

THE SECOND-HAND GOODS STANDARD OPERATING PROCEDURE
Serving process documents on Dealer/Recycler

1. INTRODUCTION

- 1.1 Once processes are followed and decisions taken, the result/sanction must be communicated to the Dealer/Recycler in writing bearing the signature of the deciding authority.
- 1.2 The result/sanction document must be served on the Dealer/Recycler and he/she must acknowledge receipt thereof by signing the Return of Service document.

2. PROCESS FLOW: SERVE PROCESS DOCUMENT ON DEALER/ RECYCLER

3. APPLICATION PROCEDURE

The Application Procedure as depicted in Diagram 14(Process Flow: Serve Process documents on dealer or recycler), will be explained in the following manner:

- Every process step (block) is alphabetically lettered and individually explained

3.1 **A** – COMPLETE PROCEDURAL SANCTION DOCUMENTS

PROCESS EXECUTION

The procedural sanction document must be completed by the DSO on the SAPS 21 (Letter Head). The finding must be explained on this document as well as the consequence of the finding.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph 5.6.4 of National Instruction 1/2013 – Second-Hand Goods

“After consideration of the representations submitted by the applicant, dealer or recycler, the Station Commander must make a final decision on the original application and the DSO must inform the applicant, dealer or recycler in writing of any decision taken. Where the application was refused the applicant must be informed of the reasons for such refusal as well as his/her right to lodge an appeal against the decision. ...”



APPLICABLE DOCUMENTATION

SAPS 21 – Letter Head (Sanction Document)



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM UNAVAILABLE)



3.2 **“B”** – SERVE PROCEDURAL SANCTION DOCUMENT

PROCESS EXECUTION

The DSO must physically serve the Sanction Document on the Dealer/Recycler. The DSO must also get an acknowledgement of receipt from the Dealer/Recycler by getting the Dealer/Recycler to sign the Return of Service.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Section 42 of the Act - Application of Act and Promotion of Administrative Justice Act, 2000

“42. (3) Any administrative process conducted, or decision taken, in terms of this Act must be conducted or taken in accordance with the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), unless otherwise provided for in this Act.”

Section 35 of the Act – Service of documents

“35. (1) The manner of service of a notice or other document to be served on or given to a person in terms of this Act may be prescribed.”

Section 36 of the Act – Return of service

“36. A document that is signed by a police official indicating that the service was effected in accordance with section 35(1) is, upon production in a court, prima facie evidence of service of the document.”



APPLICABLE DOCUMENTATION

SAPS 21 – Letter Head (Sanction Document)

SAPS 606 – Return of Service



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM UNAVAILABLE)



3.3 **“C” – RECORD THE SERVING OF THE SANCTION DOCUMENTS IN THE APPLICABLE REGISTERS**

PROCESS EXECUTION
The DSO must complete the relevant columns in the register (computer system – when available) updating the status of the Dealer/Recycler registration. Nb. The Return of Service must be filed in the Z20Dealer/Recycler File.



RESPONSIBLE PERSON(S)
<ul style="list-style-type: none">• Designated Second-Hand Goods Officer (DSO)



GOVERNANCE
Paragraph 5.6.4 of National Instruction 1/2013 – Second-Hand Goods <i>“... The SAPS 603 Register and/or Second-Hand Goods system must be updated accordingly.”</i>



APPLICABLE DOCUMENTATION
SAPS 603 Register for Received Second-Hand Goods Documentation Z20 Dealer/ Recycler File SAPS 606 Return of Service



SYSTEM FUNCTIONS
TO BE ADDED (SYSTEM UNAVAILABLE)

