

THE SECOND-HAND GOODS STANDARD OPERATING PROCEDURE

Investigate illicit activities

1. INTRODUCTION

- 1.1 In terms of section 29 of the Act, a police member should obtain a warrant to enter and search premises and to seize records/registers. The Act does not provide for goods to be seized with the mentioned warrant. Where it is deemed necessary to seize goods a warrant must be issued in terms of the Criminal Procedure Act.
- 1.2 Although the Act contains exceptions to the general rule that a warrant must be obtained before the search, investigators must take note that a search warrant under the Act must be issued by a magistrate or judge.
- 1.3 Section 29 of the Act also provides that premises may be sealed off for a period not exceeding seven days, to prevent the Dealer/Recycler from conducting business in contravention of the Act and also needs a Warrant signed by a Magistrate or a Judge to do so.
- 1.4 The Act does not detract from the provisions of section 36 (possession of property suspected to be stolen) and section 37 (receipt of property suspected to be stolen) of the General Law Amendment Act, 1955 (Act No. 62 of 1955).

2. **PROCESS FLOW: INVESTIGATE ILLICIT ACTIVITIES**

3. APPLICATION PROCEDURE

The Application Procedure as depicted in Diagram 17(Process Flow: Investigate illicit activities), will be explained in the following manner:

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

3.1 **"A"** –OBTAIN WARRANTS FOR THE INVESTIGATIVE INSPECTION

PROCESS EXECUTION
A DSO must acquire Warrant under this act as well as a warrant as specified under the Criminal Procedure Act. The warrant as under this act authorises the inspection of the registers, documentation and Second-Hand Goods found on the premises. The warrant under the Criminal Procedure Act authorises the seizing of such goods as required for further investigation.



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



GOVERNANCE
<p>Section 30 of the Act - Warrant</p> <p><i>"30. (1) A warrant to enter, search, seize and seal off premises must be issued by a magistrate or a judge of the High Court who has jurisdiction in the area in which the premises in question are situated, if it appears from information on oath or affirmation that there are reasonable grounds to believe that a provision of this Act has been or is being contravened.</i></p> <p><i>(2) A warrant issued under this section must specify—</i></p> <p><i>(a) the premises which may be entered and which of the acts mentioned in section 29(1) may be performed by the police official;</i></p> <p><i>(b) the period for which the premises may be sealed off for purposes of section 29(1)(f), which may not exceed seven days; and</i></p> <p><i>(c) whether the warrant authorises execution by night.</i></p>



- (3) A warrant contemplated in this section remains in force until—*
- (a) it has been executed;*
 - (b) it is cancelled by the person who issued it, or if such person is not available, by any other person with similar authority;*
 - (c) one month from the date of its issue; or*
 - (d) the purpose for which the warrant was issued no longer exists, whichever occurs first.”*

Section 29(5) of the Act - Entry, search, seizure and seal-off

“(5) A police official may without a warrant enter upon any premises and search for, seize and remove anything contemplated in subsection (1) if—

- (a) the person who is competent to do so consents to such entry, search, seizure and removal; or*
- (b) there are reasonable grounds to believe that—*
 - (i) a warrant would be issued to the police official if he or she applied for such warrant; and*
 - (ii) the delay in obtaining such warrant would defeat the purpose of the search.”*

Paragraph 3.3 of National Instruction 1/2013: Second-Hand Goods

“3.3.1 In terms of section 29 of the Act, a police member should obtain a warrant to enter and search premises and to seize records/registers. The Act does not provide for goods to be seized with the mentioned warrant. Where it is deemed necessary to seize goods a warrant must be issued in terms of the Criminal Procedure Act.”

“3.3.2 Although the Act contains exceptions to the general rule that a warrant must be obtained before the search, investigators must take note that a search warrant under the Act must be issued by a magistrate or judge.”

“3.3.3 Section 29 of the Act also provides that premises may be sealed off for a period not exceeding seven days, to prevent the Dealer/Recycler from conducting business in contravention of the Act and also needs a Warrant signed by a Magistrate or a Judge to do so.”

“3.3.4 When a second-hand goods premises need to be searched or sealed off and/or goods seized for the purposes of an investigation or operation, a warrant should be obtained in terms of the Criminal Procedure Act.”

