



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 9105

Regulasiekoerant

Vol. 528

Pretoria, 12 June 2009

No. 32326

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GOVERNMENT NOTICE

MINISTRY OF POLICE

No. R. 680

12 June 2009

2010 FIFA WORLD CUP SOUTH AFRICA SPECIAL MEASURES ACT, 2006 (ACT NO. 11 OF 2006)

The Minister of Police has under section 9(2) of the 2010 FIFA World Cup South Africa Special Measures Act, 2006 (Act No. 11 of 2006), made the regulations in the Schedule.

SCHEDULE

2010 FIFA WORLD CUP SOUTH AFRICA SPECIAL MEASURES SAFETY AND SECURITY REGULATIONS, 2009

Definitions

1. In these Regulations any word or expression defined in the Act has that meaning and, unless the context otherwise indicates —

“**authorised vehicle**” means a vehicle identified by a notice contemplated in regulation (3) as a vehicle authorised to be present in a traffic-free zone;

“**commercial activities**” includes any conduct that—

- (a) advertises goods, trade interests, services or any other interests;
- (b) displays or offers for sale any goods;
- (c) promotes goods, trade interests, services or any other interests by displaying, distributing or offering to distribute any object related to such goods, trade interests, services or other interests; or
- (d) draws the attention of any person in an exclusion zone to any goods, trade interests, services or other interests through public announcements or broadcasts;

“**commercial object**” means any object, including but not limited to clothing, headwear, a sign, a banner, a brochure, a pamphlet, a leaflet, food and beverage which contains, displays or represents any brand, brand colour, sign, symbol, graphic, mark, trademark, word, letter or figure or any arrangement or combination thereof;

“**dangerous object**” means any of the objects specified in Annexure “C”;

“**mark**” means a mark as defined in the Trade Marks Act, 1993, (Act No. 194 of 1993);

“**member**” means a member of the South African Police Service as defined in section 1 of the South African Police Service Act, 1995 (Act No. 68 of 1995), and includes a member of a municipal police service established under section 64 of that Act;

“**remote search park**” means a facility near a designated area equipped to enable a peace officer to perform the functions contemplated in section 8(1) of the Act;
“**Stadium Code of Conduct**” means the FIFA Stadium Code of Conduct posted on the website www.fifa.com as part of any conditions on which a ticket for a match during the 2010 FIFA World Cup South Africa is issued to any person;
“**temporary barrier**” means any barrier or fencing, whether collapsible or not, and includes any barrier sign, emergency light, chevron tape, barrier tape, police tape, traffic cone, barrier cone or flashdome cone that is used to indicate, demarcate, warn or delineate an area for purposes of traffic control or road closure;
“**the Act**” means the 2010 FIFA World Cup South Africa Special Measures Act, 2006 (Act No. 11 of 2006);
“**trade mark**” means a trade mark as defined in the Trade Marks Act, 1993, (Act No. 194 of 1993); and
“**traffic-free zone sign**” means a sign designed to demarcate a public road or area as a traffic-free zone.

Principles of application

2. These regulations do not affect or derogate from—
- (a) any agreement between FIFA and SAFA as contemplated in the preamble of the Act;
 - (b) the functions of any person employed at a site in terms of an agreement between FIFA and SAFA; or
 - (c) any Stadium Code of Conduct.

Commercial Activities

3. (1) No person may conduct commercial activities inside an exclusion zone, unless such person is identified by the LOC as a person who may conduct or carry on such commercial activities.
- (2) The LOC must identify a person as a person who may conduct commercial activities in an exclusion zone by issuing a written authorisation specifying the authorised commercial activity.
- (3) Any person who conducts commercial activities in contravention of subregulation (1) is guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

Notice authorising presence of a vehicle in a traffic-free zone

4. (1) Any person intending to drive a vehicle into, or park such vehicle in a traffic-free zone, must apply for a notice authorising the presence of such vehicle in that traffic-free zone.
- (2) An application referred to in subregulation (1) must be made on a form similar to form SAPS 582 contained in Annexure “A”.
- (3) The applicant must lodge the form with the peace officer in control of the remote search park at the entrance of the traffic-free zone where such person intends to enter.
- (4) The peace officer in control of the remote search park may, after considering the application and all the facts pertaining to the matter,—
- (a) refuse the application and inform the applicant accordingly; or

