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CONTENTS

INHOUD

No.		Page No.	Gazette No.	No.		Bladsy No.	Koerant No.
GOVERNMENT NOTICES				GOEWERMENSKENNISGEWINGS			
Agriculture, Department of				Arbeid, Departement van			
<i>Government Notices</i>				<i>Goewermenskennisgewings</i>			
R. 385	Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act (36/1947): Regulations relating to the Registration of Fertilizers, Farm Feeds, Agricultural Remedies, Stock Remedies, Sterilising Plants and Pest Control Operators, Appeals and Imports: Proposed amendment.....	5	22273	R. 380	Wet op Arbeidsverhoudinge (66/1995): Intrekking van Goewermenskennisgewings: Metaal- en Ingenieursnywerhede Bedingsraad: Geskilbeslegtings Kollektiewe Ooreenkoms.....	12	22273
R. 386	Co-operatives Act (91/1981): Prescribed fees: Amendment.....	7	22273	R. 381	do.: Metaal- en Ingenieursnywerhede Bedingsraad: Uitbreiding van Geskilbeslegtings Kollektiewe Ooreenkoms na Nie-Partye	12	22273
Labour, Department of				Landbou, Departement van			
<i>Government Notices</i>				<i>Goewermenskennisgewings</i>			
R. 380	Labour Relations Act (66/1995): Cancellation of Government Notices: Metal and Engineering Industries Bargaining Council: Dispute Resolution Collective Agreement.....	12	22273	R. 385	Wet op Misstowwe, Veevoedsel, Landboumiddels en Veemiddels (36/1947): Regulasies betreffende die Registrasie van Misstowwe, Veevoedsel, Landboumiddels, Veemiddels, Steriliseringsinstallasies en Plaagbeheeroperateurs, Appèlle en Invoer: Wysiging	5	22273
R. 381	do.: Metal and Engineering Industries, Bargaining Council: Extension of the Dispute Resolution Re-enacting and Amending Agreement to Non-Parties	12	22273	R. 386	Koöperasiewet (91/1981): Voorgeskrewe gelde: Wysiging	8	22273
South African Police Service				Suid-Afrikaanse Polisiediens			
<i>Government Notice</i>				<i>Goewermenskennisgewing</i>			
R. 384	South African Police Service Act (68/1995): South African Police Service Interim Regulations for Community Police Forums and Boards.....	17	22273	R. 384	Wet op die Suid-Afrikaanse Polisiediens (68/1995): Suid-Afrikaanse Polisiediens Interim Regulasies vir Gemeenskapspolisieforums en Rade	28	22273

GOVERNMENT NOTICES GOEWERMENSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 385

11 May 2001

FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT No. 36 OF 1947)

REGULATIONS RELATING TO THE REGISTRATION OF FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES, STOCK REMEDIES, STERILISING PLANTS AND PEST CONTROL OPERATORS, APPEALS AND IMPORTS: PROPOSED AMENDMENT

I, Angela Thokozile Didiza, Minister of Agriculture, acting under section 23(4) of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), hereby –

- (a) make known that I intend to make the regulation in the Schedule; and
- (b) invite interested persons to submit any objections to or representations concerning the proposed regulation in writing to the Registrar: Fertilizers, Farm feeds, Agricultural remedies and Stock Remedies, Private Bag X343, Pretoria, 0001, within four weeks from the date of publication hereof.

A.T. DIDIZA,
Minister of Agriculture.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 1449 of 1 July 1983, as amended by Government Notices Nos. R. 96 of 20 January 1984, R. 2055 of 14 September 1984, R. 1053 of 3 June 1988, R. 1242 of 9 June 1990, R. 1409 of 6 August 1993, R. 1592 of 30 September 1996, R. 1017 of 14 August 1998 and R. 216 of 10 March 2000.

Substitution of Table 1 of the Regulations

2. The Regulations are hereby amended by the substitution for Table 1 of the following table:

No. R. 385

11 Mei 2001

WET OP MISSTOWWE, VEEVOEDSEL, LANDBOUMIDDELS
EN VEEMIDDELS, 1947 (WET No. 36 VAN 1947)

REGULASIES BETREFFENDE DIE REGISTRASIE VAN MISSTOWWE, VEEVOEDSEL,
LANDBOUMIDDELS, VEEMIDDELS, STERILISERINGSINSTALLASIES EN PLAAG-
BEHEEROPERATEURS, APPËLLE EN INVOER: WYSIGING

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikel 23(4) van die Wet op Misstowwe, Veevoedsel, Landboumiddels en Veemiddels, 1947 (Wet No. 36 van 1947) –

- (a) maak hiermee bekend dat ek van voorneme is om die regulasie in die Bylae uit te vaardig; en
- (b) nooi belanghebbende persone hiermee uit om besware teen of vertoë aangaande die voorgestelde regulasie binne vier weke na die datum van publíkasie hiervan skriftelik aan die Registrateur: Misstowwe, Veevoedsel, Landboumiddels en Veemiddels, Privaatsak X343, Pretoria, 0001, voor te lê.

A.T. DIDIZA,
Minister van Landbou.

BYLAE

Definisie

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermenskennigsewing No. R. 1449 van 1 Julie 1983, soos gewysig deur Goewermenskennigsewing Nos. R. 96 van 20 Januarie 1984, R. 2055 van 14 September 1984, R. 1053 van 3 Junie 1988, R. 1242 van 9 Junie 1990, R. 1409 van 6 Augustus 1993, R. 1592 van 30 September 1996, R. 1017 van 14 Augustus 1998 en R. 216 van 10 Maart 2000.

Vervanging van Tabel 1 van die Regulasies

2. Die Regulasies word hierby gewysig deur Tabel 1 met die volgende tabel te vervang:

TABLE 1 – TABEL 1

"FEES PAYABLE – GELDE BETAALBAAR

Purpose/Doel	Amount payable for application/ Bedrag betaalbaar per aansoek
A. Application for the registration of -/Aansoek om die registrasie van –	
(a) a fertilizer, farm feed or sterilising plant/n misstof, veevoedsel of steriliseringsinstallasie	R850
(b) an agricultural remedy or a stock remedy/n landboumiddel of veemiddel	R1 700
(c) a pest control operator/n plaagbeheeroperateur	R380
B. Application for the renewal of the registration of -/Aansoek om hernuwing van die registrasie van –	
(a) a fertilizer, farm feed or sterilising plant/n misstof, veevoedsel of steriliseringsinstallasie	R450
(b) an agricultural remedy or a stock remedy/n landboumiddel of veemiddel	R850
(c) a pest control operator/n plaagbeheeroperateur	R250
C. Payment in addition to that specified in paragraph B, in the case of a late application to the renewal for the registration of -/Betaling bykomend tot die in paragraaf B vermeld, in die geval van 'n laat aansoek om die hernuwing van die registrasie van –	
(a) a fertilizer, farm feed or sterilising plant/n misstof, veevoedsel of steriliseringsinstallasie	R380

Purpose/Doel	Amount payable for application/ Bedrag betaalbaar per aansoek
(b) an agricultural remedy or a stock remedy/n landboumiddel of veemiddel	R650
(c) a pest control operator/n plaagbeheeroperateur	R130
D. An appeal in terms of section 6 of the Act/n Appèl ingevolge artikel 6 van die Wet	R2 800".

No. R. 386

11 May 2001

CO-OPERATIVES ACT, 1981**(ACT No. 91 OF 1981)****PRESCRIBED FEES: AMENDMENT**

The Minister of Agriculture has under section 240 of the Co-operatives Act, 1981 (Act No. 90 of 1981) made the regulations set out in the Schedule hereto.

SCHEDULE**Definitions**

1. Any word or expression in these regulations to which a meaning has been assigned in the Act shall have the same meaning, and -

- (a) "the Act" means the Co-operatives Act, 1981 (Act No. 91 of 1981); and
- (b) "the Regulations" means the regulations published by Government Notice No. R. 1116 of 24 April 1992, as amended by Government Notices Nos. R. 2297 of 3 December 1993, R. 1115 of 28 July 1995, R. 1248 of 19 September 1997, R. 1158 of 1 October 1999 and R. 800 of 11 August 2000.

Substitution of Table 1

2. The Regulations are hereby amended by the substitution for Table 1 of the following table:

No. R. 386

11 Mei 2001

KOÖPERASIEWET, 1981
(WET No. 91 VAN 1981)

VOORGESKREWE GELDE: WYSIGING

Die Minister van Landbou het kragtens artikel 240 van die Koöperasiewet, 1981 (Wet No. 90 van 1981), die regulasies in die Bylae uiteengesit, uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie regulasies het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en beteken -

- (a) "die Wet" die Koöperasiewet, 1981 (Wet No. 91 van 1981); en
- (b) "die Regulasies" die regulasies gepubliseer by Goewermementskennisgewing No. R. 1116 van 24 April 1992, soos gewysig deur Goewermementskennisgewings Nos. R. 2297 van 3 Desember 1993, R. 1115 van 28 Julie 1995, R. 1248 van 19 September 1997, R. 1158 van 1 Oktober 1999 en R. 800 van 11 Augustus 2000.