Paragraph 5.10.2 of National Instruction 1/2013: Second-Hand Goods

“5.10.2.1 A police official, on the authority of a warrant issued in terms of Section 30 of the Act, may enter any premises specified in the warrant and direct the person in control of the premises to:

- a) disclose any record, register, book, other document or information; and***
- b) Render such assistance as the police official may require.”***

“5.10.2.2 A warrant to enter, search, seize and seal off premises must be issued by a magistrate or a judge of the High Court who has jurisdiction in the area in which the premises in question are situated, if it appears from information on oath or affirmation that there are reasonable grounds to believe that a provision of this Act has been or is being contravened.”

“5.10.2.3 A warrant issued under Section 30 of the Act must specify:

- a) The premises which may be entered and which of the acts mentioned in section 29(1) may be performed by the police official:***
- i. Direct the person in control of or any person employed at the premises to –***
- a) disclose any register, record, book, other document or information that pertains to the investigation and is in the possession or under the control of that person;***
- b) render such assistance as the police official requires in order to enable such police official to perform his or her functions under the Act;***
- c) inspect any register, record, book or other document and make copies thereof or excerpts there from;***
- d) examine any goods or other articles found on the premises; and***
- e) Seize records, books, documents or electronic data-storing devices that may be used as evidence of a contravention of any provision of this Act, against the issue of a written receipt.***

*b) the period for which the premises may be sealed off for purposes to prevent a person from conducting business in contravention of the Act, which may not exceed seven days; and
c) Whether the warrant authorizes execution by night.”*

APPLICABLE DOCUMENTATION

J51 - Warrant for Search and Seizure



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.2 “B” – VERIFY REPORTED INFORMATION OF SUSPECTED STOLEN / TAMPERED GOODS

PROCESS EXECUTION
Compare the information received with the registers and physical goods on the premises. Do a thorough search of the premises to find the reported stolen / tampered articles.



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



GOVERNANCE
<p>Section 29(1)(2)(3)(4)(7) of the Act- Entry, search, seizure and seal-off</p> <p><i>“29. (1) A police official, on the authority of a warrant issued in terms of section 30, may—</i></p> <ul style="list-style-type: none"><i>(a) enter any premises specified in that warrant;</i><i>(b) direct the person in control of or any person employed at the premises to—</i><ul style="list-style-type: none"><i>(i) disclose any register, record, book, other document or information that pertains to the investigation and is in the possession or under the control of that person; and</i><i>(ii) render such assistance as the police official requires in order to enable such police official to perform his or her functions under this Act;</i><i>(c) inspect any register, record, book or other document and make copies thereof or excerpts therefrom;</i><i>(d) examine any goods or other articles found on the premises;</i><i>(e) against the issue of a written receipt, seize records, books, documents or electronic data-storing devices that may be used as evidence of a contravention of any provision of this Act; and</i><i>(f) seal or seal off the premises at, on or in which second-hand goods are found, in order to prevent a person from conducting business in contravention of this Act.”</i> <p><i>“(2) A police official may not enter upon or search any premises without audibly demanding admission to the premises and giving notice of the purpose of the entry, unless such police official is, on reasonable grounds, of the opinion that such demand and notification will defeat the purpose of the search.”</i></p>



“(3) A police official contemplated in subsection (1) may use such force as may reasonably be necessary to overcome resistance to the entry or search.”

“(4) Any entry and search in terms of subsection (1) may only be executed by day, unless the execution thereof by night is reasonable and justifiable.”

“(7) A person from whom any book, record or document has been taken may, at his or her own expense and under supervision of a police official, make copies thereof or excerpts therefrom.”

APPLICABLE DOCUMENTATION

- Dealer / Recycler Register



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.3 “C” – ESTABLISH OWNERSHIP

PROCESS EXECUTION

When either, tampered goods, goods which was not entered in the Dealer / Recycler register or goods as described by the information as received where found the DSO needs to establish who the rightful owner is.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Section 29(1) of the Act- Entry, search, seizure and seal-off

“29. (1) A police official, on the authority of a warrant issued in terms of section 30, may—

- (a) enter any premises specified in that warrant;***
- (b) direct the person in control of or any person employed at the premises to—***
 - (i) disclose any register, record, book, other document or information that pertains to the investigation and is in the possession or under the control of that person; and***
 - (ii) render such assistance as the police official requires in order to enable such police official to perform his or her functions under this Act;***
- (c) inspect any register, record, book or other document and make copies thereof or excerpts therefrom;***
- (d) examine any goods or other articles found on the premises;***
- (e) against the issue of a written receipt, seize records, books, documents or electronic data-storing devices that may be used as evidence of a contravention of any provision of this Act; and”***



APPLICABLE DOCUMENTATION

Dealer / Recycler Register



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.4 “D” – IDENTIFY OWNER OF SUSPECTED STOLEN /TAMPERED GOODS

PROCESS EXECUTION
Once the owner of the goods where established the DSO needs to determine whether that person is the legal owner and that the person did had the rightful ownership to dispose of the item.



