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GOVERNMENT NOTICE

DEPARTMENT OF POLICE

No. 765

15 October 2013

THE SOUTH AFRICAN RESERVE POLICE SERVICE AMENDMENT REGULATIONS

The Minister of Police 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.

Minister of Police
EN Mthethwa

SCHEDULE

Definition

1. In these regulations, “the Regulations” mean the South African Reserve Police Service Regulations, 2002, promulgated by Government Notice No. R. 334 of 22 March 2002.

Substitution of Regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended by the substitution for regulation 1 of the following regulation:

“1. Definitions —

In these regulations, unless the context indicates otherwise —

“reservist” means a person appointed by the National Commissioner as a member of the South African Reserve Police Service to render services as a volunteer in support of the Police.”

Substitution of Regulation 3 of the Regulations

3. Regulation 3 of the Regulations is hereby amended by the substitution for regulation 3 of the following regulation:

“3. Enrolment of reservists.—

- (1) A person may be appointed as a reservist if such person —
- (a) is a South African citizen by birth;
 - (b) is at least 25 years and below 40 years of age of which documentary proof must be furnished;
 - (c) completes a health questionnaire determined by the National Commissioner which, at his or her own cost, is confirmed by a registered medical practitioner;
 - (d) is medically mentally and physically fit to perform the duties of a reservist;
 - (e) is of good and sound character, for which positive background enquiries must be obtained;
 - (f) fits the psychometric profile and has successfully completed any other test that may be determined by the National Commissioner;
 - (g) is in possession of at least a senior certificate (Grade 12) or has successfully completed a SAQA accredited NQF level 4 qualification of which documentary proof must be provided;
 - (h) is able to speak, read and write at least two official languages, of which one must be English;
 - (i) allow his or her fingerprints and a DNA sample to be taken;
 - (j) is prepared to undergo such training as may be determined by the National Commissioner;
 - (k) is prepared to take the prescribed oath of office;
 - (l) understands that his or her services may be terminated at the age of 60;

- (m) completes an assessment questionnaire;
 - (n) is vetted or screened;
 - (o) is employed and provides proof of employment;
 - (p) provides proof of his or her residential address;
 - (q) does not have a criminal record or any criminal or departmental cases pending against him or her (all criminal or departmental cases must be declared); and
 - (r) does not have a tattoo which will be visible if the person wears a uniform.
- (2) 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.
- (3) A person in respect of whom the requirements set out in subregulation (1)(b) have been waived, who is a minor, may only be appointed as reservist if his or her legal guardian gives written permission for his or her appointment.”

Insertion of new Regulation

4. The Regulations are hereby amended by the insertion after regulation 3 of the following regulation:

“3A. Appointment of reservists.—

A successful applicant may be enlisted as a student police reservist and may, after the successful completion of the training, determined by the National Commissioner, be appointed as a police reservist.”

Substitution of Regulation 5 of the Regulations

5. Regulation 5 of the Regulations is hereby amended by the substitution for regulation 5 of the following regulation:

“5. Calling-up of reservists.—

- (1) The National 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, verbally or in writing order a reservist to report for duty at a place, date and time determined by the National Commissioner and to perform such functions at such places and for such periods as may be determined by the National Commissioner: 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.
- (2) A reservist, who has been ordered as contemplated in subregulation (1), who fails to report for duty on such date and time and at such place determined by the National Commissioner or who fails to perform the said functions or fails to perform such functions at the places and for the periods determined by the National Commissioner, 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, 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.”

Substitution of Annexure A to the Regulations

6. Annexure A to the Regulations is hereby amended by the substitution for Annexure A of the following Annexure:

“Annexure A

APPOINTMENT CERTIFICATE: SOUTH AFRICAN RESERVE POLICE SERVICE

In terms of regulation 4 of the South African Reserve Police Service Regulations, 2002, it is hereby certified that No. (Persal number),
 (initials and surname) with ID no.
 has been appointed as a police reservist in the South African Police Service.

Signed at on

National Commissioner SA Police Service”

Short title and commencement

7. These regulations shall be known as the South African Reserve Police Service Amendment Regulations, 2013 and shall come into operation on the date of publication thereof.

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