Vervanging van Tabel 1

2. Die Regulasies word hierby gewysig deur Tabel 1 deur die volgende tabel te vervang:

TABLE 1/TABEL 1

FEES PAYABLE TO REGISTRAR/GELDE BETAALBAAR AAN REGISTRATEUR

PURPOSE/DOEL	AMOUNT/BEDRAG
1. Inspection of any document received or kept by the Registrar in terms of the Act/Insae in 'n stuk wat deur die Registrateur ingevolge die Wet ontvang of gehou word [Section 8(1)(a) of the Act/Artikel 8(1)(a) van die Wet]	R14,00 per co-operative/per koöperasie
2. Obtaining a certificate from the Registrar as to the contents or part of the contents of a document referred to in item 1/Verkryging van 'n sertifikaat van die Registrateur aangaande die inhoud of deel van die inhoud van 'n stuk in item 1 bedoel [Section 8(1)(b) of the Act/Artikel 8(1)(b) van die Wet]	R14,00 per certificate/per sertifikaat
3. Obtaining a copy of or an extract from any document referred to in item 1/Verkryging van 'n afskrif van of uittreksel uit 'n stuk in item 1 bedoel - (a) where it follows an inspection as contemplated in item 1/wanneer dit volg op insae soos in item 1 beoog (b) where otherwise requested/wanneer andersins aangevra (c) when it is provided programmatically/wanneer dit programmaties verskaf word [Section 8(1)(c) of the Act/Artikel 8(1)(c) van die Wet]	70 cent per photocopy/sent per fotokopie R14,00 per co-operative plus 70 cent per photocopy/ per koöperasie plus 70 sent per fotokopie R15,00 per co-operative plus disc/per koöperasie plus disket
4. Application for the registration of the statute and incorporation of a co-operative/Aansoek om die registrasie van die statuut en inlywing van 'n koöperasie: (a) Commercial co-operatives/Kommersiële koöperasies (b) Developing co-operatives/Ontwikkellende koöperasies [Section 26(2)(h) of the Act/Artikel 26(2)(h) van die Wet]	R600,00 per application/per aansoek R150,00 per application/per aansoek

PURPOSE/DOEL	AMOUNT/BEDRAG
5. Application for the registration of an amendment of a statute/Aansoek om die registrasie van 'n wysiging van 'n statuut: (a) Commercial co-operatives/Kommersiële koöperasies (b) Developing co-operatives/Ontwikkende koöperasies [Section 33(2)(d) of the Act/Artikel 33(2)(d) van die Wet]	R50,00 per clause amended with a maximum of R700,00/per artikel wat gewysig word met 'n maksimum van R700,00 R12,50 per clause amended with a maximum of R175,00/per artikel wat gewysig word met 'n maksimum van R175,00
6. Application to replace the statute of a co-operative/Aansoek om die statuut van 'n koöperasie te vervang: (a) Commercial co-operatives/Kommersiële koöperasies (b) Developing co-operatives/Ontwikkende koöperasies [Section 34(1)(h) of the Act/Artikel 34(1)(h) van die Wet]	R700,00 per application/per aansoek R175,00 per application/per aansoek
7. Application to convert a company into a co-operative/Aansoek om 'n maatskappy in 'n koöperasie te omskep: (a) Commercial co-operatives/Kommersiële koöperasies (b) Developing co-operatives/Ontwikkende koöperasies [Section 157(2)(j) of the Act/Artikel 157(2)(j) van die Wet]	R700,00 per application/per aansoek R175,00 per application/per aansoek
8. Application to convert a co-operative into another kind or form of co-operation/Aansoek om 'n koöperasie in 'n ander soort of vorm van koöperasie te omskep: (a) Commercial co-operatives/Kommersiële koöperasies (b) Developing co-operatives/Ontwikkende koöperasies [Section 162(2)(d) of the Act/Artikel 162(2)(d) van die Wet]	R700,00 per application/per aansoek R175,00 per application/per aansoek

PURPOSE/DOEL	AMOUNT/BEDRAG
9. Application for the amalgamation of two or more co-operatives/Aansoek om die amalgamasie van twee of meer koöperasies: (a) Commercial co-operatives/Kommersiële koöperasies (b) Developing co-operatives/Ontwikkende koöperasies [Section 165(2)(d) of the Act/Artikel 165(2)(d) van die Wet]	R700,00 per application/per aansoek R175,00 per application/per aansoek
10. Notice of address of the registered office and the postal address of a co-operative/Kennisgewing van adres van die geregistreerde kantoor en posadres van 'n koöperasie: (a) Commercial co-operatives/Kommersiële koöperasies (b) Developing co-operatives/Ontwikkende koöperasies [Section 26(2)(i) and 105(2) of the Act/Artikel 26(2)(i) en 105(2) van die Wet]	R24,00 per notice/per kennisgewing R6,00 per notice/per kennisgewing
11. Publication of statistics on co-operatives*/Publikasie van statistieke aangaande koöperasies	Free/Gratis
12. List of co-operatives/Lys van koöperasies: (a) Photocopies/Fotokopieë (b) On disk/Op disket	R45,00 per list/per lys R45,00 per list plus disc/per lys plus disket

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**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID****No. R. 380****11 May 2001****LABOUR RELATIONS ACT, 1995****CANCELLATION OF GOVERNMENT NOTICES****METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL: DISPUTE RESOLUTION
COLLECTIVE AGREEMENT**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby, in terms of section 32 (7) of the Labour Relations Act, 1995, cancel Government Notice No. R. 406 of 31 March 1998, with effect from 21 May 2001.

M. M. S. MDLADLANA**Minister of Labour****No. R. 380****11 Mei 2001****WET OP ARBEIDSVERHOUDINGE, 1995****INTREKKING VAN GOEWERMENSKENNISGEWINGS****METAAL- EN INGENIEURSNYWERHEDE BEDINGINGSRAAD: GESKILBESLEGTINGS
KOLLEKTIEWE OOREENKOMS**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, trek hierby kragtens artikel 32 (7) van die Wet op Arbeidsverhoudinge, 1995, Goewermenskennisgewing No. R. 406 van 31 Maart 1998 in, met ingang van 21 Mei 2001.

M. M. S. MDLADLANA**Minister van Arbeid****No. R. 381****11 May 2001****LABOUR RELATIONS ACT, 1995****METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL: EXTENSION OF THE DISPUTE RESOLUTION
RE-ENACTING AND AMENDING AGREEMENT TO NON-PARTIES**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby, in terms of section 32 (2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the Metal and Engineering Industries Bargaining Council and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in that industry, with effect from 21 May 2001 and for the period ending 05 September 2002.

M. M. S. MDLADLANA**Minister of Labour****No. R. 381****11 Mei 2001****WET OP ARBEIDSVERHOUDINGE, 1995****METAAL- EN INGENIEURSNYWERHEDE BEDINGINGSRAAD: UITBREIDING VAN GESKILBESLEGTINGS
KOLLEKTIEWE OOREENKOMS NA NIE-PARTYE**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, dat die dat die kollektiewe ooreenkoms wat in die Bylae hiervan verskyn, 'n wat in die Metaal- en Ingenieursnywerhede Bedingingsraad aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van 21 Mei 2001 en vir die tydperk wat op 05 September 2002 eindig.

M. M. S. MDLADLANA**Minister van Arbeid**

Nota: 'n Afrikaanse vertaling van die ooreenkoms by die Engelse kennisgewing sal so gou as doenlik in die staatskoerant gepubliseer word.

SCHEDULE**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL DISPUTE RESOLUTION AGREEMENT**

The following agreement has been made and entered into by and between the following parties to the Metal and Engineering Industries Bargaining Council, in terms of the Labour Relations Act No. 66 of 1995:

Association of Electric Cable Manufacturers of South Africa
Association of Metal Service Centres of South Africa
Border Industrial Employers' Association
Bright Bar Association
Cape Engineers' and Founders' Association
Constructional Engineering Association (South Africa)
Covered Conductor Manufacturers' Association
Electrical Engineering and Allied Industries' Association
Electronics and Telecommunication Industries' Association
Ferro Alloy Producers' Association
Gate and Fence Association
Hand Tool Manufacturers' Association (HATMA)
Iron and Steel Producers' Association of South Africa
KwaZulu-Natal Engineering Industries' Association
Lift Engineering Association of South Africa
Light Engineering Industries' Association of South Africa
Materials Handling Association
Non-Ferrous Metal Industries' Association of South Africa
Plastics Convertors' Association of South Africa
Plumbers and Engineers Brassware Manufacturers' Association
Port Elizabeth Engineers' Association
Pressure Vessel Manufacturers' Association of South Africa
Radio, Appliance and Television Association of South Africa (RATA)
Refrigeration and Air-conditioning Manufacturers' and Suppliers' Association
Sheetmetal Industries' Association of South Africa
S.A. Electro-Plating Industries' Association
S.A. Engineers' and Founders' Association
S.A. Fastener Manufacturers' Association (SAFMA)
S.A. Industrial Refrigeration and Air-conditioning Contractors' Association (SARACCA)
S.A. Post Tensioning Association (SAPTA)
S.A. Pump Manufacturers' Association
S.A. Reinforced Concrete Engineers' Association (SARCEA)
S.A. Tube Makers' Association
S.A. Valve and Actuators Manufacturers' Association (SAVAMA)
S.A. Wire and Wire Rope Manufacturers' Association

(hereinafter referred to as the "employers" or the "employers' organisations"), of the one part and the

Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union (CEPPWAWU)
Electronic and Metal Workers' Union of South Africa
Metal and Electrical Workers' Union of South Africa
Mineworkers' Union
National Employees' Trade Union
National Union of Metalworkers of South Africa (NUMSA)
S.A. Electrical Workers' Association
S.A. Werkersunie

Steel, Engineering and Allied Workers' Union of S.A. (SEAWUSA)

(hereinafter referred to as the "employees" or the "trade unions") of the other part

being the parties to the Metal and Engineering Industries Bargaining Council, to amend the Agreement published under Government Notice No. R. 406 of 31 March 1998.

1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed in the Iron Steel, Engineering and Metallurgical Industry—
 - (a) by all employers who are members of the employers' organisations and by all employees who are members of the trade unions;
 - (b) throughout the Republic of South Africa.
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to—
 - (a) apprentices only to the extent to which they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder and;
 - (b) trainees under training in terms of section 30 of the Manpower Training Act, 1981, only in so far as they are not inconsistent with the provisions of the Act or any conditions fixed thereunder.
- (3) Notwithstanding the provisions of subclause (1), clauses 1(1)(a), 2 and 4(2)(d) of this Agreement shall not apply to employers and employees who are not members of the employers' organisations and trade unions, respectively.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, and shall remain in force until 5 September 2002.

3. SPECIAL PROVISIONS

The provisions contained in clause 4 (2) of the Agreement published under Government Notice No. R. 406 of 31 March 1998 (hereunder referred to as the "former Agreement") shall apply to employers and employees.

4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 4(1) and 4(3) to 6 of the former Agreement shall apply to employers and employees.

