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GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING

DEPARTMENT OF POLICE
DEPARTEMENT VAN POLISIE

No. R. 783 **7 September 2010**

SOUTH AFRICAN POLICE SERVICE ACT, 1995

SOUTH AFRICAN POLICE SERVICE REGULATIONS FOR THE DIRECTORATE FOR PRIORITY CRIME INVESTIGATION

The Minister of Police has, under section 24(1)(eeA) of the South African Police Service Act, 1995 (Act No. 68 of 1995), made the regulations in the Schedule.

SCHEDULE

1. Definitions

In these Regulations any word or expression bears the same meaning which has been assigned to it in the South African Police Service Act, 1995 (Act No. 68 of 1995), hereinafter referred to as "the Act" and the Public Service Act, 1994 (Proclamation 103 of 1994); and

"Directorate" shall mean the Directorate for Priority Crime Investigation established by section17C of the Act;

"member" shall mean a member of the Service, who has been appointed in the Directorate; and

"relevant member" shall mean a member who is subjected to an integrity test in terms of these Regulations.

2. Disclosure of financial and other interests

(1) For purposes of section 17E(7)(a) of the Act and Regulations 11 to 16 of the South African Police Service Employment Regulations, 2008, every member shall be regarded as a designated employee.

(2) Every member, irrespective of rank shall, not later than 30 April of every year disclose to the Minister on a form similar to the form determined by the Public Service Commission for the disclosure of interests by Senior Management Service personnel, particulars of all-

(a) his or her registrable interests; and

(b) also the registrable interests of his or her immediate family members

in respect of the period 1 April of the preceding year to 31 March of the current year.

(3) Regulations 11 to 16 of the South African Police Service Employment Regulations, 2008, shall apply to a member in respect of registrable interests of that member as well as to registrable interests, of which the member is aware, of any immediate family member of such member.

3. Measures for integrity testing

(1) The Head of the Directorate may conduct, or authorise any member or any other person to conduct an integrity testing program to test the integrity of any relevant member of the Directorate.

(2) An integrity testing program may involve-

(a) an act or omission (by a person who is conducting the integrity testing) that offers a relevant member whose integrity is being tested the opportunity to engage in behaviour, whether lawful or unlawful, in contravention of the Service's Code of Conduct, or in contravention of any law; or constituting misconduct in terms of the Disciplinary Regulations;

(b) testing a member for the abuse of alcohol or drugs; or

(c) using the polygraph or a similar instrument.

(3) An integrity testing program referred to in subregulation (2)(a) involving the offering of an opportunity to commit any unlawful conduct, may only be performed subject to the approval of, and in consonance with such guidelines as may be laid down by the National Director of Public Prosecutions or the Director of Public Prosecutions having jurisdiction in the area where the integrity testing will take place, or by his or her delegate, in terms of section 252A of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

(4) The Head of the Directorate may authorise in writing a member to require any relevant member of the Directorate to submit to an alcohol test.

(5) If a relevant member is required to submit to an alcohol test the authorised member may require the relevant member to provide a specimen of breath for the test, to the satisfaction of the Head or authorised member.

(6) The relevant member must comply with a requirement under sub-regulation (5).

(7) The Head of the Directorate or the authorised member must perform the test using equipment prescribed in Regulation 332 of the Regulations made under the National Road Traffic Act, 1996 (Act No. 93 of 1996).

(8) A relevant member who, without good reason fails to provide a specimen of breath as required commits misconduct, and if found guilty, be subject to the sanction for disobeying a lawful order, command or instruction in terms of the South African Police Service Disciplinary Regulations.

(9) Any specimen of breath of a relevant member of the Directorate-

(a) when reporting for duty;

(b) while on duty; or

(c) while on call for duty,

may not have any evidence of alcohol when such member is tested under sub-regulations (4) and (7).

(10) A relevant member must not have in his or her urine at any time evidence of a drug defined in section 1 of the Drugs and Drug Trafficking Act, 1992 (Act No. 140 of 1992),

(a) which the relevant member may not lawfully take;

(b) which the relevant member has taken in a way contrary to the prescription of a registered medical practioner or the recommendation of the manufacturer of the substance.

