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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

CIVILIAN SECRETARIAT FOR THE POLICE SERVICE

NO. 3507

7 June 2023

NOTICE TO INTRODUCE THE INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE AMENDMENT BILL, 2023 AND PUBLICATION OF EXPLANATORY SUMMARY OF THE BILL

General B.H. Cele, the Minister of Police intends to introduce the Independent Police Investigative Directorate Amendment Bill, 2023 in the National Assembly shortly. The annexed Explanatory Summary of the Bill is hereby published in accordance with Rule 24(1) (c) of the Rules of National Assembly.

The Bill seeks to provide:

- (a) that the Independent Police Investigative Directorate (“Directorate”) is institutionally and operationally independent.
- (b) that the Directorate is independent, impartial and must exercise its powers and functions without fear, favour, prejudice, or undue influence, in order to give effect to the judgment of the Constitutional Court in the case of *McBride v Minister of Police and Another 2016 (2) SACR 585 (CC)*.
- (c) for determination of conditions of service of investigators of the Directorate, including their salary and allowances, by the Minister in consultation with the Minister of Finance.
- (d) for extension of the mandate of the Directorate to include investigation of allegations of rape and deaths that have been committed while off duty.
- (e) for strengthening of the provisions relating to the implementation of disciplinary recommendations of the Directorate, and for other matters connected therewith.

A copy of the Bill can be found on the website of the Civilian Secretariat for Police Service at <http://www.policeseCRETARIAT.gov.za/> and may after introduction also be obtained from Government Printers Cape Town: (Telephone number 021 405 7531).

CIVILIAN SECRETARIAT FOR THE POLICE SERVICE

NO. 3508

7 June 2023

PUBLICATION OF THE EXPLANATORY SUMMARY OF THE INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE AMENDMENT BILL, 2023

The Independent Police Investigative Directorate Amendment Bill, 2023 seeks to provide for the institutional and operational independence of the Directorate, and to provide that the Directorate must be independent, impartial and must exercise its powers and functions without fear, favour, prejudice, or undue influence in order to give effect to the judgment of the Constitutional Court in *McBride v Minister of Police and Another 2016 (2) SACR 585 (CC)*.

The Bill also seeks to broaden the Executive Director's responsibilities in respect of the referral of complaints regarding disciplinary matters. A provision has been made in the Bill for determination of conditions of service of investigators including their salary and allowances, by the Minister in consultation with the Minister of Finance.

The Bill further provides for extension of the mandate of the Directorate, to include investigation of allegations of rape and deaths that have been committed off duty.

The Bill also strengthens the provisions concerning the implementation of disciplinary recommendations of the Directorate.

Other provisions of the Independent Police Investigative Directorate Act 1 of 2011 have also been amended in order to ensure that the Directorate executes its mandate effectively, and to provide for matters connected therewith.

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