5. CLAUSE 3: DEFINITIONS

- (1) Substitute the following for the definition of "dispute":

"dispute" means any situation where—

- (i) two or more parties are unable to reach agreement on a matter of mutual interest between them, and one or more of those parties advise the Council in writing that they are in dispute;

OR

- (ii) the Council, by way of its agents or any other person so appointed by the Council, declares a dispute against an employer and/or employee for failure to comply with the provisions of one or more of the Council's Agreements.

Notification of declaration of dispute shall be contained in a compliance order issued to the employer and/or employee in respect of the identified contraventions."

- (2) Substitute the following for paragraph (g) in the definition of "Motor Industry":

"(g) the business carried on mainly or exclusively for the sale of motor vehicles or motor vehicle parts and/or spares and/or accessories (whether new or used) pertaining thereto, whether or not such sale is conducted from premises which are attached to a part of an establishment in which the assembly or repairs of motor vehicles is carried out;"

- (3) Substitute the following for the definition of "party":

"party to a dispute" means—

- (i) the Council, and/or
- (ii) any or all of the employers' organisations and/or trade unions listed as members of this Council, and/or
- (iii) any employers' organisation and/or trade union not listed as a member of this Council, and/or
- (iv) any employer and/or employee and/or any of the organisations referred to in (ii) or (iii) hereof acting on their behalf;"

- (4) Substitute the following for the definition of "Plastics Industry":

"Plastics Industry" means the industry concerned with the conversion of thermoplastic and/or thermosetting polymers, including the compounding or recycling thereof, or the manufacture of articles or parts of articles wholly or mainly made of such polymers into rigid, semi-rigid or flexible form, whether blown, moulded, extruded, cast, injected, formed, calendered, coated, compression moulded or rotational moulded, including in-house printing on such plastics by the manufacturers, and all operations incidental to these activities;"

- (5) Substitute the following for the definition of "precious metals":

"precious metals" means the precious metals gold, silver, platinum and/or palladium, and/or any alloy containing the said precious metals or any of these in such proportion with any other metals as to be the greater part in value of such alloy;"

6. CLAUSE 4: NEGOTIATION AND DISPUTE RESOLUTION PROCEDURE

(1) Substitute the following subclause (1) (e):

"(1) (e) The Council has received accreditation from the Commission for Conciliation, Mediation and Arbitration in terms of chapter VII ("Dispute Resolution") of the Act and may deal with disputes in terms of Part B of that chapter (sections 127 to 132) and subject to the terms of its Certificate of Accreditation;"

(2) Substitute the following for subclause (2) (b):

(b) The Secretary shall immediately arrange for the proposal to be circulated to all interested parties and shall take steps to arrange a negotiating meeting within 45 days of receipt of the proposal. Where the Secretary, in consultation with the President of the Council, decides that the proposal relates to the negotiation of an industry matter, the date of the first negotiating meeting shall be decided at the next meeting of the Council's Management Committee, and such negotiating meeting shall be held within 30 days of that Management Committee meeting."

(3) Substitute the following for subclause (2)(d):

If the negotiations have not been resolved in terms of paragraph (b) above, or as otherwise agreed between the parties, any party to those negotiations may declare a dispute by notice in writing to the Council and must satisfy the Council that a copy of the referral has been served on all other parties to the dispute. Industry disputes shall be processed in accordance with subclause (3) below, and other disputes shall be processed in accordance with subclause (4) below."

(4) Substitute the following for subclause (3)(a) and (b):

"(3) Industry Dispute Settlement Procedure:

(a) In the event that the Secretary, in consultation with the President of the Council, decides that a dispute declared in terms of subclause (2)(d) above is an industry matter, he/she shall arrange for the Management Committee to meet within 14 days of the declaration of such dispute, for the purposes of considering the matter.

(b) The Management Committee shall use its best endeavours to settle the dispute and shall meet as often as it deems necessary for this purpose. In the course of its deliberations the Committee may give consideration to the following:

- (i) Appointing a subcommittee to meet within a specified number of days, for the purpose of attempting to resolve the dispute, or to recommend to the Management Committee a process by which the dispute can be resolved;
- (ii) referring the dispute to conciliation in terms of subclause (7) below: Provided that this shall be compulsory in the case of a dispute involving a non-party to the Council;
- (iii) referring the dispute to arbitration in terms of subclause (8) below;
- (iv) instructing the Secretary to issue a certificate stating that the dispute remains unresolved."

(5) Substitute the following for subclause (5)(d)(i)(aa):

"(aa) has alleged that the reason for dismissal is related to his/her conduct or capacity, unless subparagraph (ii)(ac) below applies."

(6) Substitute the following for subclause (9)(h):

"(h) The Council may be a party to a dispute, or declare a dispute which is processed in terms of this Agreement."

7. CLAUSE 5: DISPUTE RESOLUTION PROCEDURE FOR THE INTERPRETATION, APPLICATION OR ENFORCEMENT OF COLLECTIVE AGREEMENTS ENTERED INTO THROUGH THE METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL

Substitute the following for the existing clause:

"5. ENFORCEMENT OF COLLECTIVE AGREEMENTS

(1) Non-compliance with Collective Agreements

(a) Non-compliance with a collective agreement shall include but not be limited to—

- (i) different or conflicting interpretations of its provisions;
- (ii) failure to comply with all or certain of its provisions;
- (iii) failure to register with the Council if required by the agreement to do so;
- (iv) denying agents of the Council access to premises if required by the agreement to do so;
- (v) failure to produce wage records if required by the agreement to do so.

(b) A collective agreement means a collective agreement concluded by the Council.

(c) The Council will be in dispute with a party who fails to address the non-compliance with an agreement to the satisfaction of the Council as required in a written notification by the Council or an agent of the Council.

(2) Complaints

- (a) Complaints about non-compliance with a collective agreement must be in writing and referred to the nearest Council office or personally made in writing at the nearest Council office.
- (b) The Council, or one of its agents, or a person authorised by the Council to assist in the enforcement of its collective agreements, will discuss or endeavour to discuss the non-compliance and possible solutions with the non-complying party. If this does not result in a satisfactory solution or arrangement, the party will be notified in writing, which may be in the form of a compliance order, to comply with the agreement or to enter into alternative arrangements with the other party or parties. The notification in writing may be submitted by registered post, facsimile transmission, or hand delivery.

(3) Conciliation and Arbitration

- (a) If the non-compliance is not addressed as required in the notification, conciliation and arbitration shall, at the request of the Council or any party in respect of whom the non-compliance with the agreement occurred, be undertaken by an impartial panel established or appointment for the purpose of conciliation or arbitration by the Council.
- (b) The co-ordinator of the panel shall give reasonable consideration to any objection by a party to a specific conciliator or arbitrator handling or appointed to handle a matter and may after consideration of the objection appoint another conciliator or arbitrator.
- (c) Any party may be represented at the conciliation proceedings by a person of its choice.
- (d) If a party frustrates the conciliation process, or settlement is not reached at conciliation, the matter may immediately proceed to arbitration.
- (e) If the conciliation results in a settlement agreement, the settlement agreement will immediately or as soon as practically possible be made an arbitration order by an arbitrator on the panel referred to in paragraph (a) above.
- (f) If in arbitration proceedings it is found that a collective agreement had not been complied with, the arbitrator shall order full compliance with the collective agreement to the extent that the collective agreement had not been complied with.
- (g) Costs as allowed in law may be awarded against a party in arbitration proceedings.

Signed for and on behalf of the parties at Johannesburg on 5 February 2001.

W. P. COETZEE

Member

D. A. CARSON

Member

J. BEUKES

Acting Council Secretary

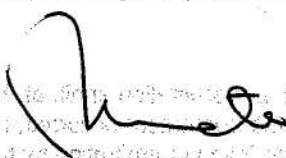
**DEPARTMENT OF SAFETY AND SECURITY
DEPARTEMENT VAN VEILIGHEID EN SEKURITEIT**

No. R. 384

11 May 2001

SOUTH AFRICAN POLICE SERVICE

The Minister for Safety and Security has, under section 22(2) of the South African Police Service Act, 1995 (Act No. 68 of 1995) made the regulations contained in the Schedule hereto.


S V TSHWETE,

Minister for Safety and Security.

SCHEDULE**SOUTH AFRICAN POLICE SERVICE INTERIM REGULATIONS FOR
COMMUNITY POLICE FORUMS AND BOARDS****1. DEFINITIONS**

In these Regulations, unless the context otherwise indicates, —

“**executive committee**” means the committee elected by a community police forum, sub-forum or board and which is responsible for the day to day running of the affairs of the forum, sub-forum or board;

“**constitution**” means a constitution complying with the requirements set out in regulation 7; and

“**these Regulations**” means the South African Police Service Interim Regulations for Community Police Forums and Boards, 2001.