(11) A member who lawfully takes a drug referred to in subregulation (10), must not perform duties in or involving operational capacity if the substance may impair the member's capacity to perform the duties without danger to the member or another person.

(12) The Head of the Directorate or a member, authorised in writing by the Head of the Directorate may require any relevant member to submit to a drug test.

(13) The Head of the Directorate or the authorised member may require the relevant member to provide a specimen of urine to a registered medical practitioner or registered nurse for a drug test at a place and time specified by the Head or the authorised member.

(14) The registered medical practitioner or the registered nurse may give reasonable necessary directions to the relevant member about how the specimen is to be provided and providing sufficient specimen for the test.

(15) Subject to subregulation (16), the relevant member must provide the specimen in accordance with the directions of a registered medical practitioner or registered nurse.

(16) A relevant member who fails to provide a specimen of urine shall, unless the relevant member-

(a) acted upon the directions referred to in subregulation (14); and

(b) has a reasonable excuse because of a medical condition, for being unable to provide a specimen of urine,

may be charged with misconduct and if found guilty, be subject to the penalty provided for disobeying a lawful order, instruction or command in terms of the South African Police Service Disciplinary Regulations.

(17) The Head of the Directorate or a member authorised by him or her may require any relevant member to submit to a polygraph or similar test, and the relevant member shall submit to such test.

(18) If a test is conducted in terms of subregulations (4) to (16) and the test of the relevant member -

(a) has evidence of alcohol in his or her breath;

(b) has evidence of a drug in his or her urine,

the Head of the Directorate may do any one or more of the following-

(i) suspend the relevant member from duty until the member has no evidence of alcohol in his or her breath or no longer has evidence of a drug in his or her urine;

(ii) require the relevant member to undergo counselling or rehabilitation approved by the Head of the Directorate;

(iii) refer the relevant member to a registered medical practitioner of the said Head's choice for a medical examination and report of the member's fitness to continue to perform his or her current duties;

(iv) after considering a report referred to in paragraph (iii), instruct the relevant member to perform other duties for such time as the Head of the Directorate considers necessary; or

(v) if appropriate in the circumstances, take disciplinary or other action against the relevant member under this Act, including transfer within the Service or dismissal of the member.

(19) If the relevant member refuses to undergo a polygraph or similar test, or if the polygraph or similar test is indicative of possible deception, the Head of the Directorate may instruct the relevant member to subject himself or herself to a security screening referred to in section 2A of the National Strategic Intelligence Act, 1994 (Act No. 39 of 1994), and the relevant member is obliged to comply with such instruction.

(20) The measures in this Regulation may only be applied with due regard to decency and a member's rights to dignity and privacy, and only for the purposes provided for in these Regulations.

4. Measures to protect confidentiality of information

(1) No person may disclose any information which he or she obtained in the application of the measures for integrity testing as set out in Regulation 3, except-

(a) if such information is disclosed to any other person who of necessity requires it for the performance of his or her functions in terms of these Regulations;

(b) if he or she is a person who of necessity supplies it in the performance of his or her functions in terms of these Regulations; or

(c) if the information is required in terms of any law or as evidence in any court of law or formal disciplinary process.

(2) Any contravention of this Regulation shall be treated as serious misconduct in terms of the South African Police Service Discipline Regulations and a member shall upon conviction be subject to any sanction that may be imposed in terms of the said Regulations.

5. Form and manner of complaints made to retired judge

(1) A complaint in terms of section 17L of the Act shall be made in writing in the form set out in Annexure 1.

(2) A complaint made in terms of section 17L of the Act may be lodged by e-mail, fax or post or be delivered at the office of the retired judge.

(3) Annexure 1 and information setting out the manner in which a complaint must be lodged, the name and all relevant contact particulars of the retired judge appointed in terms of section 17L of the Act, shall be made available to all police stations and be placed on the website of the South African Police Service.

(4) Complaints may also be lodged at any office of the Independent Complaints Directorate, which shall ensure that the complaint is submitted to the retired judge without any delay.

