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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF SAFETY AND SECURITY DEPARTEMENT VAN VEILIGHEID EN SEKURITEIT

No. R. 334

22 March 2002

REGULATIONS FOR THE SOUTH AFRICAN POLICE SERVICE

The Minister for Safety and Security has, under section 24 and 48 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

REGULATIONS FOR THE SOUTH AFRICAN RESERVE POLICE SERVICE

1. DEFINITIONS

In these regulations, unless the context otherwise indicates, "reservist" means a member of the South African Reserve Police Service.

2. CATEGORISATION OF RESERVISTS

- (1) The National Commissioner must determine the different categories of reservists.
- (2) The National Commissioner must determine in respect of each category, determined in terms of subregulation, (1) —
 - (a) the nature of services that must be rendered by a reservist appointed to such category;
 - (b) the training that such reservist must undergo;
 - (c) whether such reservist may wear a uniform when he or she is on duty as a reservist; and
 - (d) whether a reservist appointed to such category may be called-up for compulsory service as contemplated in regulation 5.

3. ENROLMENT OF RESERVISTS

- (1) A person may be appointed as a reservist if such person —
 - (a) has permanent residence in the Republic;
 - (b) is at least eighteen years and under seventy years of age of which documentary proof must be furnished;
 - (c) completes a health questionnaire as determined by the National Commissioner;
 - (d) is free from any mental or physical defect, disease or infirmity which may

- (e) interfere with the proper execution by him or her of his or her duties;
 - (f) is of good character, for which positive background enquiries must be obtained;
 - (g) successfully completes such psychometric tests as may be determined by the National Commissioner;
 - (h) is in possession of at least a senior certificate or equivalent qualification of which documentary proof must be furnished;
 - (i) is able to speak, read and write at least English as one of the official languages;
 - (j) allow his or her fingerprints to be taken and has not been found guilty of offence or is not under prosecution for an offence;
 - (k) is prepared to undergo such training as may be determined; and
 - (l) is prepared to take the oath of office.
- (2) A person referred to in subregulation (1) who is a minor, may only be appointed as reservist if his or her legal guardian gives written permission for his or her appointment.
- (3) Notwithstanding the provisions of subregulation (1), the National Commissioner may, if he or she is satisfied that it would be in the interest of the Service, after having taken into account the age of the applicant, his or her occupation, language proficiency, social standing and the general impression he or she makes, waive any or all of the requirements.

4. PROOF OF APPOINTMENT

A reservist must be issued with a certificate of appointment in the form contained in Annexure A, with the reservist's photograph affixed thereto, certifying that he or she has been appointed as a reservist and such certificate shall be *prima facie* proof of such appointment.

5. CALLING-UP OF RESERVISTS

- (1) The National or Provincial Commissioner may, if he or she deems it necessary in order to achieve the objects referred to in Section 205(3) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), verbally or in writing order a reservist to report for duty at a place, date and time determined by the National or Provincial Commissioner and to perform such functions at such places and for such periods as may be determined by the National Commissioner or the Provincial Commissioner concerned: Provided that, in the event of a reservist being verbally ordered as aforesaid, such verbal order must, within 48 hours be confirmed in writing by the National Commissioner or such Provincial Commissioner.
- (2) A reservist who has been ordered as contemplated in subregulation (1) and who fails to report for duty at such place, date and time as determined by the National Commissioner or such Provincial Commissioner or who fails to perform the said functions or fails to perform such functions at the places for the periods determined by the National Commissioner or the Provincial Commissioner concerned, is guilty of an offence and is, upon conviction of such offence, liable

to a fine or imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

- (3) If a reservist is ordered to report for duty as contemplated in subregulation (1), he or she is remunerated according to a scale which is determined from time to time.
- (4) Any employer of a reservist who discharges such reservist or changes his or her conditions of service to the detriment of such reservist on account of him or her performing the functions for the periods determined by the National Commissioner or the Provincial Commissioner concerned, is guilty of an offence and is, upon conviction of such offence, liable to a fine or imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

6. TRANSITIONAL ARRANGEMENTS

Anything done, including any order or instruction issued or administrative measure taken in terms of the Regulations for the Reserve Police Force, 1962 which can be done under this Act, shall be deemed to have been so done, issued or taken, as the case may be, under this Act.