- (b) upon being satisfied that the vehicle may be present in that zone, approve the application.
- (5) Upon approval of the application, the peace officer in control of that remote search park must—
- (a) determine the period for which the vehicle may be present;
 - (b) determine the locations in the zone where such vehicle may be present;
 - (c) append his or her signature on the form; and
 - (d) issue the applicant with a notice similar to notice SAPS 582(a) in Annexure “B”.
- (6) A notice must contain graphics, images, letters or a combination thereof to indicate—
- (a) a serial number corresponding with the serial number of the form contemplated in subregulation (2);
 - (b) the period for which the vehicle is authorised to be present; and
 - (c) the location or locations in the zone where the vehicle is authorised to be present.

Manner of display of a notice

5. (1) The driver of an authorised vehicle must display the notice contemplated in regulation 4(5) by affixing it on the inside lower right-hand corner of the windscreen in such a manner that the print on the face of the notice is legible from the outside to a person standing in front or to the right front of such vehicle.
- (2) If the authorised vehicle is not fitted with a transparent windscreen, the driver must display the notice by placing it on the inside of a transparent watertight holder and affixing such watertight holder on the right front side of such motor vehicle in such a manner that the print on the face of the notice is legible from that side.
- (3) Any person who fails or refuses to comply with this regulation is guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding three months or to both such fine and imprisonment.

Manner of marking a traffic-free zone

6. (1) A peace officer may mark a public road or area as a traffic-free zone by—
- (a) placing traffic-free zone signs around that traffic-free zone indicating that vehicles are not allowed into that traffic-free zone; or
 - (b) erecting temporary barriers around that traffic-free zone.
- (2) A peace officer may separate vehicular and pedestrian traffic in order to direct vehicular traffic away from such traffic-free zone.
- (3) When an incident causes or may cause persons to gather at the entrance to, or exit from, a traffic-free zone, a peace officer may identify a place considered by him or her to be necessary for the movement and operation of emergency personnel and vehicles and may take such steps as are in the circumstances reasonable and appropriate to remove or exclude, or cause to be removed or excluded, any vehicle or member of the public from such place.
- (4) For purposes of the implementation of this regulation, a peace officer may direct approaching traffic away from a traffic-free zone.

Entering a designated area

7. (1) Any person entering a designated area with a vehicle or container must enter such designated area through a remote search park.
- (2) Any person who fails or refuses to comply with (1) is guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

Prohibited Objects

8. (1) No person may enter into or remain in a designated area while in possession of a prohibited object.
- (2) A prohibited object is any —
- (a) object, the possession of which constitutes an offence in terms of any other legislation;
 - (b) dangerous object;
 - (c) commercial object in possession of a person who is not authorised to conduct commercial activities in the exclusion zone; or
 - (d) object specified in the list of objects prohibited by the LOC under the Stadium Code of Conduct and displayed at or near the entrance to a site.
- (3) Any person who fails or refuses to comply with subregulation (1) is guilty of an offence and liable on conviction to a fine or imprisonment for a period not exceeding six months or to both such fine and imprisonment.
- (4) A member, member of the South African Defence Force or traffic officer performing official duties at a designated area is exempt from the provisions of subregulation (1) insofar as it relates to any object forming part of official equipment.

Manner of dealing with seized objects

9. (1) A peace officer who seizes a prohibited object contemplated in regulation 8(2), must deal with such object in terms of Chapter 2 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).
- (2) A peace officer who is not a member, but authorised under the Act to seize an object contemplated in regulation 8(2)(a) from any person, must immediately after seizing such object, hand such object to a member to be dealt with in accordance with the provisions of (1).
- (3) A peace officer who has reasonable grounds to suspect that a dangerous object that was seized may impair the health of any person or be used to cause bodily harm to any person or damage to property, may order the immediate destruction of such object in a manner that ensures the safety of the peace officer or any other person.
- (4) A peace officer who seizes an object contemplated in regulation 8(2)(c) in circumstances where the person it is seized from contravenes any provision of the Stadium Code of Conduct, may cause such object to be dealt with in accordance with the provisions of the Stadium Code of Conduct.
- (5) A prohibited object which is forfeited to the State in terms of the provisions of Chapter 2 of the Criminal Procedure Act, 1977 after seizure, must be destroyed.

