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## GOVERNMENT NOTICE

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**DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT****No. R. 209****19 February 2002****DECLARATION OF PEACE OFFICERS IN TERMS OF SECTION 334 OF  
THE CRIMINAL PROCEDURE ACT, 1977 (ACT 51 OF 1977)**

I, PENUELL MPAPA MADUNA, Minister for Justice and Constitutional Development acting under and by virtue of the powers vested in me

- (1) by section 334(1)(a) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), hereby declare that every person who, by virtue of his/her office, falls within any category defined in column 1 of the Schedule to this notice, shall, within the area specified in column 2 of that Schedule, be a peace officer for the purpose of exercising, with reference to the offences specified in column 3 of that Schedule, the powers defined in column 4 there;
- (2) hereby withdraw Government Notice No. R23101 of 7 February 2002.

Signed at Pretoria on this Eighteenth day of February Two Thousand and Two.

**DR P M MADUNA, MP**

**MINISTER FOR JUSTICE AND CONSTITUTIONAL DEVELOPMENT**

## SCHEDULE

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<p style="text-align: center;"><b>PART 1</b></p> <p>Chiefs or headmen recognised or appointed in terms of section 2(7) and (8) of the Black Administration Act, 1927 (Act 38 of 1927).</p>	<p>The area of the tribe of which he is a chief or headman.</p>	<p>The offences referred to in section 40 of the Criminal Procedure Act, 1977, but excluding the offences mentioned in the Third Schedule of the Black Administration Act, 1927.</p>	<p>The arrest without warrant of any person in terms of section 40 of the Criminal Procedure Act, 1977. The powers conferred upon a police official in terms of section 37(1)(a)(i) of the Criminal Procedure Act, 1977.</p> <p>(i) The arrest without warrant of any person in terms of section 40 of the Criminal Procedure Act, 1977.</p> <p>(ii) The execution of warrants of arrest in terms of section 44 of the Criminal Procedure Act, 1977.</p>
<p style="text-align: center;"><b>PART 2</b></p> <p>Immigration officers appointed under section 3 of the Aliens Control Act, 1991 (Act 96 of 1991), or who are deemed to be so appointed.</p>	<p>The Republic of South Africa.</p>	<p>(1) Any offence in terms of the Aliens Control Act, 1991 (Act No 96 of 1991).</p> <p>(2) Any offence in terms of the Refugees Act, 1998 (Act No 130 of 1998).</p> <p>(3) Any offence in terms of the Identification Act, 1997 (Act No 68 of 1997).</p> <p>(4) Any offence in terms of the South African Citizenship Act, 1995 (Act No 88 of 1995).</p> <p>(5) Any offence in terms of the South African Passport and Travel Documents Act, 1994 (Act No 4 of 1994)</p>	<p>1. The arrest without warrant of any person in terms of section 40(1)(a), (b), (c) and (l) of the Criminal Procedure Act, 1977.</p> <p>2. The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.</p> <p>3. The execution of warrants of arrest in terms of section 44 of the Criminal Procedure Act, 1977.</p>
<p style="text-align: center;"><b>PART 3</b></p> <p>A member of a police force referred to in section 83 of the Durban Extended</p>	<p>The area of jurisdiction of the Durban Transitional Metropolitan Council and</p>	<p>Any offence</p>	<p>All powers conferred upon a peace officer or a police official in terms of</p>



COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Powers Consolidated Ordinance, 1976 (Ordinance 18 of 1976) (Natal).	in respect of the powers conferred upon a peace officer under section 44 of the Criminal Procedure Act, 1977, the Republic of South Africa.		the Criminal Procedure Act, 1977.
<p>PART 4</p> <p>(a) Provincial Inspectors appointed by the Provincial Administrations of the Transvaal and the Orange Free State and Provincial Traffic Officers appointed by the Provincial Administrations of the Cape of Good Hope and Natal.</p>	The area of jurisdiction of the Provincial Administration which made the appointment and the area of the jurisdiction of the provincial administration in which the Provincial Inspector or Provincial Traffic Officer, as the case may be, are deemed thus to be appointed.	Any offence	<p>(i) The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.</p> <p>(ii) The execution of warrants of arrest in terms of section 44 of the Criminal Procedure Act, 1977.</p>
<p>(c) Nature conservation officers or authorised officers appointed in terms of-</p> <p>(i) section 4 of the Nature Conservation Ordinance 1983 (Ordinance 12 of 1983) (Transvaal);</p> <p>(ii) section 39 of the Nature Conservation Ordinance, 1969 (Ordinance 8 of 1969) (Orange Free State);</p> <p>(iii) section 20 of the Nature Conservation Ordinance, 1974 (Ordinance 19 of 1974) (Cape);</p> <p>(iv) section 3 of the Prohibition</p>	The area of jurisdiction of the Provincial Administration which made the appointment.	<p>Any offence in terms of the-</p> <p>(i) Nature Conservation Ordinance, 1983 (Ordinance 12 of 1983) (Transvaal);</p> <p>(ii) Nature Conservation Ordinance, 1969 (Ordinance 19 of 1969) (Orange Free State);</p> <p>(iii) Nature Conservation Ordinance, 1974 (Ordinance 19 of 1974) (Cape);</p> <p>(iv) Prohibition of the Dumping of Rubbish Ordinance 1976 (Ordinance 8 of 1976) (Orange Free State);</p> <p>(v) Nature Conservation Ordinance, 1974 (Ordinance 15 of 1974)</p>	<p>(i) The arrest without warrant of any person in terms of section 40(1)(a) of the Criminal Procedure Act, 1977.</p> <p>(ii) The execution of warrants of arrest in terms of section 44 of the Criminal Procedure Act, 1977.</p> <p>(iii) The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.</p>

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<p>of the Dumping of Rubbish Ordinance, 1976 (Ordinance 8 of 1976) (Orange Free State);</p> <p>(v) section 11(10)(a) of the Nature Conservation Ordinance, 1974 (Ordinance 15 of 1974) (Natal).</p>		(Natal).	
<p>(d) Officers appointed in terms of section 24 of the Public Resorts Ordinance, 1969 (Ordinance 18 of 1969) (Transvaal).</p> <p>(e) Officers who are employed by the Western Cape, Gauteng, Kwazulu/Natal, Northern Province, North Cape, North West, Eastern Cape, Mpumalanga and Free State Province and who perform security duties at provincial hospitals or related institutions.</p>	<p>The area of jurisdiction of a public resort which has, in terms of section 5(1)(a) of the Public Resorts Ordinance, 1969 (Ordinance 18 of 1969) (Transvaal), been placed under the supervision of the Board for Public Resorts.</p> <p>The area of jurisdiction of the Province which made the appointment.</p>	<p>Any offence in terms of the Public Resorts Ordinance, 1969 (Ordinance 18 of 1969) (Transvaal).</p> <p>(1) Any offence in terms of the -</p> <p>(i) Hospitals Ordinance, 1946 (Ordinance 18 of 1946) (Cape);</p> <p>(ii) Provincial Hospitals Ordinance, 1961 (Ordinance 13 of 1961) (Natal);</p> <p>(iii) Free State Hospitals Act, 1996 (Act 13 of 1996);</p> <p>(iv) Control of Traffic on Administration Grounds Ordinance, 1965 (Ordinance 15 of 1965) (Orange Free State);</p> <p>(v) Hospitals Ordinance, 1958 (Ordinance 14 of 1958) (Transvaal).</p> <p>(2) An offence referred to in section 40(1)(a), (b) (c), (d), (e), (f), (g),</p>	<p>The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.</p> <p>(i) The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.</p> <p>(ii) The arrest without warrant of any person in terms of section 40(1)(a), (b), (c), (d), (e), (f), (g), (h) and (j) of the Criminal Procedure Act, 1977.</p>



COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
		(h) and (j) of the Criminal Procedure Act, 1977.	
<p>PART 5</p> <p>(a) Law enforcement officers appointed by a municipality.</p>	<p>The area of jurisdiction of the municipality which made the appointment and in respect of the power mentioned in item (iii) and (iv) of column 4 of paragraph (a) of this Part, the Republic of South Africa.</p>	<p>Any offence in terms of -</p> <p>(i) a by-law or regulation made by or for such municipality;</p> <p>(ii) [the Business Act, 1991 (Act 71 of 1991);</p> <p>(iii) the Occupational Health and Safety Act, 1993 (Act 6 of 1993);</p> <p>(iv) the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), in respect of which section 24 of the said Act applies;</p>	<p>(i) The issue of written notices in terms of section 341 of the Criminal Procedure Act.</p> <p>(ii) The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.</p> <p>(iii) The execution of warrants of arrest in terms of section 44 and 55(2) of the Criminal Procedure Act, 1977.</p> <p>(iv) The powers conferred upon a peace officer in terms of section 41(1) of the Criminal Procedure Act, 1977.</p> <p>(v) In respect of the offences mentioned in items (iii) up to and including (xv) of column 3, the arrest without warrant of somebody in terms of section 40(1)(a), (b), (c), (f), (h) and (j) of the Criminal Procedure Act, 1977.</p>
		<p>(v) the Fire Brigade Services Act, 1987 (Act 99 of 1987), and any by-laws or regulations made thereunder;</p> <p>(vi) the Town Planning and Townships Ordinance, 1986 (Ordinance 15 of 1986)</p>	

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
		<p>(vii) (Transvaal); the Townships Ordinance, 1969 (Ordinance 9 of 1969) (Orange Free State);</p> <p>(viii) the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985) (Cape);</p> <p>(ix) the Town Planning Ordinance, 1949 (Ordinance 27 of 1949) (Natal);</p> <p>(x) section 154(1)(b)-(d) and 154(1)(f) of the Liquor Act, 1989 (Act 27 of 1989);</p> <p>(xi) sections 4 and 5 of the Drugs and Drug Trafficking Act, 1992 (Act 140 of 1991);</p> <p>(xii) section 39(1)(h), in respect of section 9 and section 39(1)(i), (l) and (m) of the Arms and Ammunition Act, 1969 (Act 75 of 1969);</p>	
		<p>(xiii) Schedule 1 to the Criminal Procedure Act, 1977, in respect of the following offences: Public violence, murder, culpable homicide, rape, indecent assault, robbery, assault (when a dangerous wound is inflicted), arson, malicious injury to property, breaking or entering any premises with intent to commit an offence, theft and escaping from lawful custody.</p>	



COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
(b) Traffic officers or inspectors of licences appointed by a local authority in terms of section 3 of the Road Traffic Act, 1989 (Act 29 of 1989)	The area of jurisdiction of the municipality which made the appointment and the area of jurisdiction of any other municipality in which the traffic officer or inspector of licences, as the case may be, may act in terms of the provisions of the Road Traffic Act, 1989 (Act 29 of 1989), and, in respect of the power conferred in terms of section 44 of the Act, mentioned in column 4 of paragraph (b) of this Part, the Republic of South Africa.	Any offence in terms of- (i) a by-law or regulation made by or for such municipality; (ii) any legislation which confers powers, duties and functions on a municipality; (iii) applicable road traffic and road transportation legislation which is operative in the municipal area concerned; (iv) Schedule 1 to the Criminal Procedure Act, 1977; and (v) Schedule 3 to the Criminal Procedure Act, 1971.	All powers conferred upon a peace officer or police official in terms of the Criminal Procedure Act, 1977, excluding the powers conferred in terms of section 25, 43, 59, 179(1)(b) and 329 of the said Criminal Procedure Act, 1977.
(c) Traffic wardens appointed under section 3(1) of the Road Traffic Act, 1989 (Act 29 of 1989).	(i) In respect of an appointment made by the Administrator in terms of section 3(1)(a) of the Road Traffic Act, 1989, the area of the province concerned. (ii) In respect of an appointment made by a municipality in terms of section 3(1)(d) of the Road Traffic Act, 1989, the area of the municipality concerned.	Offences referred to in section 12, 14(2), 83(12), 84, 97, 98, 110, 116(a) read with subparagraph (i) and 125 of the Road Traffic Act, 1989, and regulations 206(1) to (7), 207(1) to (4), 223, 224(1), 224(3)(a) and (b), 225(2) to (6), 227(1), 228, 319 to 325, 337, 340, 341 and 347 of the regulations made thereunder.	(i) The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977. (ii) The issue of written notices in terms of section 341 of the Criminal Procedure Act, 1977. (iii) The powers conferred upon a peace officer by section 41(1) of the Criminal Procedure Act, 1977.
<b>PART 6</b>  Officers appointed in terms of section 14(1) of the National Parks Act, 1976 (Act 57 of 1976).	The area of jurisdiction of a proclaimed national park under the control of the South African National Parks in respect of which the appointment has been made.	Any offence in terms of the National Parks Act, 1976 (Act 57 of 1976).	The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<p>PART 7</p> <p>Inspectors appointed in terms of section 98(1) of the Telecommunications Act, 1996 (Act 103 of 1996).</p>	The Republic of South Africa.	Any offence in terms of the Telecommunications Act, 1996 (Act 103 of 1996), and any regulations issued thereunder.	(i) The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.
<p>PART 8</p> <p>National road transport inspectors appointed under section 37 of the Cross-Border Road Transport Act, 1998 (Act No. 4 of 1998).</p>	The Republic of South Africa.	<p>(i) Any offence in terms of the Cross-Border Road Transport Act, 1998 (Act No. 4 of 1998) and the regulations issued thereunder.</p> <p>(ii) Any offence in terms of the Road Transportation Act 1977 (Act No. 74 of 1977) and the regulations issued thereunder.</p> <p>(iii) Any offence in terms of the National Road Traffic Act 1996 (Act No. 93 of 1996) and any regulations issued thereunder.</p> <p>(iv) Any offence in terms of the Tourism Act, 1993 (Act No. 72 of 1993), and any regulations issued thereunder.</p>	<p>(i) The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.</p> <p>(ii) The issue of written notices in terms of section 341 of the Criminal Procedure Act, 1977.</p> <p>(iii) The arrest without warrant of any person in terms of section 40(1) of the Criminal Procedure Act, 1977.</p> <p>(iv) The powers conferred upon a peace officer under section 41(1) of the Criminal Procedure Act, 1977.</p> <p>(v) The execution of warrants of arrest in terms of section 44 of the Criminal Procedure Act, 1977.</p>
<p>PART 9</p> <p>Sheriffs referred to in section 2 of the Sheriffs Act, 1986 (Act 90 of 1986).</p>	The area of jurisdiction of the Court, or any other area, for which the appointment has been made.	Not applicable.	The execution of any warrant of arrest issued under any provision of the Criminal Procedure Act, 1977 (Act 51 of 1977).
PART 10			



COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<p>Officers appointed under section 69(1)(b) of the Forest Act, 1984 (Act 122 of 1984).</p> <p><b>PART 11</b></p> <p>Authorized officers and inspectors appointed under the Aviation Act, 1962 (Act 74 of 1962).</p>	<p>Any national botanic garden mentioned in Schedule 1 to the Forest Act, 1984 (Act 122 of 1984).</p> <p>The Republic of South Africa ]</p>	<p>Any offence in terms of the by-laws made under section 72(1), read with section 61(1)(f) of the Forest Act, 1984 (Act 122 of 1984).</p> <p>Any offence contemplated in -</p> <ul style="list-style-type: none"> <li>(i) the Aviation Act, 1962 (Act 74 of 1962), and any regulation made thereunder;</li> <li>(ii) the Air Services Licensing Act, 1990 (Act 115 of 1990), and any regulation made thereunder;</li> <li>(iii) the Civil Aviation Offences Act, 1972 (Act 10 of 1972), and any regulation made thereunder; and</li> <li>(iv) the International Air Services Act, 1949 (Act 51 of 1949), and any regulation made thereunder.</li> </ul>	<p>The issue of written notices under section 56 of the Criminal Procedure Act, 1977 (Act 51 of 1977).</p> <ul style="list-style-type: none"> <li>(i) The issue of written notices under section 56 of the Criminal Procedure Act, 1977.</li> <li>(ii) The execution of warrants of arrest under section 44 of the Criminal Procedure Act, 1977.</li> <li>(iii) The arrest without a warrant of any person under section 40(1)(a) and (j) of the Criminal Procedure Act, 1977.</li> </ul>
<p><b>PART 12</b></p> <p>A regional director appointed in terms of section 4 of the Minerals Act, 1991 (Act 50 of 1991), and officers in the service of the Department of Mineral and Energy Affairs in the office of such regional director who hold the position of an assistant director or an equal or a higher position.</p>	<p>The area of jurisdiction of the regional director referred to in column 1 of this Part.</p>	<p>Any offences in terms of the Minerals Act, 1991, and any regulation issued thereunder or in force in terms of section 68(2) thereof.</p>	<p>The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.</p>
<p><b>PART 13</b></p>			