2. ESTABLISHMENT OF A COMMUNITY POLICE FORUM

- (1) A station commissioner must, subject to the instructions of the Provincial Commissioner, take all reasonable steps to establish a community police forum which is broadly representative of the community in the station area under his or her jurisdiction.
- (2) In order to establish a community police forum, a station commissioner must —
 - (a) identify community based organisations, institutions and interest groups in the station area under his or her jurisdiction;
 - (b) determine a suitable date, time and venue for a meeting of all interested persons to establish a community police forum;

- (c) take reasonable steps to make the date, time and venue of the meeting known to the organisations, institutions and groups, referred to in subparagraph (a), as well as to the general public in the station area;
 - (d) explain to those attending the said meeting what the objects of a community police forum are;
 - (e) invite nominations for a reasonable number of persons to serve on a steering committee, together with the station commissioner, to establish a community police forum; and
 - (f) determine a date, time and venue for an inaugural meeting.
- (3) The station commissioner must render all reasonable assistance to the steering committee to —
- (a) draft a constitution for the community police forum which is to be established;
 - (b) take reasonable steps to make the date, time and venue of the meeting known to the organisations, institutions and groups, referred to in subregulation (1)(a), as well as to the general public in the station area; and
 - (c) arrange the inaugural meeting.
- (4) At the inaugural meeting, the steering committee must present the draft constitution to those present and —
- (a) if the majority of those present at the meeting adopt the constitution in its draft or an amended form, the meeting must proceed to have a chairperson and an executive committee elected in accordance with the procedure provided for in the constitution to manage the affairs of the community police forum, or
 - (b) if the majority of those present at the meeting rejects the draft constitution, the meeting must, by majority vote, —
 - (i) elect a new steering committee to redraft a constitution for the community police forum and give such directions to the new steering committee concerning the contents of the constitution as the meeting may deem fit; and
 - (ii) determine a date, time and venue for the next meeting to consider the new draft constitution.
- (5) The station commissioner must render all reasonable assistance to the new steering committee to —
- (a) draft a constitution for the community police forum which is to be established;
 - (b) take reasonable steps to make the date, time and venue of the next meeting known to the organisations, institutions and groups, referred to in subregulation (1)(a), as well as to the general public in the station area; and
 - (c) arrange the next meeting.
- (6) At the next meeting, the new steering committee must present the draft constitution to those present at the meeting and the meeting must —
- (a) by majority vote, adopt the constitution in its draft form or bring about the necessary amendments to the draft constitution and adopt it in its amended form; and
 - (b) elect a chairperson and an executive committee to manage the affairs of the

community police forum, in accordance with the procedure provided for in the constitution thus adopted.

- (7) The station commissioner must, within 30 days after the establishment of a community police forum, submit a copy of the constitution of the community police forum to the area commissioner.

3 ESTABLISHMENT OF A COMMUNITY POLICE SUB-FORUM

- (1) A community police sub-forum may be established —
- (a) in respect of any part of a station area; or
 - (b) to deal with policing matters mainly affecting the members of a significant section of the community within a station area.
- (2) A community police forum may, after having taken into account —
- (a) the size of the station area;
 - (b) the population density and population distribution within the station area;
 - (c) the degree of operational independence of satellite police stations, if any, in the station area;
 - (d) crime tendencies within the station area and how these tendencies influence a particular part of the station area or a particular section of the community within the station area; and
 - (e) any other factor relevant to the improvement of service delivery by the Service within the station area,
- establish a community police sub-forum which is broadly representative of the relevant section of the community in the station area concerned.
- (3) In order to establish a community police sub-forum, a community police forum must —
- (a) identify relevant community based organisations, institutions and interest groups in the relevant part of the station area or the members of the relevant section of the community within the station area concerned;
 - (b) determine a suitable date, time and venue for a meeting of all relevant interested persons to establish a community police sub-forum;
 - (c) take reasonable steps to make the date, time and venue of the meeting known to the organisations, institutions and groups, referred to in subparagraph (a), as well as to the general public in the relevant part of the station area;
 - (d) explain to those attending the said meeting what the objects of a community police sub-forum are;
 - (e) invite nominations for a reasonable number of persons to serve on a steering committee, together with the executive committee of the community police forum concerned, to establish a community police sub-forum; and
 - (f) determine a date, time and venue for an inaugural meeting.
- (4) The community police forum must render all reasonable assistance to the steering committee to —
- (a) draft a constitution for the community police sub-forum which is to be established;
 - (b) take reasonable steps to make the date, time and venue of the meeting known to

- the organisations, institutions and groups, referred to in subregulation (3)(a), or the members of the relevant section of the community within the station area; and
- (c) arrange the inaugural meeting.

- (5) At the inaugural meeting, the steering committee must present the draft constitution to those present and the meeting must —
 - (a) by majority vote, adopt the constitution in its draft form or bring about the necessary amendments to the draft constitution and adopt it in its amended form; and
 - (b) elect a chairperson and an executive committee to manage the affairs of the community police sub-forum, in accordance with the procedure provided for in the constitution thus adopted.
- (6) The station commissioner must, within 30 days after the establishment of a community police sub-forum, submit a copy of the constitution of the community police sub-forum to the area commissioner.

4 ESTABLISHMENT OF AN AREA COMMUNITY POLICE BOARD

- (1) As soon as may be reasonably possible after the establishment of more than one community police forum in the area of jurisdiction of an area commissioner, such area commissioner must invite the executive committee of every community police forum established in the said area to a meeting to be held on a date and at a time and venue determined by the area commissioner with the purpose to establish an area community police board for that area.
- (2) At the meeting, arranged in accordance with subregulation (1), the area commissioner must —
 - (a) explain to those attending the said meeting what the objects of an area community police board are;
 - (b) invite nominations for a reasonable number of persons to serve on a steering committee, together with the area commissioner or a member designated by him or her, to establish an area community police board; and
 - (c) determine a date, time and venue for the next meeting.
- (3) The area commissioner must render all reasonable assistance to the steering committee to —
 - (a) draft a constitution for the area community police board which is to be established;
 - (b) take reasonable steps to make the date, time and venue of the meeting known to any member of an executive committee of a community police forum in that area that did not attend the first meeting; and
 - (c) arrange the next meeting.
- (4) At the next meeting, the steering committee must present the draft constitution to those present at the meeting and the meeting must —
 - (a) by majority vote, adopt the constitution in its draft form or bring about the necessary amendments to the draft constitution and adopt it in its amended form; and

- (b) elect a chairperson and an executive committee to manage the affairs of the area community police board in accordance with the procedure provided for in the constitution thus adopted.
- (5) The area commissioner must, within 30 days after the establishment of an area community police board, submit a copy of the constitution of the area community police board to the provincial commissioner.

5 ESTABLISHMENT OF A PROVINCIAL COMMUNITY POLICE BOARD

- (1) As soon as may be reasonably possible after the establishment of more than one area community police board in a province, the provincial commissioner must invite the executive committee of every area community police board established in the said province to a meeting to be held on a date and at a time and venue determined by the provincial commissioner with the purpose to establish a provincial community police board for that province.
- (2) At the meeting arranged in accordance with subregulation (1), the provincial commissioner must —
 - (a) explain to those attending the said meeting what the objects of a provincial community police board are;
 - (b) invite nominations for a reasonable number of persons to serve on a steering committee, together with the provincial commissioner or a member designated by him or her, to establish a provincial community police board; and
 - (c) determine a date, time and venue for the next meeting.
- (3) The provincial commissioner must render all reasonable assistance to the steering committee to —
 - (a) draft a constitution for the provincial community police board which is to be established;
 - (b) take reasonable steps to make the date, time and venue of the meeting known to any member of an executive committee of an area community police board in that province that did not attend the first meeting; and
 - (c) arrange the next meeting.
- (4) At the next meeting, the steering committee must present the draft constitution to those present at the meeting and the meeting must —
 - (a) by majority vote, adopt the constitution in its draft form or bring about the necessary amendments to the draft constitution and adopt it in its amended form; and
 - (b) elect a chairperson and an executive committee to manage the affairs of the provincial community police board in accordance with the procedure provided for in the constitution thus adopted.
- (5) The provincial commissioner must, within 30 days after the establishment of a provincial community police board, submit a copy of the constitution of the provincial community police board to the National Commissioner.

6. GENERAL PRINCIPLES RELATING TO THE FUNCTIONING OF A COMMUNITY POLICE FORUM OR BOARD

- (1) A community police forum, sub-forum or board performs the functions set out in section 18 of this Act.
- (2) A community police forum, sub-forum or board has no power of command and control over the Service or any part or member thereof and the policing of the station area, area or province in respect of which a community police forum, sub-forum or board has been established, remains the responsibility of the Service.
- (3) Management of the Service at national -, provincial -, area - or station level is the responsibility of police management at the respective levels and a community police forum, sub-forum or board may not perform any function of the management of the Service at any level.
- (4) A community police forum, sub-forum or board is a non-political entity and no member of such a forum or board may —
 - (a) wear any insignia or identification mark in respect of any political party, organisation, movement or body while attending a meeting of a community police forum, sub-forum or board; or
 - (b) utilize his or her membership of a community police forum, sub-forum or board to further or prejudice party-political interests.
- (5) A member of a community police forum, sub-forum or board is not entitled to have access to police registers or files without the approval of the provincial -, area - or station commissioner concerned and may only be allowed access to police dockets with the prior written approval of the relevant Director of Public Prosecutions.
- (6) A member of a community police forum, sub-forum or board may only use property belonging to or under the control of the Service with the prior written approval of the provincial -, area - or station commissioner concerned.
- (7) A community police forum, sub-forum or board must have a written constitution which complies with the requirements set out in regulation 7 and function in accordance therewith.

7. CONSTITUTION OF A COMMUNITY POLICE FORUM, SUB-FORUM OR BOARD

The constitution of a community police forum, sub-forum or board must set out —

- (a) the name of the forum, sub-forum or board;
- (b) the aims and objectives of the forum, sub-forum or board, which must at least contain the objects set out in section 18 of this Act;
- (c) a code of conduct for members of the forum, sub-forum or board;

- (d) the membership requirements which may not be such that they have the effect of unfairly discriminating against any member of the community on any ground;
- (e) the composition, powers and functions of the executive committee of the forum, sub-forum or board which must provide that it shall at least consist of the chairperson, the vice-chairperson, a secretary and a person responsible to manage the financial affairs of the forum, sub-forum or board;
- (f) the election procedures for members of the executive committee;
- (g) the terms of office of members of the executive committee;
- (h) basic meeting procedures, including —
 - (i) what would constitute a quorum at a meeting;
 - (ii) how voting must take place at meetings;
 - (iii) that minutes of all meetings of the forum, sub-forum or board including meetings of its executive committee must be kept; and
 - (iv) how notice of meetings (including regular -, special - and annual general meetings) must be given to members;
- (i) how the forum, sub-forum or board will communicate with its members and the community concerned;
- (j) the procedure for amending the constitution;
- (k) the management and control of the financial affairs of the forum, sub-forum or board;
- (l)
 - (i) in the case of a community police sub-forum, how members will be designated to represent the sub-forum on the community police forum;
 - (ii) in the case of a community police forum, how members of the forum will be designated to represent the forum on the area community police board; and
 - (iii) in the case of an area community police board, how members of the board will be designated to represent the board at the provincial community police board;
- (m) dispute resolution procedures; and
- (n) the procedure for the dissolution of the forum, sub-forum or board.

