorsaak ontstaan het, gegee word, word dit geag kennisgewing aan die betrokke verweerder te wees.

(4) Enige prosesstuk waarby 'n geding beoog in subartikel (1) ingestel word en waarin die Minister die verweerder of respondent is, kan op die Nasionale Kommissaris of Provinsiale Kommissaris waarna in subartikel (3) verwys word, beteken word.

(5) Subartikels (1) en (2) word nie uitgelê as sou dit 'n geregshof belet om afstand te doen van die vereistes en verbiede verval in daardie artikels waar dit in belang van geregtigheid vereis word nie.

18. SHORT TITLE

This Proclamation shall be called the **South African Police Service Rationalisation Proclamation, 1995.**

18. KORT TITEL

Hierdie Proklamasie staan bekend as die **Suid-Afrikaanse Polisiediens Rasionalisasie Proklamasie, 1995.**

ANNEXURE A

Number and year of Law	Short title	Extent of repeal
Act No. 7 of 1958	Police Act, 1958	The repeal of the whole
Act No. 7 of 1978 (Bophuthatswana)	Bophuthatswana Police Act, 1978	The repeal of the whole
Act No. 16 of 1979 (Transkei)	Transkei Police Act, 1979	The repeal of the whole
Act No. 5 of 1980 (Gazankulu)	Gazankulu Police Act, 1980	The repeal of the whole
Act No. 7 of 1980 (Qwaqwa)	Qwaqwa Police Act, 1980	The repeal of the whole
Act No. 14 of 1980 (KwaZulu)	KwaZulu Police Act, 1980	The repeal of the whole
Act No. 32 of 1983 (Ciskei)	Ciskei Police Act, 1983	The repeal of the whole
Act No. 4 of 1985 (Venda)	Venda Police Act, 1985	The repeal of the whole
Act No. 6 of 1985 (Lebowa)	Lebowa Police Act, 1985	The repeal of the whole
Act No. 11 of 1986 (KwaNdebele)	KwaNdebele Police Act, 1986	The repeal of the whole
Act No. 4 of 1988 (KaNgwane)	KaNgwane Police Act, 1988	The repeal of the whole

BYLAE A

Nommer en jaar van Wet	Kort titel	Mate van herroeping
Wet No. 7 van 1958	Polisiewet, 1958	Die herroeping van die geheel
Wet No. 7 van 1978 (Bophuthatswana)	Bophuthatswana Polisiewet, 1978	Die herroeping van die geheel
Wet No. 16 van 1979 (Transkei)	Transkeise Polisiewet, 1979	Die herroeping van die geheel
Wet No. 5 van 1980 (Gazankulu)	Gazankulu Polisiewet, 1980	Die herroeping van die geheel
Wet No. 7 van 1980 (Qwaqwa)	Qwaqwa Polisiewet, 1980	Die herroeping van die geheel
Wet No. 14 van 1980 (KwaZulu)	KwaZulu Polisiewet, 1980	Die herroeping van die geheel
Wet No. 32 van 1983 (Ciskei)	Ciskeise Polisiewet, 1983	Die herroeping van die geheel
Wet No. 4 van 1985 (Venda)	Venda Polisiewet, 1985	Die herroeping van die geheel
Wet No. 6 van 1985 (Lebowa)	Lebowa Polisiewet, 1985	Die herroeping van die geheel
Wet No. 11 van 1986 (KwaNdebele)	KwaNdebele Polisiewet, 1986	Die herroeping van die geheel
Wet No. 4 van 1988 (KaNgwane)	KaNgwane Polisiewet, 1988	Die herroeping van die geheel

IMPORTANT!!