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



GOVERNANCE
N/A



APPLICABLE DOCUMENTATION
N/A



SYSTEM FUNCTIONS
TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.5 “E” – OWNER CONFIRMS OWNERSHIP

PROCESS EXECUTION

On determining the ownership the owner has to proof the right to ownership and once that is done the ownership of the said item is determined and confirmed.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

N/A



APPLICABLE DOCUMENTATION

N/A



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.6 “F” – OPEN DOCKET

PROCESS EXECUTION

In the case where the ownership of the goods cannot be identified or the goods was stolen and was not to be sold to the second-hand Goods dealer / recycler a docket needs to be opened.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph 2(1)(a)-(c) of National Instruction 1/2013: Second-Hand Goods



“2 (1) When a crime or alleged crime is reported at a police station or to a member on patrol attending to complaints, irrespective of whether the crime was committed in the station area of that police station or the station area of another police station, the member receiving the report must —

- (a) interview the complainant (reporter) and, by using the Definitions of Crime Manual as a guideline, ensure that what is alleged to have happened does indeed constitute a crime and if so, take down an affidavit depicting all the elements of the crime and describe in detail what happened by utilizing the “what”, “when”, “who”, “where”, “why”, and “how” principles;***
- (b) open a case docket (SAPS 3M) and complete it; and***
- (c) hand over the completed case docket (SAPS 3M) to the Community Service Centre Commander for perusal and registration on CAS.”***

Paragraph 3 of Standing Order (General) 321

“3 (1) For each case captured on the Crime Administration System (CAS) there must be either a First Information of Crime (SAPS 4M) or Case docket (SAPS 3M) together with any other statements or documents containing the information whereby it is to be decided whether a prosecution must be instituted and according to which evidence can be led in court. In an important case where there is likely to be a large number of documents, necessitating a protective cover, form SAPS 3M must be used for that purpose, but in a less important case where a report of all the evidence, likely to be required, can be included in the FIG.”

“(2) A FIC may only be completed if a direct arrest was made, e.g. the crime was committed in the presence of a police official, and where no further investigation is required. A FIC may not be opened in cases where further investigation is required, in such cases a case docket (SAPS 3M) must be opened.”

“(3) In a case in which a case docket cover [SAPS 3M] was not initially used and if should later require the use of a case docket cover, one can always be used.”

APPLICABLE DOCUMENTATION



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.7 “G” – CONFISCATE SUSPECTED STOLEN /TAMPERED GOODS

PROCESS EXECUTION

When items were identified and confirmed to be stolen / tampered with the DSO must seize such items for further investigation as evidence.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Section 29(6) of the Act- Entry, search, seizure and seal-off

“(6) Any goods seized in terms of this section must be dealt with in the manner contemplated in Chapter 2 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), which applies with the changes required by the context.”



Section 21 of the CPA Act- Article to be seized under search warrant.

“21. Article to be seized under search warrant.—

(1) Subject to the provisions of sections 22, 24 and 25, an article referred to in section 20 shall be seized only by virtue of a search warrant—

(a) by a magistrate or justice, if it appears to such magistrate or justice from information on oath that there are reasonable grounds for believing that any such article is in the possession or under the control of or upon any person or upon or at any premises within his area of jurisdiction; or

(b) by a judge or judicial officer presiding at criminal proceedings, if it appears to such judge or judicial officer that any such article in the possession or under the control of any person or upon or at any premises is required in evidence of such proceedings.”

“(2) A search warrant issued under subsection (1) shall require a police official to seize the article in question and shall to that end authorize such police official to search any person identified in the warrant, or to enter and search any premises identified in the warrant and to search any person found on or at such premises.”

“(3) (a) A search warrant shall be executed by day, unless the person issuing the warrant in writing authorizes the execution thereof by night.”

(b) A search warrant may be issued on any day and shall be of force until it is executed or is cancelled by the person who issued it or, if such person is not available, by a person with like authority.”