8. COMMUNITY SAFETY PLAN

- (1) A community police forum must, after consultation with the station commissioner concerned, develop a community safety plan before the end of each financial year for the station area in respect of which it was established and submit such plan to the relevant area community police board.
- (2) A community safety plan contemplated in subregulation (1), must, as a minimum, set out —
 - (a) the action steps, programmes or projects which the community police forum plans for the next financial year in order to promote the achievement of the objects referred to in section 18(1) of this Act in that station area;
 - (b) how such action steps, programmes or projects will be funded; and
 - (c) how such action steps, programmes or projects will promote the achievement of the objects referred to in section 18(1) of this Act.

- (3) An area community police board must, after having considered the community safety plans of the community police forums within that area and after consultation with the area commissioner concerned, develop a community safety plan for the area concerned setting out the action steps, programmes or projects which the area community police board plans in order to coordinate and support the community safety plans of the community police forums in that area and submit such plan to the provincial community police board.
- (4) A provincial community police board may make recommendations to area community police boards in order to coordinate and support the implementation of area community safety plans.

9. SPECIALIZED UNITS

- (1) To ensure closer co-operation between community police forums, sub-forums or boards, stations and specialized units of the Service, a provincial -, area - and station commissioner may request the commander of a specialized unit to designate one or more members of that unit to represent the unit, when requested thereto, at a meeting of a forum or board to address the forum, sub-forum or board on specific matters relating to the functions of such unit.
- (2) If a specialized unit performed activities in a specific station area, the commander of such a unit may be requested to submit a report on the performance of the said activities to the station -, area - or provincial commissioner when such a commissioner is called upon by the community police sub-forum, forum or board to account for the said activities of the unit.

10. COMMUNICATION

- (1) Decisions taken at community police forums, sub-forums and boards must be conveyed by the provincial -, area - and station commissioner concerned to the members under their command.
- (2) Community police forums and boards must continuously and timeously be informed of policy developments in the Service with regard to community policing issues to enable them to submit their input with regard thereto.
- (3) Any unclassified circular, whether from national -, provincial -, area - or station level, must, upon request, be made available to a community police forum or board.
- (4) A member of a community police forum or board may, for the duration of discussions relating to community policing issues, upon the invitation of the relevant station -, area -, or provincial commissioner, attend management meetings at such station -, area - or provincial level respectively.

11. LOGISTICAL SUPPORT

- (1) The Service is not obliged to provide office accommodation to a community police forum, sub-forum or board.
- (2) Notwithstanding the provisions of subregulation (1), a station commissioner may, in order to assist a community police forum to perform its functions, temporarily make available, for use by that forum, an office which is not immediately required by the Service for the performance of its functions: Provided that such forum does not have access to any other accommodation that may be utilised for this purpose.
- (3) A station commissioner may permit a member of a community police forum to use a telephone or facsimile under the control of the Service to make an official call or send an official fax, if he or she deems it necessary to enable the forum to perform its functions.
- (4) A station commissioner may instruct an employee of the Service to type the minutes of a meeting of a community police forum or its executive committee and official correspondence of the forum and to utilize equipment of the Service for that purpose, if such forum or its executive committee has no access to such equipment and may allow the use of stationary of the Service for that purpose if the forum has no stationary at its disposal.
- (5) No equipment or stores may be issued to a member of a community police forum, sub-forum or board and no such member may be allowed to utilize a police vehicle.
- (6) A member of a community police forum who is also a member of a community police board, may be transported by police vehicle to and from meetings and workshops of such board only in cases where he or she does not have reasonable access to private or public transport.

12. FINANCIAL PROCESS AND SYSTEM

- (1) A community police forum, sub-forum or board may raise funds in order to support or perform its activities.
- (2) A community police forum, sub-forum and board must manage its financial affairs in accordance with generally acceptable accounting practices applicable in the Republic and an income and expenditure statement must be presented at each general meeting of the forum, sub-forum or board.
- (3) All financial records of a community police forum, sub-forum and board must be audited by an independent auditor on an annual basis.
- (4) Community police forums, sub-forums and boards are non-profit, community-spirited bodies that perform their functions in order to achieve the objects, set out in section 18 of this Act, in the interest of the communities in respect of which they were established and membership and participation in the activities of a community police forum, sub-forum or board by any member of a community is voluntary and no member of a forum, sub-forum or board is entitled to any remuneration on account of his or her membership or participation in the activities of such forum, sub-forum or board.

- (5) A community police forum, sub-forum or board may not establish itself as a section 21 company. Any section 21 company established by a community police forum, sub-forum or board must function completely independent from such forum, sub-forum or board.
- (6) A member of the Service may not be a director of a section 21 company established by a community police forum, sub-forum or board.
- (7) The financial year of a community police forum, sub-forum and board shall commence on 1 April of every year and shall end on 31 March of the next year.

13. EMPLOYEE ORGANISATIONS

A representative of a labour union may only attend a meeting of a community police forum, sub-forum or board in his or her capacity as such representative when matters affecting labour relations are discussed. Any such representative who attends other meetings of a community police forum, sub-forum or board does so in his or her capacity as a member of the Service or of the community.

14. DISPUTE RESOLUTION AND PROBLEM SOLVING

- (1) Issues arising at a community police forum that cannot be resolved at that level, must be referred to the area commissioner or the area community police board.
- (2) Issues arising at an area community police board or referred to it or to the area commissioner in terms of subregulation (1), that cannot be resolved within 90 days at that level, must be referred to the provincial commissioner or provincial community police board.
- (3) If the provincial commissioner or provincial community police board cannot resolve an issue at that level, it must be referred to the National Commissioner, who may, subject to the directions of the Minister, take such steps as may be reasonably necessary in order to resolve the issue.

15. TRANSITIONAL ARRANGEMENTS

- (1) Any community police forum, sub-forum or board established before the coming into operation of these Regulations, shall be deemed to have been established in terms of these Regulations: Provided that —
 - (a) such community police forum, sub-forum or board has not established itself as a section 21 company before the coming into operation of these Regulations;
 - (b) a community police forum, sub-forum or board which does not have a constitution that complies with the requirements set out in regulation 7, must, within 90 days after the coming into operation of these Regulations, or within such extended period as may be determined by the relevant provincial commissioner upon application by such forum, sub-forum or board, adopt a constitution that complies with these requirements; and

- (c) a community police forum, sub-forum or board which does not have an executive committee as provided for in these Regulations, must, within 120 days after the coming into operation of these Regulations, or within such extended period as may be determined by the relevant provincial commissioner upon application by such forum, sub-forum or board, from its members elect such an executive committee.
- (2) Anything done by a community police forum, sub-forum or board before the coming into operation of these Regulations and which may be done in terms of these Regulations, shall be deemed to have been done in terms of these Regulations.
- (3) The National Commissioner may determine such further transitional measures as may be reasonably necessary to ensure the effective and efficient implementation of these Regulations.
- (4) Any funds received before the coming into operation of these Regulations by a community police forum, sub-forum or board, which had not been established as a section 21 company, shall be deemed to have been administered in accordance with these Regulations: Provided that if the financial records of such forum, sub-forum or board had, in the past, not been audited by an independent auditor, the community police forum, sub-forum or board appoints an independent auditor to audit the records and provided further that, the community police forum, sub-forum or board concerned, upon receipt of the report of the auditor, adopts a resolution in which the administration of the funds is approved.
- (5) If the existing financial year of any community police forum, sub-forum or board, established before the coming into operation of these Regulations, differed from the financial year prescribed by regulation 12(6), the next financial year of such forum, sub-forum or board shall commence on 1 April 2002.

16. SHORT TITLE

These Regulations shall be called the South African Police Service Interim Regulations for Community Police Forums and Boards, 2001.

SUID-AFRIKAANSE POLISIEDIENS

Die Minister vir Veiligheid en Sekuriteit het kragtens artikel 22(2) van die Wet op die Suid-Afrikaanse Polisiediens, 1995 (Wet No. 68 van 1995) die regulasies in die Bylae gemaak.



S V TSHWETE,
Minister vir Veiligheid en Sekuriteit.

BYLAE**SUID-AFRIKAANSE POLISIEDIENS INTERIM REGULASIES VIR
GEMEENSKAPSPOLISIEFORUMS EN RADE****1 WOORDOMSKRYWINGS**

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

“grondwet” ‘n grondwet wat voldoen aan die vereistes uiteengesit in regulasie 7;

“hierdie Regulasies” die Suid-Afrikaanse Polisiediens Interim Regulasies vir Gemeenskapspolisieforums en Rade, 2001; en

“uitvoerende komitee” die komitee verkies deur ‘n gemeenskapspolisieforum, subforum of raad wat verantwoordelik is vir die dag tot dag werksaamhede van die forum, subforum of raad.