Placing of languages: *Government Gazettes*

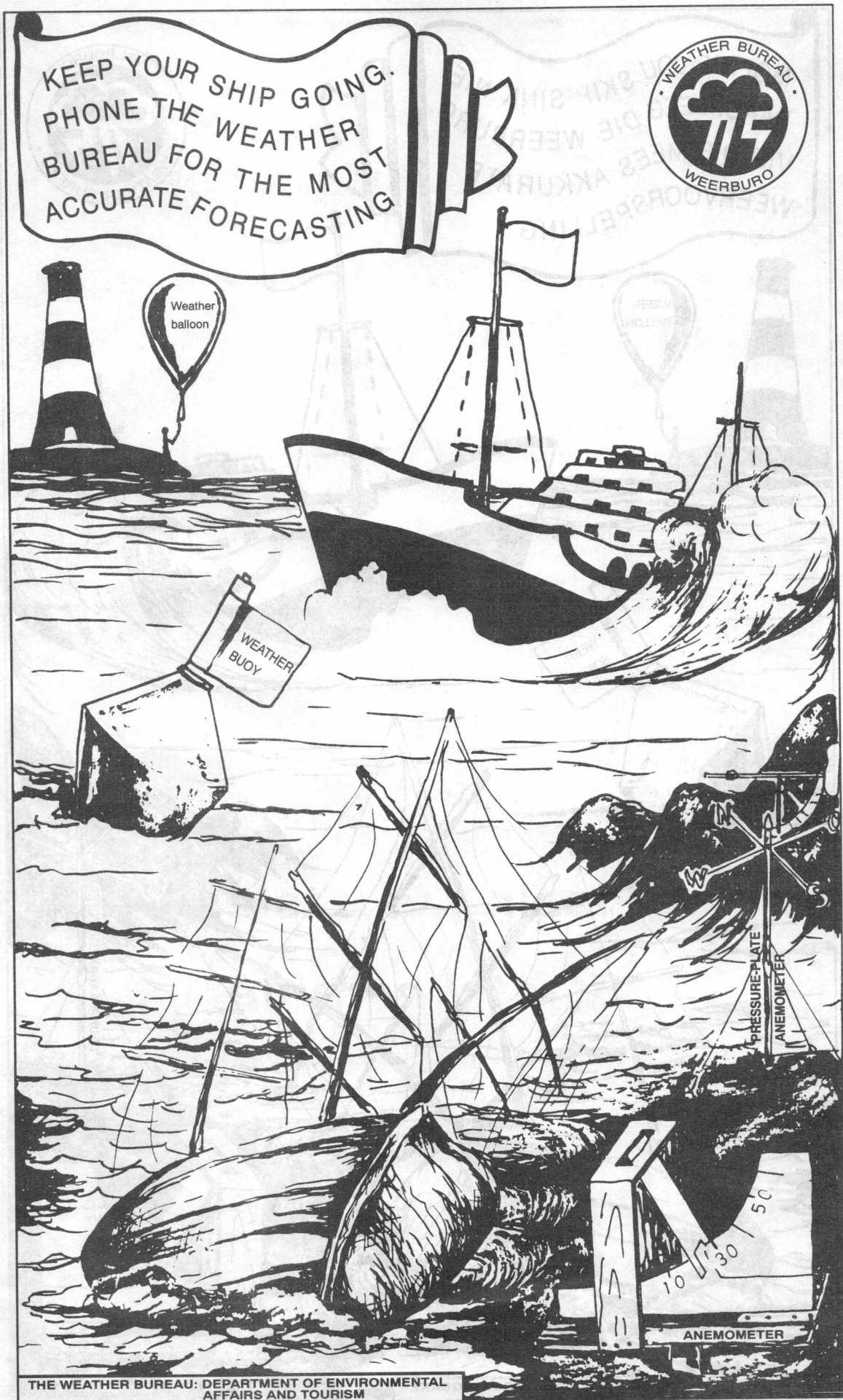
1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.
2. For the period 1 October 1994 to 30 September 1995, English is to be placed FIRST.
3. This arrangement is in conformity with Gazettes containing Act of 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.*

