
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

CIVILIAN SECRETARIAT FOR THE POLICE SERVICE**NOTICE 714 OF 2017****NOTICE OF INTENTION TO INTRODUCE THE CRITICAL INFRASTRUCTURE PROTECTION BILL, 2017 IN THE NATIONAL ASSEMBLY AND PUBLICATION OF THE EXPLANATORY SUMMARY OF THE BILL**

Mr F A Mbalula: The Minister of Police intends to formally introduce the Critical Infrastructure Protection Bill, 2017 in the National Assembly shortly. The annexed summary of the Bill is hereby published in accordance with Rule 241(1)(c) of the Rules of the National Assembly.

The Bill seeks to:

- (a) Repeal the National Key Points, 1980 (Act No. 102 of 1980) and related laws. The Bill provides for guidelines and factors to be taken into account to ensure transparent the identification and declaration of critical infrastructure.
- (b) Establish a Critical Infrastructure Council, sets out the procedure for the appointment of members of the Council as well as functions of the National Commissioner of the South African Police in relation to the administration of the Act.

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 in Parliament, also be obtained from:

Government Printers: Cape Town and Pretoria

EXPLANATORY SUMMARY

CRITICAL INFRASTRUCTURE PROTECTION BILL, 2017

The Critical Infrastructure Protection Bill, 2017 seeks to repeal the National Key Points, 1980 (Act No. 102 of 1980) and related laws of the former TBVC States and to provide afresh for the protection of Critical Infrastructure in the Republic. The Bill further provides for the establishment of a Critical Infrastructure Council, sets out the procedure for the appointment of members of the Council. The Bill further provides for the functions of the Critical Infrastructure Council.

It further provides for the application and administration of the Act under the control of the National Commissioner of the South African Police Service in relation to the Act. The Bill provides for guidelines and factors to be taken into account to ensure transparent identification and declaration of critical infrastructure. The Bill makes provision that costs of installing security measures of a critical infrastructure should be borne by the owner of the critical infrastructure. The Bill further provides for terms and conditions regarding access to the Critical Infrastructures.

The Bill also creates offences and penalties and they are categorized in order of severity and discretion of the courts is provided for. According to the provisions of the Bill, it is an offence should a person take or records, or causes to take or record, video or film of a critical infrastructure with the intent to use or distribute such image, video or film for an unlawful purpose. The Bill finally provides for transitional arrangements. Within a period of 60 months after coming into operation of the Act, the National Commissioner of the South African Police Service must compile a report regarding the suitability of each Key Point to be declared Critical Infrastructure.