2 VESTIGING VAN ‘N GEMEENSKAPSPOLISIEFORUM

- (1) ‘n Stasiekommissaris moet, behoudens die instruksies van die Provinsiale Kommissaris, alle redelike stappe neem om ‘n gemeenskapspolisieforum te vestig wat breedweg verteenwoordigend is van die gemeenskap in die stasiewyk onder sy of haar jurisdiksie.
- (2) Ten einde ‘n gemeenskapspolisieforum te vestig, moet ‘n stasiekommissaris —
 - (a) gemeenskapgebaseerde organisasies, instellings en belangegroepe in die stasiewyk onder sy of haar jurisdiksie, identifiseer;
 - (b) ‘n geskikte datum, tyd en plek vasstel vir ‘n vergadering van alle belangegroepe om ‘n gemeenskapspolisieforum te vestig;
 - (c) alle redelike stappe neem om die datum, tyd en plek van die vergadering aan al die organisasies, instellings en groepe, waarna in subparagraaf (a) verwys is, asook

- aan die algemene publiek in die stasiewyk, bekend te maak;
- (d) aan die wat die genoemde vergadering bywoon, verduidelik wat die oogmerke van 'n gemeenskapspolisieforum is;
 - (e) nominasies vir 'n redelike getal persone aanvaar om op die reëlingskomitee saam met die stasiekommissaris te dien, om 'n gemeenskapspolisieforum te vestig; en
 - (f) 'n datum, tyd en plek vir 'n stigtingsvergadering bepaal.
- (3) Die stasiekommissaris moet alle redelike hulp aan die reëlingskomitee verleen om —
- (a) 'n grondwet vir die gemeenskapspolisieforum wat gevestig gaan word, op te stel;
 - (b) alle redelike stappe te neem om die datum, tyd en plek van die vergadering aan die organisasies, instellings en groepe waarna in subregulasie (1)(a) verwys word, asook aan die algemene publiek in die stasiewyk, bekend te maak; en
 - (c) die stigtingsvergadering te reël.
- (4) By die stigtingsvergadering moet die reëlingskomitee die konsep grondwet aan die wat teenwoordig is, voorlê en —
- (a) indien die meerderheid van die wat by die vergadering teenwoordig is, die grondwet in sy konsep of gewysigde vorm aanvaar, moet die vergadering voortgaan om 'n voorsitter en 'n uitvoerende komitee te verkies, in ooreenstemming met die prosedure waarvoor in die grondwet voorsiening gemaak is, om die sake van die gemeenskapspolisieforum te bestuur; of
 - (b) indien die meerderheid van die teenwoordig by die vergadering die konsep grondwet verwerp, moet die vergadering, deur meerderheidstemming, —
 - (i) 'n nuwe reëlingskomitee verkies om die grondwet vir die gemeenskapspolisieforum her op te stel en sodanige voorskrifte aan die nuwe reëlingskomitee aangaande die inhoud van die grondwet gee, as wat die vergadering nodig mag ag; en
 - (ii) 'n datum, tyd en plek vir die volgende vergadering bepaal om die nuwe konsep grondwet te oorweeg.
- (5) Die stasiekommissaris moet alle redelike hulp aan die nuwe reëlingskomitee verleen om —
- (a) 'n grondwet vir die gemeenskapspolisieforum wat gevestig gaan word, op te stel;
 - (b) alle redelike stappe te neem om die datum, tyd en plek van die volgende vergadering aan die organisasies, instellings en groepe waarna in subregulasie (1)(a) verwys word, asook die algemene publiek in die stasiewyk, bekend te maak; en
 - (c) die volgende vergadering te reël.
- (6) By die volgende vergadering, moet die nuwe reëlingskomitee die konsep grondwet aan die wat by die vergadering teenwoordig is, voorlê en die vergadering moet —
- (a) by meerderheidstemming, die grondwet in sy konsep vorm aanvaar of die nodige wysigings aan die konsep grondwet aanbring en dit in sy gewysigde vorm aanvaar; en
 - (b) in ooreenstemming met die prosedure waarvoor in die grondwet, wat so aanvaar is, voorsiening gemaak is, 'n voorsitter en 'n uitvoerende komitee verkies om die sake van die gemeenskapspolisieforum te bestuur.

- (7) Die stasiekommissaris moet binne 30 dae na die vestiging van 'n gemeenskapspolisieforum, 'n afskrif van die grondwet van die gemeenskapspolisieforum aan die areakommissaris voorlê.

3 VESTIGING VAN 'N GEMEENSKAPSPOLISIESUBFORUM

- (1) 'n Gemeenskapspolisiesubforum kan gevestig word —
- (a) ten opsigte van enige gedeelte van 'n stasiewyk; of
 - (b) om polisie aangeleenthede te hanteer wat hoofsaaklik 'n beduidende gedeelte van die gemeenskap binne 'n stasiewyk, raak.
- (2) 'n Gemeenskapspolisieforum kan, nadat —
- (a) die grootte van die stasiewyk;
 - (b) die bevolkingsdigtheid en bevolkingsverspreiding binne die stasiewyk;
 - (c) die graad van operasionele onafhanklikheid van satelliet polisiestasies, indien enige, in die stasiewyk;
 - (d) misdaad tendense binne die stasiewyk en hoe hierdie tendense 'n spesifieke deel van die stasiewyk of 'n spesifieke deel van die gemeenskap binne die stasiewyk, beïnvloed; en
 - (e) enige ander faktor wat relevant is tot die verbetering van dienslewering deur die Diens, binne die stasiewyk,
- in ag geneem is, 'n gemeenskapspolisiesubforum vestig wat breedweg verteenwoordigend is van die relevante gedeelte van die gemeenskap in die betrokke stasiewyk.
- (3) Ten einde 'n gemeenskapspolisiesubforum te vestig, moet 'n gemeenskapspolisieforum —
- (a) relevante gemeenskap gebaseerde organisasies, instellings en belangegroepe in die relevante gedeelte van die stasiewyk of lede van die relevante gedeelte van die gemeenskap binne die betrokke stasiewyk, identifiseer;
 - (b) 'n geskikte datum, tyd en plek vir 'n vergadering van alle relevante belangegroepe bepaal om 'n gemeenskapspolisiesubforum te vestig;
 - (c) redelike stappe neem om die datum, tyd en plek van die vergadering aan die organisasies, instellings en groepe, waarna in subparagraaf (a) verwys word, asook aan die algemene publiek in die relevante gedeelte van die stasiewyk, bekend te maak;
 - (d) aan diegene wat genoemde vergadering bywoon, verduidelik wat die oogmerke van 'n gemeenskapspolisiesubforum is;
 - (e) nominasies vir 'n redelike getal persone aanvra om op 'n reëlingskomitee, saam met die uitvoerende komitee van die betrokke gemeenskapspolisieforum te dien, om 'n gemeenskapspolisiesubforum te vestig; en
 - (f) 'n datum, tyd en plek vir 'n stigtingsvergadering, bepaal.
- (4) Die gemeenskapspolisieforum moet alle redelike hulp aan die reëlingskomitee verleen om —
- (a) 'n grondwet vir die gemeenskapspolisiesubforum wat gevestig gaan word, op te stel;
 - (b) alle redelike stappe te neem om die datum, tyd en plek van die vergadering aan die organisasies, instellings en groepe, waarna in subregulasie (3)(a) verwys word, of

- die lede van die relevante gedeelte van die gemeenskap binne die stasiewyk, bekend te maak; en
- (c) die stigtingsvergadering te reël.
- (5) By die stigtingsvergadering moet die reëlingskomitee die konsep grondwet aan diegene wat teenwoordig is, voorlê en die vergadering moet —
- (a) deur meerderheidstemming, die grondwet in sy konsep vorm aanvaar, of die nodige wysigings aan die konsep grondwet aanbring en dit in 'n gewysigde vorm aanvaar; en
- (b) in ooreenstemming met die prosedure waarvoor in die grondwet, wat so aanvaar is, voorsiening gemaak is, 'n voorsitter en 'n uitvoerende komitee verkies om die sake van die gemeenskapspolisiesubforum te bestuur.
- (6) Die stasiekommissaris moet, binne 30 dae na die vestiging van 'n gemeenskapspolisiesubforum 'n afskrif van die grondwet van die gemeenskapspolisiesubforum aan die areakommissaris voorlê.

4 VESTIGING VAN 'N AREAGEMEENSKAPSPOLISIERAAD

- (1) So gou as redelikerwys moontlik na die vestiging van meer as een gemeenskapspolisieforum in die jurisdiksiegebied van 'n areakommissaris moet sodanige areakommissaris die uitvoerende komitee van elke gemeenskapspolisieforum wat in die genoemde area gevestig is, na 'n vergadering wat gehou staan te word op 'n datum, tyd en plek wat deur die areakommissaris bepaal is, uitnooi, met die doel om 'n areagemeenskapspolisieraad vir daardie area te vestig.
- (2) By die vergadering, wat ooreenkomstig subregulasie (1) gereël is, moet die areakommissaris —
- (a) aan diegene wat die genoemde vergadering bywoon, verduidelik wat die oogmerke van 'n areagemeenskapspolisieraad is;
- (b) nominasies aanvra vir 'n redelike getal persone, om op 'n reëlingskomitee, saam met die areakommissaris of 'n lid deur hom of haar daartoe aangewys, te dien, om 'n areagemeenskapspolisieraad te vestig; en
- (c) 'n datum, tyd en plek vir die volgende vergadering bepaal.
- (3) Die areakommissaris moet alle redelike bystand aan die reëlingskomitee verleen om —
- (a) 'n grondwet op te stel vir die areagemeenskapspolisieraad wat gevestig gaan word;
- (b) redelike stappe te neem om die datum, tyd en plek van die vergadering aan enige lid van 'n uitvoerende komitee van 'n gemeenskapspolisieforum in daardie area wat nie die eerste vergadering bygewoon het nie, bekend te maak; en
- (c) die volgende vergadering te reël.
- (4) By die volgende vergadering moet die reëlingskomitee die konsep grondwet aan diegene wat by die vergadering teenwoordig is, voorlê, en die vergadering moet —
- (a) deur meerderheidstemming die grondwet in sy konsep vorm aanvaar, of die nodige wysigings aan die konsep grondwet aanbring, en dit in sy gewysigde vorm aanvaar; en

- (b) in ooreenstemming met die prosedure waarvoor in die grondwet, wat so aanvaar is, voorsiening gemaak is, 'n voorsitter en 'n uitvoerende komitee verkies om die sake van die areagemeenskapspolisieraad te bestuur.

- (5) Die areakommissaris moet binne 30 dae na die vestiging van 'n areagemeenskapspolisieraad, 'n afskrif van die grondwet van die areagemeenskapspolisieraad aan die provinsiale kommissaris voorlê.