7. REPEAL AND SHORT TITLE

- (1) The Regulations for the Reserve Police Force as promulgated by Government Notice No. R.1016 in *Gazette* No. 273 dated 29 June 1962 as amended by Government Notice No. R.1285 in *Gazette* No. 309 dated 10 Augustus 1962, are hereby repealed.
- (2) These regulations will be called the South African Reserve Police Service Regulations, 2002.

ANNEXURE "A"

S A RESERVE POLICE SERVICE APPOINTMENT CERTIFICATE

Regulation 4 of the South African Reserve Police Service Regulations, 2002

It is hereby certified that No:

.....with

ID

has been appointed as a member of the
South African Reserve Police Service and holds the rank of

Signed on.....at.....

.....
National Commissioner SA Police Service

No. R. 334

22 Maart 2002

REGULASIES VIR DIE SUID-AFRIKAANSE POLISIEDIENS

Die Minister vir Veiligheid en Sekuriteit het kragtens artikel 24 en 48 van die Wet op die Suid-Afrikaanse Polisie, 1995 (Wet No. 68 van 1995), die regulasies in die Bylae gemaak.



S.V. TSHWETE,

Minister vir Veiligheid en Sekuriteit.

BYLAE**REGULASIES VIR DIE SUID-AFRIKAANSE RESERVE POLISIEDIENS****1. WOORDOMSKRYWINGS**

In hierdie regulasies, tensy uit die samehang anders blyk, beteken “reservis” ‘n lid van die Suid-Afrikaanse Reserve Polisie.

2. KATEGORISERING VAN RESERVISTE

- (1) Die Nasionale Kommissaris moet die verskillende kategorieë van reserviste vasstel.
- (2) Die Nasionale Kommissaris moet ten opsigte van elke kategorie, kragtens subregulasie (1) vasgestel, bepaal —
 - (a) wat die aard van die dienste is, wat deur ‘n reservis wat in sodanige kategorie aangestel is, verrig moet word;
 - (b) wat die opleiding is wat sodanige reservis moet ondergaan;
 - (c) of sodanige reservis ‘n uniform kan dra wanneer hy of sy as reservis aan diens is; en
 - (d) of ‘n reservis, aangestel in sodanige kategorie, vir verpligte diens soos beoog in regulasie 5, opgeroep kan word.

3. INSKRYWING VAN RESERVISTE

- (1) ‘n Persoon kan as reservis aangestel word, indien sodanige persoon —
 - (a) permanente verblyf in die Republiek het;
 - (b) ten minste 18 jaar en onder die ouderdom van sewentig jaar is waarvan dokumentêre bewys verskaf moet word;
 - (c) ‘n gesondheidsvraelys soos deur die Nasionale Kommissaris bepaal, voltooi;

- (d) vry is van enige verstandelike of fisiese gebrek, siekte of swakheid wat met die behoorlike uitvoering deur hom of haar van sy of haar dienste sal inmeng;
 - (e) van goeie karakter is, waarvan positiewe agtergrond navrae verkry moet word;
 - (f) sodanige psigometriese toetse as wat deur die Nasionale Kommissaris bepaal mag word, suksesvol voltooi;
 - (g) in besit is van ten minste 'n senior sertifikaat of ekwivalente kwalifikasie waarvan dokumentêre bewys verskaf moet word;
 - (h) in staat is om ten minste Engels as een van die amptelike tale te praat, lees en skryf;
 - (i) toelaat dat sy of haar vingerafdrukke geneem word en nie skuldig bevind is aan 'n misdaad of nie onder vervolging van 'n misdaad staan;
 - (j) bereid is om sodanige opleiding vir wat bepaal mag word, te ondergaan; en
 - (k) bereid is om die ampseed af te lê.
- (2) 'n Persoon waarna in subregulasie (1) verwys word wat 'n minderjarige is, kan slegs as reservis aangestel word indien sy of haar wettige voog skriftelike toestemming vir sy of haar aanstelling gee.
- (3) Die Nasionale Kommissaris kan, behoudens die bepalings van subregulasie (1), indien hy of sy tevrede is dat dit in belang van die Diens sal wees, nadat die ouderdom van die applikant, sy of haar beroep, taalvaardigheid, sosiale status en algemene indruk wat hy of sy maak, in aanmerking geneem is, van enige of al die vereistes afstand doen.

