

THE SECOND-HAND GOODS STANDARD OPERATING PROCEDURE
Processing of a New Application for the Registration of a Second-Hand Goods Dealer

1. INTRODUCTION

- 1.1. Every person, business or organization that carries on a business of dealing in second-hand goods, must register with the South African Police Service. This includes an auctioneer, general dealer, jeweler, motor vehicle dealer and scrap metal dealer / recycler.
- 1.2. It is important to note that the Act only applies to a person who carries on a business of dealing in second-hand goods. A person getting rid of his or her own (privately owned) used goods does not fall under the Act and these persons do not have to register. In most instances these persons will not pay income tax on the money they get from the sale of their goods. On the other hand, a person who buys and sells second-hand goods for a living is carrying on a business in second-hand goods and therefore must be registered as a Second-Hand Goods Dealer in terms of the Act.
- 1.3. A Dealer, who engages in the business of recycling controlled metal must in addition to being registered as a Dealer, also be registered as a Recycler.

2. **PROCESS FLOW: NEW APPLICATION FOR DEALER REGISTRATION**

3. APPLICATION PROCEDURE

The Application Procedure as depicted in Diagram 1 (Process Flow: New Application for Dealer Registration), will be explained in the following manner:

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

3.1 **"A"** – RECEIVE APPLICATION FORM

PROCESS EXECUTION



A New Application for Registration as a Second-Hand Goods Dealer must be submitted to the DSO by the applicant whose business premise is located in the policing precinct of that DSO.

An applicant may simultaneously apply as both a Dealer and a Recycler on one SAPS 601 form (Application for the Registration as a Second-Hand Goods Dealer/Recycler). This combined application process may only be utilised if the responsible person is the same person for both registrations and the premises for the Dealer and Recycler are one, in the same premises.

Take Note: There is no payment required for a second-hand goods registration application!

RESPONSIBLE PERSON(S)



- Second-Hand Goods Dealer (applicant)
- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



Section 3 of the Act – Application for registration

“3. (1) (a) An application for registration must be made to the National Commissioner and must be accompanied by the prescribed documents.

(b) The National Commissioner may require the applicant to provide further information necessary for processing the application.

- (2) If an applicant intends to conduct business from more than one premises, or where second-hand goods are stored on additional premises, such applicant must apply for registration in respect of each of those premises.*
- (3) Subject to section 14, the National Commissioner may, after consideration of the application and upon the applicant complying with all the requirements, register the applicant as a dealer.”*

Regulation 2. – Application for registration as dealer

- “2.(1) Any person intending to apply for registration as a dealer in terms of the Act must obtain the relevant application form from the office of the Designated Police Officer or the official Internet website of the South African Police Service at www.saps.gov.za and complete and sign the application form.*
- (2) The application form contemplated in subregulation (1) must essentially be in the form and contain the particulars as set out in Annexure "A" to these regulations*
- (3) The applicant must ensure that the duly completed application form and all the documents referred to in these regulations are lodged with the office of the Designated Police Officer.”*

Paragraph 5.1.4.1 of National Instruction: 1/2013 Second-Hand Goods

“The application form, SAPS 601 (Application for the Registration as a Second-Hand Goods Dealer/Recycler) is received by the DSO from an applicant (no payment required). The SAPS 601 form must be completed as per the relevant Completion Instructions.”

APPLICABLE DOCUMENTATION

An applicant must apply on a SAPS 601 form (Application for the Registration as a Second-Hand Goods Dealer/Recycler).

Important to note is that the applicant must indicate on the form for what type of registration certificate he/she is applying for (ie. Dealer, Recycler etc.).



The SAPS 601 form must be completed as per the relevant Completion Instructions:

The following documents are attached to this “Processing of a new Application for the registration of a Second-Hand Goods Dealer” SOP.

SAPS 601 Proforma (**Annexure A.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)

SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.2 **"B"** – REQUEST A SAPS MEMBER TO ASSIST WITH THE INTERPRETATION

PROCESS EXECUTION



An applicant who cannot speak, write or understand English is entitled to have an interpreter assist or explain to him/her the technicalities of the legislation and assist in the completion of the SAPS 601 Application Form.

Should the applicant be in need of an interpreter, the DSO can request the interpreting service of any person capable of adequately communicating in the required language.

The DSO may approach any of the following persons/entities in terms of rendering an interpretation service:

- Known interpreters in the policing precinct (may include SAPS members)
- Embassies
- Department of Communications (DOC)

Take Note: Should payment be necessary for interpretation services, all costs must be borne by the South African Police Services!

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)
- Interpreter

GOVERNANCE



Paragraph **5.1.4.2** of National Instruction: 1/2013 Second-Hand Goods

"The DSO needs to determine whether the applicant is able to:

- ***understand English;***
- ***understand the content of the SAPS 601 form; and***
- ***whether the applicant can complete the applicable form in English.***

Should the applicant have difficulty with any of the three instances above, the DSO must acquire the services of an interpreter to explain and assist in completing the SAPS 601 form."

