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PROCLAMATIONS • PROKLAMASIES

DEPARTMENT OF CORRECTIONAL SERVICES**PROCLAMATION NOTICE 133 OF 2023****by the****PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA****SPECIAL REMISSION OF SENTENCE FOR CERTAIN CATEGORIES OF SENTENCED OFFENDERS, CORRECTIONAL SUPERVISION AND PAROLEES**

In terms of Section 84(2)(j) of the Constitution of the Republic of South Africa, 1996, I hereby approve the following periods of special remission to the indicated categories of offenders, offenders placed under correctional supervision, parolees and day parolees who are or would have been incarcerated or serving sentences within the system of community corrections on 2023.

1. Probationers, Parolees and Sentenced Offenders are granted **12 months** Special Remission of sentence, with the exception of the following crimes;
 - Sexual Offences;
 - Murder;
 - Attempted Murder;
 - Crimes against the safety of the State including sedition, high treason, sabotage and terrorism;
 - Offenders declared as dangerous by the court in terms of Section 286 A of the Criminal Procedure Act, 51 of 1997;
 - Lifers;
 - Violations under the Domestic Violence Act, 1998 (Act No 116 of 1998); and
 - Child Abuse;

- Gender Based Violence;
 - Armed robbery/robbery with aggravating circumstances;
 - Tempering, destroying or damaging of essential infrastructure;
 - Any attempt, inciting, soliciting or conspiracy to commit any of the above crimes;
 - Any other crime directly linked to any of the above-mentioned crimes (i.e. house breaking with the intent to steal and rape).
2. Offenders who are classified to be of low risk will receive additional 12 months special remission of sentence.
 3. Notably, all offenders, with the exception of categories mentioned in point 1 above, who were sentenced for violent crimes and have served close to the minimum required time for parole consideration will only be granted 12 months special remission of sentence;
 4. No person may benefit more than once from the 2023 Special Remission of sentence.
 6. A person who benefits from this special remission of sentence will be released within twelve (12) weeks from the date of announcement, in order to deal with the necessary administration in a responsible manner.
 7. The placement process for offenders under correctional supervision, parolees and sentenced offenders will be done in various phases, starting with the special category (Women, Children, elderly, youth and inmates with disabilities), and shall commence from the date of the proclamation, within 12 weeks from the date of announcement.
 8. Offenders who qualify for the special remission will provide a set of fingerprint and DNA samples which will be compared on the SAPS database as a prerequisite before placement.

Given under my Hand and the Seal of the Republic of South Africa at: Pretoria
this 10 day of August 2023.


PRESIDENT


MINISTER OF THE CABINET

DEPARTEMENT VAN KORREKTIEWE DIENSTE

PROKLAMASIE 133 VAN 2023

deur die

PRESIDENT VAN DIE REPUBLIEK VAN SUID AFRIKA

SPESIALE AFSLAG VAN VONNIS VIR SEKERE KATEGORIE VAN GEVONNISDE OORTREDERS, KORREKTIEWE TOESIG EN PAROLEES

In terme van artikel 84(2)(j) van die Grondwet van die Republiek van Suid Afrika, 1996, magtig ek hiermee die volgende tydperke van spesiale afslag van vonnis aan die ondergenoemde kategorie van oortreders, oortreders onder korrektiewe toesig , parolees en dag parolees wie in aanhouding is of sou wees of vonnisse uitdien in die stelsel van gemeenskaps korrektiewe toesig.

1. Korrektiewe toesig, Parolees en Gevonnisd Oortreders word 12 maande Spesiale Afslag toegeken, met die uitsondering van die volgende misdade;
 - Seksuele misdade;
 - Moord;
 - Poging tot moord;
 - Misdade teen die veiligheid van die staat, ingesluit, sedisie, hoogverraad, sabotasie en terrorisme;
 - Oortreders verklaar as gevaarlike misdadigers in terme van artikel 296A van die Kriminele Prosedure Wet, 51 van 1997;
 - Lewenslange vonnisse;