(5) A Category 1 complaint shall be a complaint by any member of the public in terms of section 17L(4)(a) who can provide evidence of a serious and unlawful infringement of his or her rights caused by an investigation of the Directorate.

(6) A Category 2 complaint shall be a complaint in terms of section 17L(4)(b) of the Act by any member of the Directorate who can provide evidence of any improper influence or interference whether of a political or other nature, exerted upon him or her regarding the conducting of an investigation.

(7) The retired judge may require from any complainant to submit any allegations made to him or her in the form of an affidavit.

(8) A person, who wishes to lodge a complaint at an office of the Independent Complaints Directorate, shall be assisted by personnel of the Independent Complaints Directorate to complete the prescribed form, if so requested.

ANNEXURE 1

COMPLAINT REPORTING FORM IN TERMS OF SECTION 24(1)(eeA)(iv) OF THE SOUTH AFRICAN POLICE SERVICE ACT, 1995 (ACT NO. 68 OF 1995)

COMPLAINT REPORTING FORM TO

THE JUDGE APPOINTED TO RECEIVE COMPLAINTS

IN RESPECT OF THE

DIRECTORATE FOR PRIORITY CRIME INVESTIGATION

NOTE: If additional space is required to provide information, use a Continuation Sheet and refer to item number which is being supplemented. Please complete all items to the extent possible to enable the Office of the Judge to locate persons who are important to the investigation of this complaint.	1 Date/Time of Complaint 3 Method of Receipt ☐ In Person ☐ Written ☐ E-Mail ☐ Fax	2 Complaint No. 4 ☐ SAPS CAS/CR No._____

5 Complainant's Legal Name (First Name) (Surname)	6 Complainant's Address	
7 Complainant's Telephone Number	8 Complainant's ID No.	9 City/Town/Province (Postal Code)
11 Complainant's Occupation	10 Directions to Complainant's Home	
12 Work Telephone Number	13 Complainant's Work Address	
14 Complainant's Date of Birth	15 Name of Closest Living Relative (Surname) (First Name)	
16 Relative's Telephone Number	17 Relative's Street Address	
18 City/Town/Province (Postal Code)	19 Name of Nearest Neighbour (Surname) (First Name)	
20 Neighbour's Telephone Number	21 Neighbour's Street Address	
22 City/Town/Province (Postal Code)	23 Nature of investigation of the Directorate for Priority Crime Investigation	

24 Category1 Complaint by member of the public: Give full details of serious and unlawful infringement of your rights caused by the investigation of the Directorate for Priority Crime Investigation.
Category 2 Complaint by a member of the Directorate for Priority Crime Investigation: Give full details of improper influence or interference whether of a political or any other nature, exerted upon him or her regarding the conducting of an investigation.
NOTE: In respect of both categories of complaints the nature and availability of evidence to support the complaint are required.

25 Name(s) and details of possible witnesses to support complaint	1. 2. 3		

26 Witness 1 Street Address	27 Witness 1 Other Name
28 City/Town/Province	29 Witness 1 Telephone Number
30 Witness 2 Street Address	31 Witness 2 Other Name
32 City/Town/Province	33 Witness 2 Telephone Number
34 Witness 3 Street Address	35 Witness 3 Other Name
36 City/Town/Province	37 Witness 3 Telephone Number
38 Witness 4 Street Address	39 Witness 4 Other Name
40 City/Town/Province	41 Witness 4 Telephone Number

COMPLAINT CERTIFICATION

I have been advised that the filing of a false report may constitute defeating the ends of justice, or in appropriate cases perjury, which are criminal offences, and I hereby certify that all of the information contained in this Complaint Reporting Form as well as any supporting Complaint Continuation Sheets is true and correct to the best of my knowledge and belief.

Date Signature/Mark of Complainant

Date Signature of Witness

42 Printed Name of Report Taker	43Signature of Report Taker	44 Number of Continuation Sheets Completed and Attached	

FOR USE OF PERSONNEL OF JUDGE'S OFFICE ONLY

45 Preliminary Classification: ☐ Category I ☐ Category II	46 Other observations	

TEAR OR CUT ALONG THIS LINE

IMPORTANT - DO NOT LOSE THIS RECEIPT!