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
A police officer of the East London City Police appointed in terms of section 60(1) of the Municipal Ordinance, 1974 (Ordinance 20 of 1974) (Cape).	The area of jurisdiction of the City of East London and in respect of powers conferred upon a peace officer under section 44 of the Criminal Procedure Act, 1977 (Act 51 of 1977), the Republic of South Africa.	(a) Any offence contemplated in - (i) any municipal by-law of the City of East London; (ii) Schedule I to the Criminal Procedure Act, 1977 (Act 51 of 1977); (iii) the Drugs and Drug Trafficking Act, 1992 (Act 140 of 1992); (iv) the Indecent or Obscene Photographic Matter Act, 1967 (Act 37 of 1967); (v) the Child Care Act, 1983 (Act 74 of 1983); (vi) the Sexual Offences Act, 1957 (Act 23 of 1957); (vii) the Animals Protection Act, 1962 (Act 71 of 1962); (viii) the Liquor Act, 1989 (act 27 of 1989); (ix) the Dangerous Weapons Act, 1968 (Act 71 of 1956); (x) the Explosives Act, 1956 (Act 26 of 1956); and (b) any of the following offences: <i>Crimen injuria</i> , public indecency, malicious injury to property and possession of stolen property.	All the powers conferred upon a peace officer or police official in terms of the Criminal Procedure Act, 1977, except the powers referred to in section 25, 43, 59, 179(1)(b) and 329.
PART 14  (a) Inspectors appointed in terms of section 3(d) of the Security Officers Act, 1987 (Act 92 of 1987).	The Republic of South Africa.	Any offence in terms of the Security Officers Act, 1987 (Act 92 of 1987).	The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.



COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
<p><b>PART 15</b></p> <p>Inspectors appointed in terms of section 3(d) of the Security Officers Act, 1987 (Act No. 92 of 1987)</p>	The Republic of South Africa	Any offence in terms of the Security Officers Act, 1987 (Act No. 92 of 1987)	The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977)
<p><b>Part 16</b></p> <p>Persons assigned in terms of section 7 (4) (a) (iii), (iv) and (v) of the national Prosecuting Authority Act, 1998 (Act No. 32 of 1998), as investigating officers for the Special Investigating Directorate: Organised Crime and Public Safety</p>	The Republic of South Africa	<p>(a) Any offence of-</p> <ul style="list-style-type: none"> <li>(i) murder;</li> <li>(ii) fraud;</li> <li>(iii) theft and any offence involving dishonesty;</li> <li>(iv) robbery with aggravating circumstances;</li> <li>(v) extortion;</li> <li>(vi) kidnapping;</li> <li>(vii) arson;</li> <li>(viii) malicious injury to property;</li> <li>(ix) breaking and entering any premises with the intent to commit an offence;</li> <li>(x) public violence; or</li> </ul> <p>(b) any offence in contravention of the-</p> <ul style="list-style-type: none"> <li>(i) Explosives Act;</li> <li>(ii) Income Tax Act;</li> <li>(iii) Customs and Excise Act;</li> <li>(iv) Armaments Development and Production Act;</li> <li>(v) Arms and Ammunition Act;</li> <li>(vi) Intimidation Act;</li> <li>(vii) Internal Security Act;</li> </ul>	<p>(a) The powers conferred in terms of section 40, 41 (1), 44, 45 and 56 of the Criminal Procedure Act, 1977; and</p> <p>(b) the powers conferred upon a police official or a peace officer in terms of Chapter 2 of the Criminal Procedure Act, 1977.</p>

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
		(viii) Diamonds Act; (ix) Sea Fishery Act; (x) Corruption Act; (xi) Drugs and Drug Trafficking Act; (xii) Proceeds of Crime Act, committed in an organised fashion or which may endanger the safety or security of the public, or any conspiracy, incitement or attempt to commit any of the abovementioned offences.	
<b>PART 17</b> Safety Officers, Senior Security Officers and Safety Representatives appointed by the Airports Company South Africa Limited in terms of the Airports Company Act 1993 (Act No. 44 of 1993)	The areas falling within the definition of "company airport" as defined in terms of section 1 of the Airports Company Act, 1993 (Act No. 44 of 1993)	(i) Any offence in terms of the National Road Traffic Act 1996 (Act No. 93 of 1996) and any regulations issued there under	The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.





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