APPLICABLE DOCUMENTATION



An applicant must apply on a SAPS 601 form (Application for the Registration as a Second-Hand Goods Dealer/Recycler).

Important to note is that the applicant must indicate on the form for what type of registration certificate he/she is applying for (ie. Dealer, Recycler etc.). The SAPS 601 form must be completed as per the relevant Completion Instructions:

The following documents are attached to this “Processing of a new Application for the registration of a Second-Hand Goods Dealer” SOP.

SAPS 601 Proforma (**Annexure A.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)

SYSTEM FUNCTIONS



TO BE ADDED (System not yet implemented).

3.3 **C** – RECORD THE INTERPRETER’S INFORMATION

PROCESS EXECUTION

The information of the person who assisted the applicant in explaining the form and completing the form must be captured on the SAPS 601.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)
- Interpreter



GOVERNANCE

Paragraph **5.1.4.3** of National Instruction: 1/2013 Second-Hand Goods

“The DSO must record the details of the Interpreter in the relevant space allocated specifically for this purpose on the SAPS 601 application.”



APPLICABLE DOCUMENTATION

An applicant must apply on a SAPS 601 form (Application for the Registration as a Second-Hand Goods Dealer/Recycler).

Important to note is that the applicant must indicate on the form for what type of registration certificate he/she is applying for (ie. Dealer, Recycler etc.). The SAPS 601 form must be completed as per the relevant Completion Instructions:

The following documents are attached to this “Processing of a new Application for the registration of a Second-Hand Goods Dealer” SOP.

SAPS 601 Proforma (**Annexure A.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.4 “D” – FORWARD APPLICATION FOR CAPTURING

PROCESS EXECUTION

The SAPS 601 form with all the relevant supporting documents are handed to the relevant data-capturer (either Second-Hand Goods Officer or Second-Hand Goods Clerk) for capturing the SAPS 601 application information on the relevant systems.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)
- Second-Hand Goods Clerk



GOVERNANCE

Paragraph **5.1.4.4** of National Instruction: 1/2013 Second-Hand Goods

“The SAPS 601 application and all relevant supporting documents must be handed to the DSO or Second-Hand Goods Clerk for capturing purposes on the relevant recording systems.”



APPLICABLE DOCUMENTATION

An applicant must apply on a SAPS 601 form (Application for the Registration as a Second-Hand Goods Dealer/Recycler).

Important to note is that the applicant must indicate on the form for what type of registration certificate he/she is applying for (ie. Dealer, Recycler etc.). The SAPS 601 form must be completed as per the relevant Completion Instructions:

The following documents are attached to this “Processing of a new Application for the registration of a Second-Hand Goods Dealer” SOP.

SAPS 601 Proforma (**Annexure A.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.5 **"E"** – RECORD DETAILS OF RECEIVED DEALER APPLICATION

PROCESS EXECUTION

The DSO must record the SAPS 601 Application Form information in the SAPS 603 Register (Register for Received Second-Hand Goods Documentation), whether the application is complete or not.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)
- Second-Hand Goods Clerk



GOVERNANCE

Paragraph **5.1.4.5** of National Instruction: 1/2013 Second-Hand Goods

“The DSO must record the application in the SAPS 603 Register (Register for Received Second-Hand Goods Documentation), whether the application is complete or not. The SAPS 603 Register must be completed as per the relevant Completion Instructions”.



APPLICABLE DOCUMENTATION

The SAPS 603 Register must be completed as per the relevant Completion Instructions:

The following documents are attached to this “Processing of a new Application for the registration of a Second-Hand Goods Dealer” SOP.

SAPS 603 Proforma (**Annexure B.1**)

SAPS 603 Completion Instructions (**Annexure B.2**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.6 **"F"** – RECORD SECOND – HAND GOODS SYSTEM REFERENCE NUMBER IN DEALER APPLICATION REGISTER

PROCESS EXECUTION

The applicable SAPS 601 application must be captured in the Second-Hand Goods System and the System generated reference number must be recorded in the appropriate space allocated in the SAPS 601 application form.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.6** of National Instruction: Second-Hand Goods, 2013

"The application must be captured on the Second-Hand Goods Control System (if available) and the system generated reference number must be entered in the SAPS 603 Register as well as on the SAPS 601 Application."



APPLICABLE DOCUMENTATION

SAPS 601 Proforma (**Annexure A.1**)
SAPS 603 Proforma (**Annexure B.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)
SAPS 603 Completion Instructions (**Annexure B.2**)

The SAPS 601 form and SAPS 603 Register must be completed as per the relevant Completion Instructions.