This is a receipt for the complaint you have just filed. It bears a Complaint Number in the lower right hand box which identifies the complaint. Please make sure that the numbers are the same as in box no. 2 on the form, before you accept this Receipt. Any future communication concerning this matter should refer to the Complaint Number. If you have additional information or questions, you may call the Office of the Judge at Tel No._____ during the hours of 0800 to 1600. You will be contacted during the processing of this matter and at the time a decision is reached concerning a final disposition. Thank you for your assistance!

The Office of the Judge: Complaints Mechanism for the Directorate for Priority Crime Investigation

Street Address: .....

Postal address: .....

E mail: .....

Printed Name of Report Taker	Signature of Report Taker	Number of Continuation Sheets Completed and Attached	Complaint Number

PCJ 4143

No. R. 783 7 September 2010

WET OP DIE SUID-AFRIKAANSE POLISIEDIENS, 1995

SUID-AFRIKAANSE POLISIEDIENS REGULASIES VIR DIE DIREKTORAAT VIR PRIORITEITSMISDAADONDERSOEK

Die Minister van Polisie het, kragtens artikel 24(1)(eeA) van die Wet op die Suid-Afrikaanse Polisiediens, 1995 (Wet No. 68 van 1995), die regulasies in die Bylae uitgevaardig.

BYLAE

1. Woordomskrywings

In hierdie Regulasies het enige woord of uitdrukking dieselfde betekenis soos omskryf in die Wet op die Suid-Afrikaanse Polisiediens, 1995 (Wet No. 68 van 1995), hierna verwys as "die Wet" en die Staatsdienswet, 1994 (Proklamasie 103 van 1994); en beteken

"Direktoraat", die Direktoraat vir Prioriteitsmisdaadondersoek ingestel deur artikel 17C van die Wet;

"lid", 'n lid van die Diens wat in die Direktoraat aangestel is; en

"relevante lid", 'n lid wat ingevolge hierdie Regulasies aan 'n integriteitstoets onderwerp word.

2. Openbaarmaking van finansiële en ander belange

(1) Vir doeleindes van artikel 17E(7)(a) van die Wet en die Regulasies 11 tot 16 van die Suid-Afrikaanse Polisiediens Diens Regulasies, 2008, word elke lid geag 'n aangewese werknemer te wees.

(2) Elke lid, ongeag rang moet, nie later nie as 30 April van elke jaar aan die Minister op 'n vorm soortgelyk aan die vorm wat deur die Staatsdienskommissie vir die openbaarmaking van belange deur Senior Bestuursdiens personeel bepaal is, besonderhede openbaar van al –

(a) sy of haar registreerbare belange; en

(b) die registreerbare belange van sy of haar onmiddellike familielede

vir die tydperk 1 April van die vorige jaar tot 31 Maart van die huidige jaar.

(3) Regulasies 11 tot 16 van die Suid-Afrikaanse Polisiediens Diens Regulasies, 2008, sal van toepassing wees op 'n lid ten opsigte van die registreerbare belange van die lid sowel as die registreerbare belange, waarvan die lid bewus is van die onmiddellike familielede van sodanige lid.

3. Maatreëls vir integriteitstoetsing

(1) Die Hoof van die Direktoraat mag 'n integriteitstoetsingsprogram uitvoer om die integriteit van enige bepaalde relevante lid van die Directoraat te toets, of enige lid of 'n ander persoon magtig om sodanige program uit te voer.

(2) 'n Integriteitstoetsingsprogram mag-

(a) 'n handeling of versuim behels (deur 'n persoon wat die program uitvoer) waardeur 'n relevante lid wie se integriteit getoets word die geleentheid gebied word om deel te neem aan gedrag, hetsy wettig of onwettig, ter oortreding van die Diens se Gedragskode, of oortreding van enige wet; of wat wangedrag kragtens die Dissipline Regulasies daarstel;

(b) die toetsing van 'n lid vir die misbruik van alkohol of dwelmmiddels behels; of

(c) die gebruik van die poligraaf of 'n soortgelyke instrument behels.