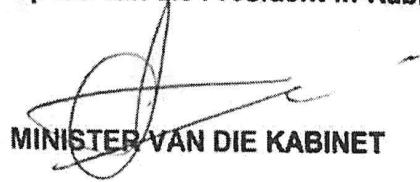
- Oortreders van die Wet op Gesinsgeweld, 1998 (Wet no 116 van 1998);
 - Kinder mishandeling;
 - Geslags gebaseerde geweld;
 - Gewapende roof/roof met verswarende omstandighede;
 - Tempering, venietiging of beskadiging van noodsaaklike infrastruktuur;
 - Enige poging, aanhitsing, uitlokking of sameswering om enige van bogenoemde misdade te pleeg.
2. Oortreders wie geklassifiseer word as lae risiko, word 'n addisionele 12 maande toegeken.
 3. Ongeag, alle oortreders, met die uitsondering van die kategorie vermeld onder punt een hierbo, wie gevonnissen is vir gewelds misdade en wie naby is om die minimum vereiste tydperk uit te dien vir parool oorweging, sal slegs 12 maande afslag ontvang;
 4. Geen persoon mag meer as een keer baat by die 2023 Spesiale Afslag van vonnis nie.
 5. 'n Persoon wie baat by hierdie spesiale afslag van vonnis sal vrygelaat word binne 12 weke van die datum van die proklamasie, sodat die nodige administratiewe prosesse verantwoordelik hanteer kan word.
 6. The plasing prosesse vir korrektiewe toesig, parolees en gevonnissde oortreders sal gedoen word in verskeie fases, beginnende met die spesiale kategorie (Vrouens, Kinders, Bejaardes; Jeug en oortreders met gestremdhede) en sal begin met die datum van proklamasie en voltooi word binne 12 weke vanaf die genoemde datum.
 7. Oortreders wie kwalifiseer vir die spesiale afslag van vonnis, moet 'n stel vingerafdrukke en DNA monsters verskaf vir vergelyking met die SAPS-data basis as 'n voorvereiste, vir plasing.

Ge onder my Hand en die Seël van die Republiek van Suid Afrika te
Pretoria, op hierdie 10 dag van Augustus 2023

PRESIDENT



Op las van die President-In-Kabinet



MINISTER VAN DIE KABINET



PRESIDENT'S MINUTE NO: 258/2023

**SPECIAL REMISSION OF CERTAIN CATEGORIES OF SENTENCED OFFENDERS,
CORRECTIONAL SUPERVISION AND PAROLEES**

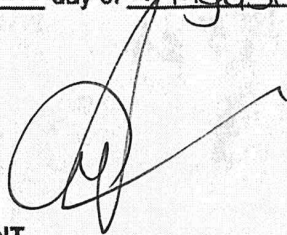
In terms of Section 84(2)(j) of the Constitution of the Republic of South Africa, 1996, I hereby approve, by means of the accompanying proclamation, the following periods of special remission to the indicated categories of offenders, correctional supervision, parolees and day parolees who are or would have been incarcerated or serving sentences within the system of community corrections on 2023.

1. Correctional Supervision, Parolees and Sentenced Offenders are granted **12 months** Special Remission, with the exception of the offenders convicted of the following crimes;

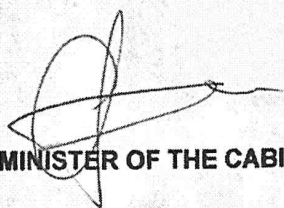
- Sexual Offences;
- Murder;
- Attempted Murder;
- Crimes against the safety of the State including sedition, high treason, sabotage and terrorism;
- Offenders declared as dangerous by the court in terms of Section 286A of the Criminal Procedure Act, 51 of 1997;
- Lifers;
- Violations under the Domestic Violence Act, 1998 (Act No 116 of 1998); and
- Child Abuse;
- Gender Based Violence;
- Armed robbery/robbery with aggravating circumstances;

- Tempering, destroying or damaging of essential infrastructure;
 - Any other crime directly linked to any of the above-mentioned crimes (i.e. house breaking with the intent to steal and rape);
 - Any attempt, inciting, soliciting or conspiracy to commit any of the above crimes.
2. Offenders who are classified to be of low risk will receive additional 12 months.
 3. The 2023 Special Remission of sentence will not be **applicable** to any Correctional Supervision, Parolee and Sentenced Offender, or Day- Parolee who:
 - Are certified as mentally-ill and is detained in accordance with the Mental Health Care Act, 2002 (Act No 17 of 2002): Provided that this special remission of sentence will be applicable as soon as such person is decertified and re-admitted to a correctional centre;
 - Was declared as dangerous in accordance with the Criminal Procedure Act, 1977 (Act No 51 of 1977);
 - Sentenced for Tempering, destroying or damaging of essential infrastructure.
 - Are serving a sentence for all sexual related offences and was sentenced to life incarceration; or
 - Escaped/absconded or who evaded the justice system after being released on bail pending appeal and was still at large on the date of announcement.
 4. No person may benefit more than once from this Special Remission of sentence.
 5. A person who benefits from this special remission of sentence will be released within twelve (12) weeks from the date of announcement, in order to deal with the necessary administration in a responsible manner.
 6. The placement process for correctional supervision, parolees and sentenced offenders will be done in various phases, starting with the special category (Women, Children, elderly, youth and inmates with disabilities), and shall commence within 12 weeks from the date of announcement.
 7. Inmates who qualify for the special remission will provide a set of fingerprint and DNA samples which will be compared on the SAPS database as a prerequisite before placement.

Given under my Hand and the Seal of the Republic of South Africa at: Pretoria
this 10 day of August 2023.



PRESIDENT



MINISTER OF THE CABINET

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