4. BEWYS VAN AANSTELLING

'n Aanstellingssertifikaat, in die vorm vervat in Aanhangsel A, met die reservis se foto daarop, wat sertifiseer dat hy of sy as 'n reservis aangestel is moet aan 'n reservis uitgereik word, en sodanige sertifikaat sal *prima facie* bewys van sodanige aanstelling wees.

5. OPROEP VAN RESERVISTE

- (1) Die Nasionale of Provinsiale Kommissaris kan indien hy of sy dit nodig ag ten einde die doelstellings waarna in artikel 205(3) van die Grondwet van die Republiek van Suid-Afrika, 1996 (Wet No. 108 van 1996) verwys word, te bereik, 'n reservis mondelings of skriftelik gelas om op 'n plek, datum en tyd deur die Nasionale of Provinsiale Kommissaris bepaal vir diens te rapporteer en om sodanige funksies op sodanige plekke vir sodanige tydperke as wat deur die betrokke Nasionale of Provinsiale Kommissaris bepaal mag word, te verrig: Met dien verstande dat, in die geval waar 'n reservis mondelings soos voormeld gelas word, sodanige mondelinge lasgewing, binne 48 uur skriftelik deur die Nasionale Kommissaris of sodanige Provinsiale Kommissaris bevestig moet word.
- (2) 'n Reservis wat, soos beoog in subregulasie (1), gelas is en wat versuim om vir diens op sodanige plek, datum en tyd soos deur die Nasionale Kommissaris of sodanige Provinsiale Kommissaris bepaal, te rapporteer, of wat versuim om

genoemde funksies te verrig of versuim om sodanige funksies op die plekke en vir die tydperke deur die Nasionale Kommissaris of betrokke Provinsiale Kommissaris bepaal, te verrig, is skuldig aan 'n misdaad en is by skuldigbevinding strafbaar met 'n boete of gevangenisstraf vir 'n tydperk wat nie een jaar oorskry nie, of tot beide sodanige boete en sodanige gevangenisstraf.

- (3) Indien 'n reservis gelas word om vir diens aan te meld soos in subregulasie (1) beoog, word hy of sy vergoed volgens 'n skaal soos van tyd tot tyd vasgestel.
- (4) 'n Werkgewer van 'n reservis wat sodanige reservis ontslaan of sy of haar diensvoorwaarde tot die nadeel van sodanige reservis verander as gevolg van die verrigting van sy of haar funksies vir die tydperke deur die Nasionale Kommissaris of die betrokke Provinsiale Kommissaris vasgestel, is skuldig aan 'n misdryf en is by skuldigbevinding vir sodanige misdryf strafbaar met 'n boete of gevangenisstraf vir 'n tydperk wat nie een jaar oorskry nie of tot beide sodanige boete en sodanige gevangenisstraf.

6. OORGANGSBEPALINGS

Enigiets gedoen, met inbegrip van 'n order of instruksie uitgereik of administratiewe maatreël getref kragtens die Regulasies vir die Reserwe Polisiemag, 1962 en wat kragtens hierdie Wet gedoen kan word, word geag kragtens hierdie Wet gedoen, uitgevaardig of getref te wees, na gelang van die geval.

7. HERROEPING EN KORT TITEL

- (1) Die Regulasies vir die Reserwepolisiemag soos uitgevaardig by Goewermentskennisgewing No. R.1016 in *Staatskoerant* No. 273 van 29 Junie 1962 soos gewysig by Goewermentskennisgewing No. R.1285 in *Staatskoerant* No. 309 van 10 Augustus 1962, word hierby herroep.
- (2) Hierdie regulasies sal bekend staan as die Suid-Afrikaanse Reserwe Polisie diens Regulasies, 2002.

AANHANGSEL "A"

S A RESERWEPOLISIEDIENS AANSTELLINGSERTIFIKAAT

Regulasie 4 van die Suid-Afrikaanse Reserwe Polisie diens Regulasies, 2002

Dit word hierby gesertifiseer dat No:

.....met
ID

aangestel is as lid van die
Suid-Afrikaanse Reserwe Polisie diens en die rang van

..... bekleë.
Geteken op te

.....
NASIONALE KOMMISSARIS SA POLISIEDIENS