(3) 'n Integriteitstoetsingsprogram soos bedoel in subregulasie (2)(a) wat behels dat 'n geleentheid geskep word om enige onwettige handeling te pleeg, mag slegs uitgevoer word met die goedkeuring van en onderworpe aan sodanige riglyne wat die Nasionale Direkteur van Openbare Vervolgings of die Direkteur van Openbare Vervolgings wat jurisdiksie het ten opsigte van die gebied waar die integriteitstoetsing plaasvind, of sy of haar gedelegeerde ingevolge artikel 252A van die Strafproseswet, 1977 (Wet No. 51 van 1977), mag bepaal.

(4) Die Hoof van die Direktoraat mag 'n lid skriftelik magtig om te vereis dat enige relevante lid van die Direktoraat aan 'n alkoholtoets onderwerp word.

(5) Indien van 'n relevante lid vereis word om aan 'n alkoholtoets onderwerp te word, mag die gemagtigde lid van die relevante lid vereis om 'n asemmonster vir die toets te verskaf tot die tevredenheid van die Hoof of die gemagtigde lid.

(6) Die relevante lid moet voldoen aan 'n vereiste gestel ingevolge subregulasie (5).

(7) Die Hoof van die Direktoraat of die gemagtigde lid moet die toets uitvoer deur die gebruik van toerusting voorgeskryf in Regulasie 332 van die Regulasies uitgevaardig ingevolge die Nasionale Padverkeerswet, 1996 (Wet No. 93 van 1996).

(8) 'n Relevante lid wat sonder goeie rede versuim om 'n asemmonster wat vereis word te laat neem om vir alkohol getoets te word, pleeg wangedrag en mag, indien skuldig bevind word, onderwerp word aan die sanksie wat ingevolge die Suid-Afrikaanse Polisiediens Dissipline Regulasies vir die versuim om 'n wettige bevel, opdrag of instruksie na te kom.

(9) Enige asemmonster van 'n relevante lid van die Direktoraat geneem-

(a) tydens rapportering vir diens;

(b) terwyl op diens; of

(c) terwyl op bystandsdiens,

mag nie enige bewys van die teenwoordigheid van alkohol bevat nie indien die lid ingevolge subregulasies (4) en (7) getoets word.

(10) 'n Relevante lid mag nie ter eniger tyd bewys van 'n dwelm, soos bedoel in artikel 1 van die Wet op Dwelms en Dwelmhandel, 1992 (Wet No. 140 van 1992), in sy of haar urine teenwoordig hê nie-

(a) wat die persoon nie wettig mag inneem nie;

(b) op 'n wyse wat teenstrydig is met die voorskrif van 'n geregistreerde mediese praktisyn of die aanbeveling van die vervaardiger van die middel.

(11) 'n Lid wat 'n dwelmmiddel soos bedoel in subregulasie (10) regmatig gebruik, mag nie pligte verrig in of met betrekking tot 'n operasionele hoedanigheid nie, indien die middel die lid se vermoë mag aantas om die pligte te verrig sonder gevaar vir die lid of 'n ander persoon.

(12) Die Hoof van die Direktoraat of 'n lid wat skriftelik deur die Hoof van die Direktoraat gemagtig is, mag, vereis dat die relevante lid aan 'n dwelmtoets onderwerp word.

(13) Die Hoof van die Direktoraat of die gemagtigde lid mag vereis dat die relevante lid 'n urinemonster vir dwelmtoets aan 'n geregistreerde mediese praktisyn of geregistreerde verpleegster verskaf op die tyd en plek wat deur die Hoof of die gemagtigde lid bepaal word.

(14) Die geregistreerde mediese praktisyn of die geregistreerde verpleegster mag opdragte wat redelikerwys noodsaaklik is aan die relevante lid gee oor die wyse waarop die monster verskaf moet word en om 'n voldoende monster vir die toets te verskaf.