5 VESTIGING VAN 'N PROVINSIALE GEMEENSKAPSPOLISIERAAD

- (1) So gou as redelikerwys moontlik na die vestiging van meer as een areagemeenskapspolisieraad in 'n provinsie, moet die provinsiale kommissaris die uitvoerende komitee van elke areagemeenskapspolisieraad wat in die genoemde provinsie gevestig is, na 'n vergadering, wat gehou staan te word, op 'n datum, tyd en plek deur die provinsiale kommissaris bepaal, uitnoui, met die doel om 'n provinsiale gemeenskapspolisieraad vir daardie provinsie te vestig.
- (2) By die vergadering, wat ooreenkomstig subregulasie (1) gereël is, moet die provinsiale kommissaris —
 - (a) aan diegene wat die genoemde vergadering bywoon, verduidelik wat die oogmerke van 'n provinsiale gemeenskapspolisieraad is;
 - (b) nominasies aanvra vir 'n redelike getal persone om op 'n reëlingskomitee, saam met die provinsiale kommissaris of 'n lid deur hom of haar daartoe aangewys, te dien, om 'n provinsiale gemeenskapspolisieraad te vestig; en
 - (c) 'n datum, tyd en plek vir die volgende vergadering bepaal.
- (3) Die provinsiale kommissaris moet alle redelike bystand aan die reëlingskomitee verleen om —
 - (a) 'n grondwet vir die provinsiale gemeenskapspolisieraad wat gevestig gaan word, op te stel;
 - (b) redelike stappe te neem om die datum, tyd en plek van die vergadering aan enige lid van 'n uitvoerende komitee van 'n gemeenskapspolisieraad in daardie provinsie, wat nie die eerste vergadering bygewoon het nie, bekend te maak; en
 - (c) die volgende vergadering te reël.
- (4) By die volgende vergadering moet die reëlingskomitee die konsep grondwet aan die teenwoordig by die vergadering voorlê, en die vergadering moet —
 - (a) deur meerderheidstemming die grondwet in sy konsep vorm aanvaar of die nodige wysigings aan die konsep grondwet aanbring, en dit in sy gewysigde vorm aanvaar; en
 - (b) in ooreenstemming met die prosedure waarvoor in die grondwet, wat so aanvaar is, voorsiening gemaak is, 'n voorsitter en 'n uitvoerende komitee verkies om die sake van die provinsiale gemeenskapspolisieraad te bestuur.
- (5) Die provinsiale kommissaris moet binne 30 dae na die vestiging van 'n provinsiale gemeenskapspolisieraad, 'n afskrif van die grondwet van die provinsiale gemeenskapspolisieraad aan die Nasionale Kommissaris voorlê.

6. ALGEMENE BEGINSELS BETREFFENDE DIE FUNKSIONERING VAN 'N GEMEENSKAPSPOLISIEFORUM OF RAAD

- (1) 'n Gemeenskapspolisieforum, subforum of raad verrig die funksies wat in artikel 18 van die Wet uiteengesit is.
- (2) 'n Gemeenskapspolisieforum, subforum of raad het geen bevoegdheid van bevel en beheer oor die Diens of enige gedeelte of lid daarvan nie en polisiëring van die stasiewyk, area of provinsie ten opsigte waaraan 'n gemeenskapspolisieforum, subforum of raad gevestig is, bly die verantwoordelikheid van die Diens.
- (3) Bestuur van die Diens op nasionale -, provinsiale -, area -, of stasievlak is die verantwoordelikheid van polisiebestuur op die onderskeie vlakke en 'n gemeenskapspolisieforum, subforum of raad mag nie enige funksie van bestuur van die Diens op enige vlak verrig nie.
- (4) 'n Gemeenskapspolisieforum, subforum en raad is nie-politiese instellings en geen lid van sodanige forum of raad mag —
 - (a) enige kentekens of identifikasiemerk ten opsigte van enige politieke party, organisasie, beweging of liggaam dra terwyl hy of sy 'n vergadering van 'n gemeenskapspolisieforum, subforum of raad bywoon nie; of
 - (b) sy of haar lidmaatskap van 'n gemeenskapspolisieforum, subforum of raad gebruik om partypolitieke belange te bevorder of te benadeel nie.
- (5) 'n Lid van 'n gemeenskapspolisieforum, subforum of raad is nie geregtig op toegang tot polisie registers en lêers sonder die toestemming van die betrokke provinsiale - area - of stasiekommissaris nie, en mag slegs toegang verkry tot polisie-dossiere met die vooraf skriftelike goedkeuring van die betrokke Direkteur van Openbare Vervolgings.
- (6) 'n Lid van 'n gemeenskapspolisieforum, subforum of raad mag slegs eiendom wat aan die Diens behoort of onder beheer van die Diens is, met die vooraf skriftelike goedkeuring van die betrokke provinsiale -, area - of stasiekommissaris gebruik.
- (7) 'n Gemeenskapspolisieforum, subforum of raad moet 'n geskrewe grondwet, wat aan die vereistes soos uiteengesit in regulasie 7, voldoen, hê, en daarvolgens funksioneer.

7. GRONDWET VAN 'N GEMEENSKAPSPOLISIEFORUM, SUBFORUM, OF RAAD

- (1) Die grondwet van 'n gemeenskapspolisieforum, subforum of raad moet die volgende uiteensit —
 - (a) die naam van die forum, subforum of raad;
 - (b) die doelstellings en oogmerke van die forum, subforum of raad, wat ten minste die oogmerke uiteengesit in artikel 18 van hierdie Wet moet vervat;
 - (c) 'n gedragskode vir lede van die forum, subforum of raad;

- (d) die lidmaatskapvereistes wat nie sodanig mag wees dat dit die gevolg het dat dit onbillik teen enige lid van die gemeenskap op enige grond diskrimineer nie;
- (e) die samestelling, bevoegdhede en funksies van die uitvoerende komitee van die forum, subforum of raad wat voorsiening moet maak dat dit ten minste sal bestaan uit die voorsitter, die vise-voorsitter, 'n sekretaris en 'n persoon verantwoordelik om die finansiële sake van die forum, subforum of raad te bestuur;
- (f) die verkiesingsprosedure vir lede van die uitvoerende komitee;
- (g) die ampstermyn van lede van die uitvoerende komitee;
- (h) basiese vergadering prosedures, insluitende —
 - (i) wat 'n kworum vir 'n vergadering daar sal stel;
 - (ii) hoe stemming tydens vergaderings moet plaasvind;
 - (iii) dat notules van alle vergaderings van die forum, subforum, of raad insluitend vergaderings van hul uitvoerende komitee gehou moet word; en
 - (iv) hoe kennisgewing van vergaderings (insluitende gewone -, spesiale -, en algemene jaarvergaderings) aan lede gegee moet word;
- (i) hoe die forum, subforum of raad met sy lede en die betrokke gemeenskap sal kommunikeer;
- (j) die prosedure vir die wysiging van die grondwet.
- (k) die bestuur en beheer van die finansiële sake van die forum, subforum of raad;
- (l)
 - (i) in die geval van 'n gemeenskapspolisieforum, hoe lede aangewys sal word om die subforum op die gemeenskapspolisieforum te verteenwoordig;
 - (ii) in die geval van 'n gemeenskapspolisieforum, hoe lede van die forum aangewys sal word om die forum op die areagemeenskapspolisieraad te verteenwoordig; en
 - (iii) in die geval van 'n areagemeenskapspolisieraad, hoe lede van die raad aangewys sal word om die raad op die provinsiale gemeenskapspolisieraad te verteenwoordig;
- (m) dispuut resoluë prosedures; en
- (n) die prosedure vir die ontbinding van die forum, subforum of raad.

8. GEMEENSAP VEILIGHEIDSPLAN

- (1) 'n Gemeenskapspolisieforum moet, na oorlegpleging met die betrokke stasiekommissaris, 'n gemeenskap veiligheidsplan voor die einde van elke finansiële jaar vir die stasiewyk ten opsigte waarvan dit gevestig is, ontwikkel en sodanige plan aan die betrokke areagemeenskapspolisieraad voorlê.
- (2) 'n Gemeenskap veiligheidsplan beoog in subregulasie (1) moet, as 'n minimum die volgende uiteensit -
 - (a) die aksiestappe, programme of projekte wat die gemeenskapspolisieforum vir die volgende finansiële jaar beplan ten einde die bereiking van die oogmerke, waarna in artikel 18 van hierdie Wet verwys word, te bevorder;
 - (b) hoe sodanige aksiestappe, programme of projekte befonds sal word; en
 - (c) hoe sodanige aksiestappe, programme of projekte die bereiking van die oogmerke waarna in artikel 18(1) van hierdie Wet verwys word, sal bevorder.
- (3) 'n Areagemeenskapspolisieraad moet, nadat die gemeenskap veiligheidsplanne van die

gemeenskapspolisieforums binne daardie area oorweeg is en na oorlegpleging met die betrokke areakommissaris, 'n gemeenskap veiligheidsplan vir die betrokke area ontwikkel wat die aksiestappe, programme of projekte uiteensit wat die areagemeenskapspolisieraad beplan, ten einde die gemeenskap veiligheidsplan van die gemeenskapspolisieforums in daardie area te koördineer en te ondersteun, en sodanige plan aan die provinsiale gemeenskapspolisieraad voorlê.

- (4) 'n Provinsiale gemeenskapspolisieraad kan aanbevelings aan 'n areagemeenskapspolisieraad maak ten einde die implementering van area gemeenskap veiligheidsplanne te koördineer en te ondersteun.

9. SPESIALISEENHEDE

- (1) Ten einde nouer samewerking tussen gemeenskapspolisieforums, subforums of rade, stasies en spesialiseenhede van die Diens te verseker, kan 'n provinsiale -, area - en stasiekommissaris die bevelvoerder van 'n spesialiseenheid versoek om een of meer lede van daardie eenheid aan te wys om die eenheid, indien daartoe versoek, te verteenwoordig by 'n vergadering van 'n forum of raad om die forum, subforum of raad oor spesifieke aangeleenthede betreffende die funksies van sodanige eenheid toe te spreek.

- (2) Indien 'n spesialiseenheid werksaamhede binne 'n spesifieke stasiewyk verrig het, kan die bevelvoerder van sodanige eenheid versoek word om 'n verslag oor die verrigting van genoemde werksaamhede aan die stasie -, area - of provinsiale kommissaris voor te lê, wanneer sodanige kommissaris deur die gemeenskapspolisiesubforum, forum of raad opgeroep word om rekenskap vir genoemde werksaamhede van die eenheid te gee.