Littering

10. Without derogating from any by-law regulating littering, no person may abandon or leave unattended any litter or object, including objects contemplated in these

regulations, at or near a designated area unless such person places such litter or object in a container marked for the purpose of litter disposal.

Decency

11. (1) A search of any person must be conducted by a person of the same gender.
- (2) In the event that a peace officer of the required gender is not readily available, a private person of the required gender may be requested to perform the search.

Short Title

12. These Regulations are called the 2010 FIFA World Cup South Africa Safety and Security Regulations, 2009.

ANNEXURE "A"
(Regulation 4(2))

FORM SAPS 582

APPLICATION TO ENTER INTO OR REMAIN IN TRAFFIC-FREE ZONE

(2010 FIFA World Cup Sout Africa Special Measures Act, 2006 (Act No. 11 of 2006))

Name of Owner	
Owner's address, emergency phone number	
Name of Driver¹	
Driver's emergency telephone number	
Registration number of vehicle²	
Make, model, colour of vehicle	
Description of the zone or zones for which authorisation is required where such authorised vehicle may enter or be present	
Motivation why authorisation is required for vehicle to enter into or remain in the zone or zones applied for	

SIGNATURE

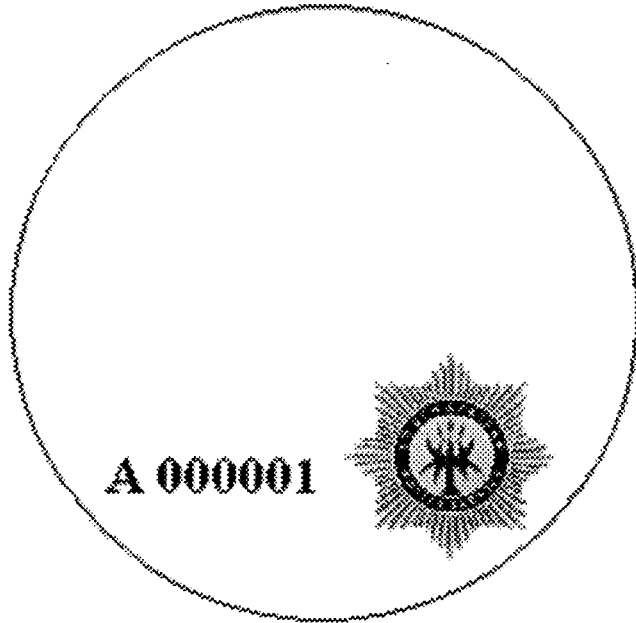
DATE

FOR OFFICIAL USE		
Serial number of TFA notice	Persal No., Rank and Name of Officer	Signature and date:

¹ Submit separate application forms for each driver
² Submit separate application forms for each vehicle

ANNEXURE "B"
(Regulation 4(5)(d))

NOTICE SAPS 582



ANNEXURE "C"
(Regulation 1)

DANGEROUS OBJECTS

Aerosol or gas spray can or container which contains corrosive, dangerous, flammable or harmful substance, whether such substance is under pressure or not, excluding pocket cigarette lighters and prescription medication containers;

Bottles, cans, cups, thermoses and other beverage containers, other objects made from polyethylene terephthalate, glass or any other fragile, non-shatterproof or especially tough material or Tetrapak packaging, except prescription medication containers;

Dangerous weapon as defined in the Dangerous Weapons Act, 1968 (Act No. 71 of 1968);

Firearms, ammunition or devices as defined in the Firearms Control Act, 2000 (Act No. 60 of 2000);

Flagpole or banne pole of any kind, unless it is made from inflammable and flexible plastic and does not exceed 1 metre in length and 1 cm in diameter;

Knives, including box-cutters;

Laser pointer devices;

Objects belonging to a class, type, kind or category of object specified in paragraph 2 of the Schedule to GN 1633 in *Government Gazette* 17490 of 1 October 1996, issued by the Minister for Safety and Security under the Dangerous Weapons Act, 1968;

Pyrotechnics such as fireworks or flares, including smoke bombs, canisters or powder;

Sticks or poles; and

Umbrellas longer than 40cm.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
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