“(4) A police official executing a warrant under this section or section 25 shall, after such execution, upon demand of any person whose rights in respect of any search or article seized under the warrant have been affected, hand to him a copy of the warrant.”

Section 22 of the CPA Act- Circumstances in which article may be seized without search warrant.

“Police official may without a search warrant search any person or container or premises for the purpose of seizing any article referred to in section 20—

(a) if the person concerned consents to the search for and the seizure of the article in question, or if the person who may consent to the search of the container or premises consents to such search and the seizure of the article in question; or

(b) if he on reasonable grounds believes—

(i) that a search warrant will be issued to him under paragraph (a) of section 21 (1) if he applies for such warrant; and

(ii) that the delay in obtaining such warrant would defeat the object of the search.”

Paragraph 3.3 of National Instruction 1/2013: Second-Hand Goods

“3.4.1 Whenever a police official search premises or seizes second-hand goods, the provisions of National Instruction 1/2013: Second-Hand Goods 2/2002 must be adhered to.”

APPLICABLE DOCUMENTATION

N/A



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.8 “H” – ISSUE SAPS 13D TO DEALER /RECYCLER

PROCESS EXECUTION

When seizing any goods the DSO must issue the dealer/ recycler with SAPS 13b.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph 3.3 of National Instruction 1/2013: Second-Hand Goods



“3.4.2 Paragraph 19(1) of National Instruction 1/2013: Second-Hand Goods 2/2002 specifically requires that any member who seizes any article must complete the Property Acknowledgment of Receipt Register (SAPS 13(b)). The original SAPS13 (b) receipt must be handed to the person from whom the article was seized. Such person must sign the SAPS 13(b) receipt to acknowledge that the seized property was fully recorded on the SAPS 13(b) receipt. Such person must also sign the copy of the SAPS 13(b) receipt. The Visitation Register at the station must also be completed.”

“3.4.3 If the person from whom the article was seized, is not on the premises upon which the article was seized, paragraph 19(2) states that the original SAPS 13(b) receipt must be handed to the person in charge of the premises. If the person in charge of the premises is not available, the original SAPS 13(b) receipt must be left at a prominent place on the premises. The officer/member must in such a case make an entry in his/her diary/pocket book that nobody was present and mention the place where the receipt was left. No goods may be seized without the SAPS 13(b) being issued.”

APPLICABLE DOCUMENTATION

- SAPS 13b



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.9 “1” – BOOK CONFISCATED GOODS INTO SAPS 13 STORE

PROCESS EXECUTION

All confiscated goods must be booked in at the Station in the SAPS13 register and stored in the 13 store for safekeeping.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph 3 and 6 of Standing Order (General) 334



“3 (1) Full particulars of found property and exhibits [including the serial numbers and denominations of all forms of payment such as bank notes, postal orders, travellers cheques, etcetera], that have been marked for a police operation or that in any other circumstance could possibly be required as an exhibit in a court of law.”

(2) The make and serial numbers of firearms, cellular phones, bicycles, cameras, computers, sound systems, televisions and other serial numbered items; the registration, engine and tyre numbers (when available) of vehicles; the mass of and the number of items, or the contents (in litres) of liquids taken possession of as found property], must be recorded in the SAPS 13 and the entry must be signed by the Community Service Centre Commander and the member (or other person) handing in the property.

(3) If the property consists of a suitcase or similar container which is open or which can be unlocked or opened with as little damage as possible, the contents must be fully described. All serial numbered items must be circulated.

(4) The number of items must be written in words, eg "one", "two", "three".

“6 (1) A label (SAPS 13(a)) on which the number of the entry in the register is reflected must be attached to each item of the property taken charge of. The property must be carefully stored, care being taken to guard against loss or damage by moths or rodents.”

(2) The inspecting officer must check property, item by item, during an inspection and compare it with the property register.”

APPLICABLE DOCUMENTATION



- SAPS 13 Register

SYSTEM FUNCTIONS



TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).

3.10 “J” – COMPLETE SAPS 299

PROCESS EXECUTION

In the situation where the owner of the items are known and ownership is confirmed the suspected stolen or tampered items may be handed over to such person with the purpose of safekeeping as evidence in future court cases.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **53.1.1. to 53.2** of Standing Order (General) **333**



“333.53.1.1. If stolen property or property suspected of having been stolen is delivered to the person from whom it was stolen, with the consent of the person from whom it was seized, a form SAPS 299 shall, in addition to the appropriate column of the SAPS 13, be properly completed in duplicate and signed by the consenter, the member who hands over the property, the person receiving it and two witnesses [as indicated on the form].”