10. KOMMUNIKASIE

- (1) Besluite geneem by gemeenskapspolisieforums, subforums en rade moet deur die betrokke provinsiale -, area -, en stasiekommissaris aan die lede onder hulle bevel oorgedra word.
- (2) Gemeenskapspolisieforums en rade moet voortdurend en betyds ingelig word van ontwikkelings ten opsigte van beleid in die Diens met betrekking tot gemeenskapspolisieringsaangeleenthede ten einde hul in staat te stel om hul inset in verband daarmee voor te lê.
- (3) Enige ongeklassifiseerde omsendbrief, hetsy van nasionale -, provinsiale -, area - of stasievlak, moet, op versoek aan 'n gemeenskapspolisieforum of raad beskikbaar gestel word.
- (4) 'n Lid van 'n gemeenskapspolisieforum of raad kan vir die duur van besprekings met betrekking tot gemeenskappolisieringsaangeleenthede, op uitnodiging van die betrokke provinsiale -, area -, of stasiekommissaris, bestuursvergaderings by sodanige stasie -, area - of provinsiale vlak onderskeidelik bywoon.

11. LOGISTIEKE ONDERSTEUNING

- (1) Die Diens is nie verplig om kantoorakkommodasie aan 'n gemeenskapspolisieforum, subforum of raad te voorsien nie.
- (2) Ondanks die bepalings van subregulasie (1), kan 'n stasiekommissaris, ten einde 'n gemeenskapspolisieforum behulpzaam te wees om sy funksies te verrig, 'n kantoor wat nie onmiddellik deur die Diens vir die uitvoering van sy funksies benodig word nie, tydelik beskikbaar stel vir gebruik deur daardie forum. Met dien verstande dat sodanige forum nie toegang tot enige ander akkommodasie het wat vir die doel gebruik kan word nie.
- (3) 'n Stasiekommissaris kan 'n lid van 'n gemeenskapspolisieforum toelaat om 'n telefoon of faksmasjien onder die beheer van die Diens te gebruik om 'n amptelike oproep te maak of 'n amptelike faks te stuur, indien hy of sy dit nodig ag ten einde die forum in staat te stel om sy funksies te verrig.
- (4) 'n Stasiekommissaris kan 'n werknemer van die Diens opdrag gee om die notule van 'n vergadering van 'n gemeenskapspolisieforum of sy uitvoerende komitee en amptelike korrespondensie van die forum te tik en om toerusting van die Diens vir die doel te gebruik, indien sodanige forum of sy uitvoerende komitee geen toegang tot sodanige toerusting het nie en kan die gebruik van skryfbehoeftes van die Diens vir daardie doel toelaat, indien die forum geen skryfbehoeftes tot sy beskikking het nie.
- (5) Geen toerusting of voorraad mag aan 'n lid van 'n gemeenskapspolisieforum, subforum of raad uitgereik word nie en geen sodanige lid mag toegelaat word om 'n polisievoertuig te gebruik nie.
- (6) 'n Lid van 'n gemeenskapspolisieforum wat ook 'n lid is van 'n gemeenskapspolisieraad mag slegs in gevalle waar hy of sy nie redelike toegang tot privaat of openbare vervoer het nie met 'n polisievoertuig na en van vergaderings en werksinkels van sodanige raad vervoer word.

12. FINANSIËLE PROSES EN SISTEEM

- (1) 'n Gemeenskapspolisieforum, subforum of raad mag fondse insamel ten einde hul werksaamhede te ondersteun of te verrig.
- (2) 'n Gemeenskapspolisieforum, subforum en raad moet hul finansiële sake in ooreenstemming met algemeen aanvaarbare rekenkundige gebruike van toepassing in die Republiek bestuur en 'n inkomste en uitgawe staat moet by elke algemene vergadering van die forum, subforum of raad voorgelê word.
- (3) Alle finansiële rekords van 'n gemeenskapspolisieforum, subforum en raad moet jaarliks deur 'n onafhanklike ouditeur geaudit word.
- (4) Gemeenskapspolisieforums, subforums en rade is nie-winsgewende, gemeenskapsgerigte liggame wat hul funksies verrig ten einde die oogmerke uiteengesit in artikel 18 van hierdie Wet te bereik, in belang van die gemeenskappe ten opsigte waarvan hulle gevestig is en lidmaatskap en deelname aan die werksaamhede van 'n gemeenskapspolisieforum,

subforum of raad deur enige lid van die gemeenskap is vrywillig en geen lid van 'n forum, subforum of raad is geregtig op enige vergoeding as gevolg van sy of haar lidmaatskap of deelname in die werksaamhede van sodanige forum, subforum of raad nie.

- (5) 'n Gemeenskapspolisieforum, subforum of raad kan sigself nie as 'n artikel 21 maatskappy vestig nie. Enige artikel 21 maatskappy gevestig deur 'n gemeenskapspolisieforum, subforum of raad moet totaal onafhanklik van sodanige forum, subforum of raad funksioneer.
- (6) 'n Lid van die Diens mag nie 'n direkteur van 'n artikel 21 maatskappy gevestig deur 'n gemeenskapspolisieforum, subforum of raad wees nie.
- (7) Die finansiële jaar van 'n gemeenskapspolisieforum, subforum en raad sal op 1 April van elke jaar 'n aanvang neem en op 31 Maart van die volgende jaar eindig.

13. WERKNEMER ORGANISASIES

'n Verteenwoordiger van 'n vakbond mag slegs 'n vergadering van 'n gemeenskapspolisieforum, subforum of raad in sy of haar hoedanigheid as sodanige verteenwoordiger bywoon terwyl aangeleenthede wat arbeidsverhoudinge raak, bespreek word. Enige sodanige verteenwoordiger wat ander vergaderings van 'n gemeenskapspolisieforum, subforum of raad bywoon, doen dit in sy of haar hoedanigheid as 'n lid van die Diens of van die gemeenskap.

14. DISPUUT RESOLUSIE EN PROBLEEMOPLOSSING

- (1) Geskilpunte wat by 'n gemeenskapspolisieforum ontstaan wat nie op daardie vlak opgelos kan word nie, moet na die areakommissaris of die areagemeenskapspolisieraad verwys word.
- (2) Geskilpunte wat by 'n areagemeenskapspolisieraad ontstaan of wat daarna of na die areakommissaris kragtens subregulasie (1) verwys is en wat nie binne 90 dae op daardie vlak opgelos kan word nie moet na die provinsiale kommissaris of die provinsiale gemeenskapspolisieraad verwys word.
- (3) Indien die provinsiale kommissaris of die provinsiale gemeenskapspolisieraad nie 'n geskilpunt op daardie vlak kan oplos nie, moet dit na die Nasionale Kommissaris verwys word, wat, onderworpe aan die voorskrifte van die Minister, sodanige stappe kan neem as wat redelikerwys nodig mag wees ten einde die geskilpunt op te los.

15. OORGANGSBEPALINGS

- (3) Enige gemeenskapspolisieforum, subforum of raad gevestig voor die inwerkingtreding van hierdie Regulasies, word geag gevestig te wees kragtens hierdie Regulasies: Met dien verstande dat —
 - (a) sodanige gemeenskapspolisieforum, subforum of raad nie sigself as 'n artikel 21 maatskappy voor die inwerkingtreding van hierdie Regulasies gevestig het nie;
 - (b) 'n gemeenskapspolisieforum, subforum of raad wat nie 'n grondwet het wat aan

die vereistes soos uiteengesit in regulasie 7 voldoen nie, binne 90 dae na die inwerkingtreding van hierdie Regulasies, of binne sodanige verlengde tydperk as wat die betrokke provinsiale kommissaris op versoek van sodanige forum, subforum of raad mag bepaal, 'n grondwet wat aan hierdie vereistes voldoen, moet aanvaar; en

(c) 'n gemeenskapspolisieforum, subforum of raad wat nie 'n uitvoerende komitee het soos in hierdie Regulasies bepaal nie, binne 120 dae na die inwerkingtreding van hierdie Regulasies, of binne sodanige verlengde tydperk as wat die betrokke provinsiale kommissaris op versoek van sodanige forum, subforum of raad mag bepaal, 'n uitvoerende komitee vanuit sy lede moet verkies.

- (2) Enigiets gedoen deur 'n gemeenskapspolisieforum, subforum of raad, voor die inwerkingtreding van hierdie Regulasies en wat kragtens hierdie Regulasies gedoen kan word, word geag kragtens hierdie Regulasies gedoen te wees.
- (3) Die Nasionale Kommissaris kan sodanige verdere oorgangsmaatreëls bepaal as wat redelikerwys noodsaaklik is om die doeltreffende en effektiewe implementering van hierdie Regulasies te verseker.
- (4) Enige fondse voor die inwerkingtreding van hierdie Regulasies ontvang deur 'n gemeenskapspolisieforum, subforum, of raad wat nie as 'n artikel 21 maatskappy gevestig is nie, word geag ooreenkomstig hierdie Regulasies geadministreer te wees: Met dien verstande dat indien die finansiële rekords van sodanige forum, subforum of raad nie deur 'n onafhanklike ouditeur geaudit is nie, die gemeenskapspolisieforum, subforum of raad 'n onafhanklike ouditeur moet aanstel om die rekords te audit: Met dien verstande verder dat die betrokke gemeenskapspolisieforum subforum of raad by ontvangs van die verslag van die ouditeur 'n resoluëie moet aanvaar waarkragtens die administrasie van die fondse goedgekeur word.
- (5) Indien die bestaande finansiële jaar van enige gemeenskapspolisieforum, subforum of raad, wat voor die inwerkingtreding van hierdie Regulasies gevestig is, verskil van die finansiële jaar soos voorgeskryf deur regulasie 12(6), die volgende finansiële jaar van sodanige forum, subforum of raad op 1 April 2002 sal begin.

16. KORT TITEL

Hierdie Regulasies sal bekend staan as die Suid-Afrikaanse Polisie diens Interim Regulasies vir Gemeenskapspolisieforums en Rade, 2001.

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