(15) Behoudens subregulasie (16), moet die relevante lid die monster in ooreenstemming met die aanwysings van die geregistreerde mediese praktisyn of geregistreerde verpleegster verskaf.

(16) 'n Relevante lid wat versuim om 'n urinemonster te verskaf, sal, tensy die relevante lid-

(a) getree het in ooreenstemming met die opdragte bedoel in subregulasie (14);

en

(b) 'n redelike verskoning as gevolg van 'n mediese toestand het om nie in staat te wees om 'n urinemonster te verskaf nie,

mag van wangedrag aangekla word en indien skuldig bevind word, gestraf word met die straf wat ingevolge die Suid-Afrikaanse Polisiediens Dissipline Regulasies in die versuim om 'n wettige bevel, opdrag of instruksie na te kom.

(17) Die Hoof van die Direktoraat of 'n lid wat deur hom of haar gemagtig is, mag vereis dat enige relevante lid hom of haar aan 'n poligraaf of 'n soortgelyke toets moet onderwerp en die relevante lid moet hom of haar aan sodanige toetsing onderwerp.

(18) Indien 'n toets ingevolge subregulasies (4) tot (16) uitgevoer is en die toets van die relevante lid-

(a) bevat bewys van die teenwoordigheid van alkohol in sy of haar asem; of

(b) bevat bewys van 'n dwelmmiddel in sy urine,

mag die Hoof van die Direktoraat een of meer van die volgende doen-

(i) die relevante lid van diens skors totdat die lid nie meer bewys van die teenwoordigheid van alkohol in sy of haar asem het nie of daar nie meer bewys van enige dwelmmidel sy of haar urine is nie;

(ii) van die relevante lid na vereis om berading of rehabilitasie deur die Hoof van die Direktoraat goedgekeur, te ondergaan;

(iii) vereis dat die relevante lid 'n geregistreerde mediese praktisyn van die gemelde Hoof se keuse verwys word vir 'n mediese ondersoek en verslag van die lid se geskiktheid om die lid se huidige pligte te verrig;

(iv) na oorweging van 'n verslag soos bedoel in paragraaf (iii) die relevante lid opdrag gee om vir die tydperk wat die Hoof dit nodig ag, ander dienste te verrig; of

(v) indien dit gepas is in die omstandighede, dissiplinêre of ander stappe ingevolge die Wet teen die relevante lid te neem, insluitende 'n verplasing binne die Diens of ontslag van die lid.

(19) Indien die relevante lid weier om 'n poligraaf of soortgelyke toets te ondergaan, of indien die poligraaf of soortgelyke toets waarskynlike ontwyking aandui, mag die Hoof van die Direktoraat, bykomend tot enige ander stappe wat hy of sy ten opsigte van die lid kan neem, die relevante lid beveel om hom of haar aan 'n sekerheidskeuring soos bedoel in artikel 2A van die Wet op Nasionale Strategiese Intelligensie, 1994 (Wet No. 39 van 1994), te onderwerp, en is die relevante lid verplig om daardie opdrag uit te voer.

(20) Die maatreëls in hierdie Regulasie mag slegs toegepas word met behoorlike inagneming van betaamlikheid en 'n lid se regte tot waardigheid en privaatheid En slegs vir die doeleindes waarvoor in hierdie Regulasies voorsiening gemaak word.

4. Maatreëls om vertroulikheid van inligting te beskerm

(1) Geen persoon mag enige inligting openbaar wat hy of sy verkry het tydens die toepassing van die integriteitstoetsing, soos in Regulasie 3 uiteengesit nie, behalwe-

(a) indien sodanige inligting geopenbaar word aan enige ander persoon wat dit noodsaaklikerwys vereis vir die uitvoering van sy of haar funksies ingevolge hierdie Regulasies;

(b) indien hy of sy 'n persoon is wat dit noodsaaklikerwys voorsien in die uitvoering van sy of haar funksies ingevolge hierdie Regulasies; of

(c) indien die inligting regtens, of as getuienis in enige geregshof, of dissiplinêre verrigtinge vereis word.