“333.53.1.2. The receiver shall sign his or her name directly under the last entry of the form to prevent an item from being added later.”

“333.53.1.3.1. The duplicate form SAPS 299 shall be filed in the docket and the original as prescribed in SO 334.9. Exhibits may be disposed of in this manner without the authority of an officer.”

“333.53.1.3.2. If, however, the exhibit has not yet been handed in at the community service centre, a single copy of form SAPS 299 shall be completed and filed in the docket.”

“333.53.2. If the form SAPS 299 is not readily available in such a case, the property may be handed over against a receipt in the form of a statement. The same persons as prescribed for the form SAPS 299 shall sign the receipt and the wording thereof must resemble that of the form as closely as possible.”

APPLICABLE DOCUMENTATION

- SAPS 299



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.11 “K” – RETURN GOODS TO OWNER FOR SAFEKEEPING

PROCESS EXECUTION

Hand items over to the owner and emphasize that such items must be kept in a secure place, may not be used or trade with until such time that the investigation and subsequent court case is not finalized.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Section 30(b) of the CPA Act- Disposal by police official of article after seizure.



“30. Disposal by police official of article after seizure.—A police official who seizes any article referred to in section 20 or to whom any such article is under the provisions of this Chapter delivered—

(a) may, if the article is perishable, with due regard to the interests of the persons concerned, dispose of the article in such manner as the circumstances may require; or

(b) may, if the article is stolen property or property suspected to be stolen, with the consent of the person from whom it was seized, deliver the article to the person from whom, in the opinion of such police official, such article was stolen, and shall warn such person to hold such article available for production at any resultant criminal proceedings, if required to do so; or

(c) shall, if the article is not disposed of or delivered under the provisions of paragraph (a) or (b), give it a distinctive identification mark and retain it in police custody or make such other arrangements with regard to the custody thereof as the circumstances may require.”

APPLICABLE DOCUMENTATION

N/A



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.12 “L” – UPDATE SAPS 5 IN DOCKET

PROCESS EXECUTION

In every instance where a Case docket is created or when the information within the Case docket is updated or amended the SAPS % (Investigation Diary) must be written up and kept up to date.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph 4 of Standing Order (General) 323



- “(1) An Investigation Diary must be maintained in such a manner that it—***
- (a) contains a complete chronological record of all work done in the case;***
 - (b) serves as an index to all the statements and documents contained in the case docket;***
 - (c) enables an inspecting officer to follow the investigation without difficulty and to satisfy himself or herself that all reasonable steps have been or are being taken to bring the case to a successful conclusion;***
 - (d) serves as a proper and convenient medium for the conveyance of instructions by an inspecting officer or member, as well as requests by the prosecutor to an investigator;***
 - (e) serves as reference in court should any aspect of the investigation process be brought into question;***
 - (f) serves as a cross reference or supporting document to the investigating officer’s pocket book (SAPS 206) and the vehicle register (SAPS 132 (b)).”***
- “(2) Negative, destructive, virulent or flippant remarks in the Investigation Diary must at all times be avoided. The fact that departmental steps against a specific member are considered may not be reflected in the Investigation Diary. The SAPS 5 must be completed on both sides. If a case, in respect of which a First Information of Crime (SAPS 4) is completed, requires no further investigation, it is not necessary to complete the Investigation Diary on the reverse side. If there is any amendments are made or an entry is cancelled, the Investigation Diary must be initialled and dated in the margin next to the amendment or cancellation.”***