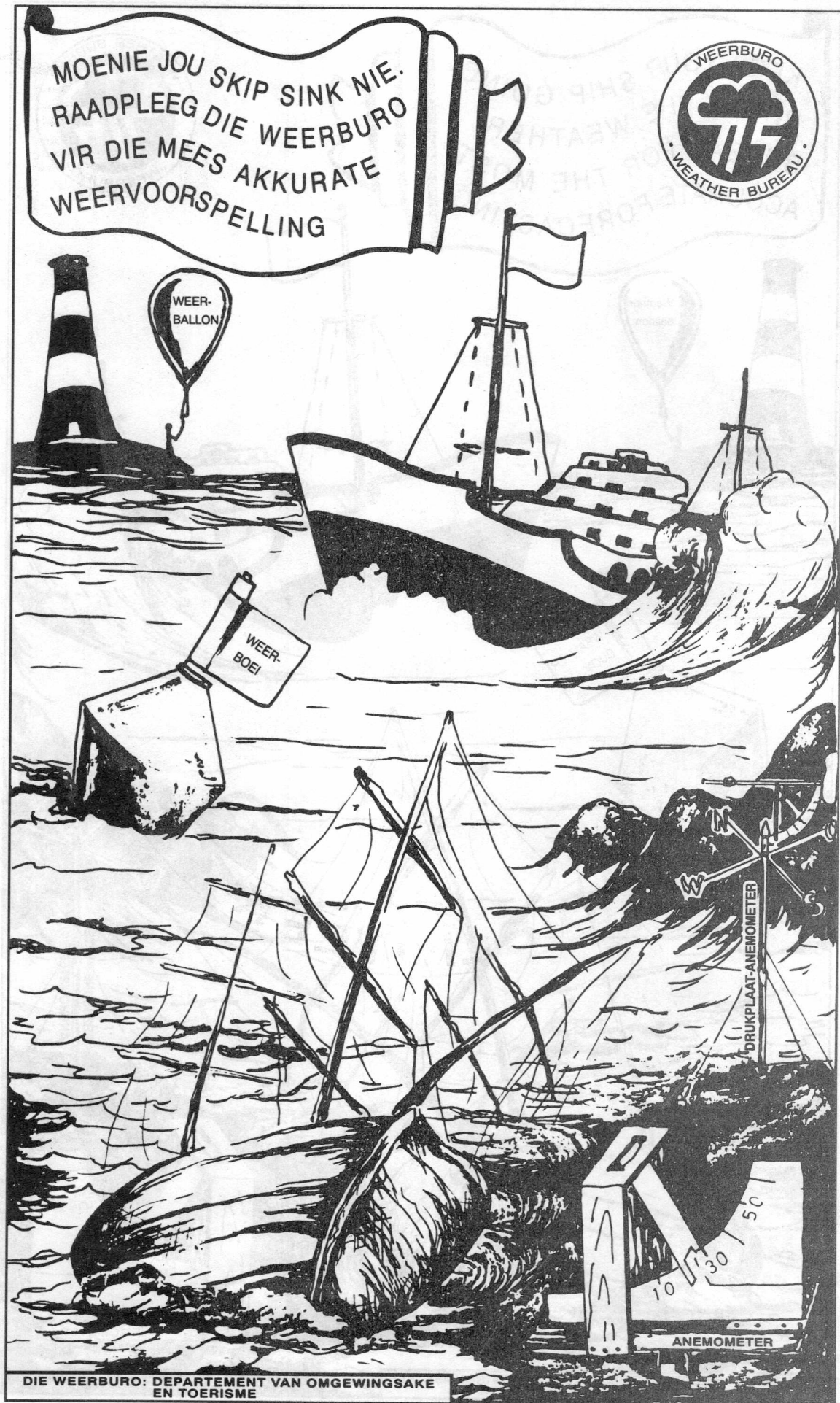
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BELANGRIK!!