(2) Enige oortreding van hierdie Regulasie moet as ernstige wangedrag ingevolge die Suid-Afrikaanse Polisiediens Dissipline Regulasies hanteer word, en 'n lid is by skuldigbevinding strafbaar met enige sanksie wat ingevolge gemelde Regulasies opgelê mag word.

5. Vorm en wyse van klagtes gemaak aan afgetrede regter

(1) 'n Klagte ingevolge artikel 17L van die Wet moet skriftelik gemaak word op die vorm in Aanhangsel 1 uiteengesit.

(2) 'n Klagte ingevolge artikel 17L van die Wet gemaak, mag by wyse van e-pos, faks of pos gemaak word of by die kantoor van die afgetrede regter afgelewer word.

(3) Aanhangsel 1 en inligting oor die wyse waarop 'n klagte gelê moet word, die naam en alle relevante kontakbesonderhede van die afgetrede regter aangestel kragtens artikel 17L van die Wet, moet by alle polisiestasies beskikbaar gemaak word en op die webtuiste van die Suid-Afrikaanse Polisiediens geplaas word.

(4) Klagtes mag ook gelê word by enige kantoor van die Onafhanklike Klagtesdirektoraat, wat moet verseker dat die klagte sonder enige versuim aan die afgetrede regter voorgelê word.

(5) 'n Kategorie 1 klagte is 'n klagte ingevolge artikel 17L(4)(a) deur 'n lid van die publiek wat getuienis kan verskaf van 'n ernstige en onwettige inbreukmaking op sy of haar regte wat deur 'n ondersoek deur die Direktoraat veroorsaak is.

(6) 'n Kategorie 2 klagte is 'n klagte ingevolge artikel 17L(4)(b) van die Wet deur enige lid van die Direktoraat wat getuienis kan verskaf van enige onbehoorlike beïnvloeding of inmenging het sy van 'n politieke of 'n ander

aard wat op hom of haar uitgeoefen word in verband met die instelling van 'n ondersoek.

(7) Die afgetrede regter mag van enige klaer vereis om enige bewerings wat aan hom of haar gemaak is, in die vorm van 'n beëdigde verklaring voor te lê.

(8) 'n Persoon wat 'n klagte by 'n kantoor van die Onafhanklike Klagtesdirektoraat wil lê, moet deur die personeel van die Onafhanklike Klagtesdirektoraat bygestaan word om die voorgeskrewe vorm te voltooi, indien daartoe versoek.

AANHANGSEL 1

VORM VIR RAPPORTERING VAN KLAGTE INGEVOLGE ARTIKEL 24(1)(eeA)(iv) VAN DIE WET OP DIE SUID-AFRIKAANSE POLISIEDIENS, 1995 (WET NO. 68 VAN 1995)

VORM VIR RAPPORTERING VAN KLAGTE AAN DIE REGTER WAT AANGESTEL IS OM KLAGTES TE ONTVANG

TEN OPSIGTE VAN DIE

DIREKTORAAT VIR PRIORITEISMISDAADONDERSOEK

NOTA: Indien bykomende spasie benodig word om inligting te voorsien, gebruik 'n voortsettingsbladsy en verwys na die item nommer wat aangevul word. Voltooi asseblief alle items sover moontlik ten einde die Kantoor van die Regter om persone wat belangrik is vir die ondersoek van die klagte op te spoor.	1 Datum/Tyd van klagte 3 Wyse van ontvangs ☐ Persoonlik afgelewer ☐ Per pos ☐ E-Pos ☐ Faks	2 Klagte No. 4 ☐SAPD MAS/MR No._____