“(3) Generic entries to be made in the investigation diary

- (a) The time and date of each entry must be reflected and each entry must be legibly signed.***
- (b) An entry must be made in respect of every statement or other supporting document filed in the case docket, indicating the reference number under which it is filed in the case docket next to the entry. The reference number used to index each statement and other documents in the case docket must correspond with the reference number reflected in the investigation diary.***
- (c) The pages of the investigation diary must be numbered chronologically "C 1", "C 2", "C3", etc.***
- (d) The first entry in the diary should be made by the member who took the FIC and without repeating any information already contained in the FIC, giving details which, although not regarded as evidence, may be of value to the member who was assigned to take over the investigation.***
- (e) The names, addresses and telephone numbers of witnesses or of persons who have supplied information to the complainant, must be recorded carefully in order that they may be interviewed by the investigator and proper statements obtained. This entry in the diary must then be signed by the member who obtained the first information.***
- (f) When a house or other place is visited or searched, or where an enquiry is made from any person in connection with any particular subject, the name and address of such place or person must always be stated.***
- (g) The description of the scene of crime, suspect, property, etc, which is not included in the statement, must be reflected in the diary.***
- (h) The forwarding of an SAPS 69, 11, 55, 92, etc and the fact that a copy was filed in the docket, must be mentioned. The receipt of an SAPS 69 or other document must also be mentioned.***
- (i) The diary must show in detail whether use has been made of informers and any reports made by them must be recorded in the diary. Their statements must be filed in the case docket if of evidential value.***
- (j) The progress of the case in court must be shortly described. Dates of trial, remand dates and anything of importance occurring in court, must be mentioned. The reason for the remand of the case or the discharge of an accused, must always be reflected.***
- (k) If the case docket is sent to another station for any purpose, the date of despatch and”***

APPLICABLE DOCUMENTATION



- SAPS 5

SYSTEM FUNCTIONS



TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).

3.13 “M” – UPDATE SHG SYSTEM

PROCESS EXECUTION

The results and actions as taken must be entered into the Second-Hand Goods System



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph 5.4.3.14 of National Instruction 1/2013: Second-Hand Goods

“The required information must be entered into the fields provided by the Second-Hand Goods Control System.”



APPLICABLE DOCUMENTATION

- SAPS 5
- SAPS 13
- SAPS 13b
- SAPS 299
- Dealer / Recycler Register information



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.14 “N” – FORWARD DOCKET TO DETECTIVES FOR INVESTIGATION

PROCESS EXECUTION

After the initial investigation i.t.o. identifying the Goods as tampered / suspected stolen was done the docket must be forwarded to the Detectives which will investigate the criminal element in the instance and get the case prepared for court.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)
- SAPS Detective



GOVERNANCE

Paragraph **5.10.3.1** of National Instruction 1/2013: Second-Hand Goods

“Investigations are always conducted by police officials trained specifically as Detectives in their respective fields of responsibility (e.g. Vehicle Identification Section (VIS), Organized Crime, General Detectives etc). An investigating officer may make use of any Parastatals or experts during their investigations. A DSO will not be responsible for the investigation of second-hand good related case dockets. The DSO will only be responsible for the opening of a First Information of Crime Statement (where applicable). The case docket must be fully investigated by the relevant police officer within the Detective Services.”



APPLICABLE DOCUMENTATION

- SAPS 3M



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.15 “O” – UPDATE SHG SYSTEM

PROCESS EXECUTION

The status of the said investigation and the initial outcome of the identification investigation executed by the DSO must be entered into the Second-Hand Goods System.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.4.3.14** of National Instruction 1/2013: Second-Hand Goods
“The required information must be entered into the fields provided by the Second-Hand Goods Control System.”



APPLICABLE DOCUMENTATION

- Dealer / Recycler Registration File



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.16 “P” – FINALIZE INVESTIGATIVE INSPECTION

PROCESS EXECUTION

The information in the dealer /recycler register is filed in a sub-file and all copies and duplicates from the docket are filed within the sub-file.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

N/A



APPLICABLE DOCUMENTATION

- Dealer / Recycler Registration File
- SAPS 3M



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.17 “Q” – COMPLETE INVESTIGATIVE REPORT

PROCESS EXECUTION



After the investigation by the DSO was done an elaborate report must be written in which all the information, steps taken and outcome of the initial investigation is captured. Such report must be kept for future reference when that Dealer/ Recycler applies for renewal of registration.

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



N/A

APPLICABLE DOCUMENTATION



N/A

SYSTEM FUNCTIONS



TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).

3.18 "R" – UPDATE SHG SYSTEM

PROCESS EXECUTION

The finalization date is entered into the Second-Hand Goods System and that specific initial investigation is closed on the Second-Hand Goods System.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

N/A



APPLICABLE DOCUMENTATION

- Dealer / Recycler Registration File



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).



3.19 "S" – FILE INVESTIGATIVE REPORT IN DEALER / RECYCLER FILE

PROCESS EXECUTION

The information is filed into the Dealer / recycler file under a sub-file for future reference.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

??????????????



APPLICABLE DOCUMENTATION

- Z20 - Dealer / Recycler Registration File



SYSTEM FUNCTIONS

TO BE ADDED (SYSTEM NOT YET IMPLEMENTED).