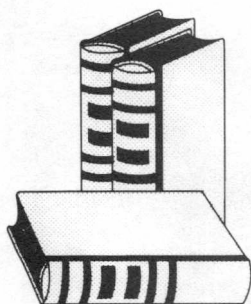
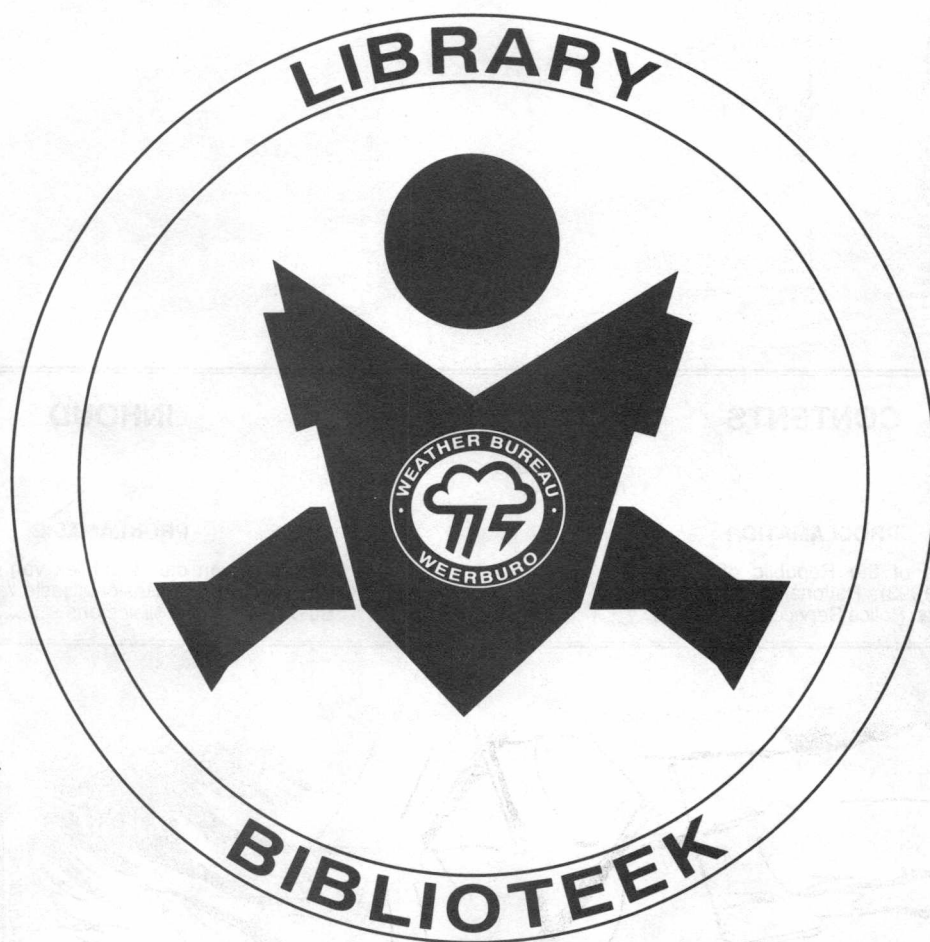
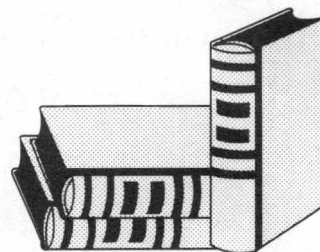
Plasing van tale: *Staatskoerante*

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 1994 tot 30 September 1995 word Engels 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.*





Where is the largest amount of meteorological information in the whole of South Africa available?



Waar is die meeste weerkundige inligting in die hele Suid-Afrika beskikbaar?

Department of Environmental Affairs and Tourism
Departement van Omgewingsake en Toerisme



Where is the largest amount of
meteorological information in the
whole of South Africa available?

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inligting in die hele Suid-Afrika
beskikbaar?