5 Klaer se wettige naam (Van) (Voornaam)	6 Klaer se Adres	
7 Klaer se Telefoonnommer	8 Klaer se ID No.	9 Stad/Dorp/Provinsie (Poskode)
	10 Aanwysings na Klaer se Woning	
11 Klaer se beroep		
12 Werkstelefoonnommer.	13 Klaer se Werksadres	
14 Klaer se Geboortedatum	15 Naam van naasbestaande (Van) (Familielid) (Voorname)	
16 Naasbestaande se Telefoonnommer	17 Naasbestaande se Straatadres	
18 Stad/Dorp/Provinsie (Poskode)	19 Naam van naaste Bure (Van) (Voorname)	
20 Bure se Telefoonnommer	21Bure se Straatadres	
22 Stad/Dorp/Provinsie (Poskode)	23 Aard van die Ondersoek van die Direktoraat vir Prioriteitsmisdaadondersoek	

24 Kategorie 1 Klagte: Klagte deur 'n lid van die Publiek: Gee volle besonderhede van die ernstige en onwettige inbreukmaking van u regte wat deur die ondersoek van die Direktoraat vir Prioriteitsmisdaadondersoek veroorsaak is. Kategorie 2 Klagte: Klagte deur 'n Lid van die Direktoraat vir Prioriteitsmisdaad: Gee volle besonderhede van onbehoorlike beïnvloeding of inmenging ten opsigte van 'n ondersoek. **NOTA:** Ten opsigte van beide Kategorieë van klagtes word die aard en die beskikbaarheid van getuienis ter ondersteuning van die klagte verlang.

25 Naam of name en besonderhede van moontlike getuies om die klagte te ondersteun	1. 2. 3 4		

26 Getuie 1 Straat Adres	27 Getuie 1 Ander Name
28 Stad/Dorp/Provinsie	29 Getuie 1 Telefoonnommer
30 Getuie 2 Straatadres	31 Getuie 2 Ander Name
32 Stad/Dorp/Provinsie	33 Getuie 2 Telefoonnommer
34 Getuie 3 Straatadres	35 Getuie 3 Ander Name
36 Stad/Dorp/Provinsie	37 Getuie 3 Telefoonnommer
38 Getuie 4 Straatadres	39 Getuie 4 Ander Name
40 Stad/Dorp/Provinsie	41 Getuie 4 Telefoonnommer

SERTIFISERING VAN KLAGTE

Ek is ingelig dat die lê van 'n valse klagte beskou kan word as regsverydeling, of in gepaste gevalle as meineed wat kriminele oortredings is, en ek sertifiseer hiermee dat al die inligting wat in hierdie Klagtesrapporteringsvorm gemeld is, sowel as enige aanvullende Voortsettingsbladsye na die beste van my kennis en wete waar en korrek is.

Datum Handtekening/Merk van Klaer

Datum Handtekening van Getuie

42 Name van Verslagnemer in blokletters	43 Handtekening van verslagnemer	44 Aantal Voortsettingsbladsye voltooi en aangeheg	

SLEGS VIR GEBRUIK VAN PERSONEEL VAN DIE REGTER SE KANTOOR

45 Voorlopige Klassifikasie: ☐ Kategorie I ☐ Kategorie II	46 Ander opmerkings	

SKEUR OF KNIP OP HIERDIE LYN

BELANGRIK- MOENIE HIERDIE KWITANSIE VERLOOR NIE!

Hierdie is 'n kwitansie vir die Klagte wat u pas gelê het. Die Klagtenommer wat die klagte identifiseer is in die blokkie regs-onder. Maak asseblief seker dat die nommers dieselfde is as op blokkie no. 2 op die vorm voor u die Kwitansie ontvang. Enige toekomstige navraag in verband met die aangeleentheid moet na die Klagtenommer verwys. Indien u enige bykomende inligting of vrae het mag u die Kantoor van die Regter by __Tel No._____ gedurende die ure van 08:00 to 16:00 skakel. Daar sal met u geskakel word gedurende die verwerking van die aangeleentheid en wanneer 'n finale besluit aangaande die aangeleentheid geneem is. Dankie vir u hulp!

Die Kantoor van die Regter: Klagtesmeganisme ten opsigte van die Direktoraat vir Prioriteitsmisdaadondersoek

Straatadres:.....

Posadres: .....

E pos: .....

Naam van Verslagnemer in blokletters	Handtekening van Verslagnemer	Aantal Voortsettingsbladsye Voltooi en Aangeheg	Klagtenommer

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