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.7 **“G” – RECORD THE SAPS 603 (RECEIVED SECOND-HAND GOODS DOCUMENTATION REGISTER) AND SHGC SYSTEM REFERENCE NUMBER ON THE APPLICATION FORM**

PROCESS EXECUTION

The applicable SAPS 603 Register number must be captured on the relevant space of the SAPS 601 Application as per the Completion Instructions.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.7** of National Instruction: Second-Hand Goods, 2013

“The applicable SAPS 603 Register/Second-Hand Goods Control System (SHGC) reference number must be recorded in the appropriate space allocated on the SAPS 601 application form.”



APPLICABLE DOCUMENTATION

SAPS 601 Proforma (**Annexure A.1**)
SAPS 603 Proforma (**Annexure B.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)
SAPS 603 Completion Instructions (**Annexure B.2**)

The SAPS 601 form and SAPS 603 Register must be completed as per the relevant Completion Instructions.



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.8 **"H"** – ISSUE A SAPS 601(C) FORM (ACKNOWLEDGEMENT OF RECEIPT)

PROCESS EXECUTION

The DSO must issue an Acknowledgement of Receipt (SAPS 601(c)) to the applicant on receipt of the Dealer s' Application (SAPS 601).



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.8** of National Instruction 1/2013: Second-Hand Goods

"The DSO must issue a SAPS 601(c) (Acknowledgement of Receipt of Second-Hand Goods Documentation) to the applicant on receipt of the application".



APPLICABLE DOCUMENTATION

The SAPS 601(c) Form (Acknowledgement of Receipt of Second-Hand Goods Documentation) must be completed as per the relevant Completion Instructions:

The following documents are attached to this "Process of a new Application for the registration of a Second-Hand Goods Dealer" SOP.

SAPS 601(c) Proforma (**Annexure C.1**)

SAPS 601(c) Completion Instructions (**Annexure C.2**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.9 "1" – TAKE FINGERPRINTS

PROCESS EXECUTION

The fingerprints of the applicant / responsible person / persons responsible for the day-to-day management of the business must be taken on a SAPS 91(a) form.

Take Note: *There is no payment required for the taking of the fingerprints in terms of an application for registration as a Second-Hand Goods Dealer!*



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)
- Fingerprint Office at the Police Station



GOVERNANCE

Section 4(2) of the Act – Information on application by natural person

“4.(2)The National Commissioner may require the applicant to furnish additional information or particulars, and may require that the applicant’s fingerprints be taken.”

Section 5(2) of the Act –Information on application by person other than natural person

“5.(2) The National Commissioner may require a natural person involved in the management of the applicant, including the person contemplated in section 2(2), to furnish additional information or particulars and may require that the person’s fingerprints be taken.”

Regulation 3(e) - Documents to accompany application for registration

“3....

(e) a copy of applicant's fingerprints, or where more than one person are involved in the day to day management of the business, a copy of the fingerprints of each person so involved; and...”



Paragraph 5.1.4.9 of National Instruction: Second-Hand Goods, 2013

“The fingerprints of the applicant / responsible person / persons responsible for the day-to-day management of the business must be taken on a SAPS 91(a) form (no payment required) by the relevant functionary at the police station. The wording “Application for Registration as a Second-Hand Goods Dealer/Recycler” must be written on the SAPS 91(a) form under the heading “REASON FOR ENQUIRY”

APPLICABLE DOCUMENTATION

The fingerprints must be taken on a SAPS 91(a) form. The wording “Application for Registration as a Second-Hand Goods Dealer ” must be written on the SAPS 91(a) form under the heading “REASON FOR ENQUIRY”

The following documents are attached to this “Process of a new Application for the registration of a Second-Hand Goods Dealer” SOP.

SAPS 91(a) Proforma (**Annexure D.1**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.10 **“J” – VERIFY THAT THE INFORMATION ON THE SAPS 601 APPLICATION FORM IS COMPLETE**

PROCESS EXECUTION



The DSO must verify the completeness of the SAPS 601 Application Form and ensure that all relevant information is correctly and fully completed according to the relevant Checklist Guideline.

The DSO also needs to ensure that all supporting documentation is attached to the application as per the relevant legislation and Checklist Guideline.

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



Section 4 of the Act - Information on application by natural person

“4. (1) An application by a natural person must be on the prescribed form and accompanied by two identity photographs of the applicant and must include the following information:

- (a) The applicant’s full name, residential address and identity number;**
- (b) the name under which the applicant carries on business;**
- (c) the street addresses of all the premises the applicant intends to use or uses for business purposes;**
- (d) the postal address, if any, used by the applicant for business purposes; and**
- (e) any other prescribed information.**

(2) The National Commissioner may require the applicant to furnish additional information or particulars, and may require that the applicant’s fingerprints be taken.”

Section 5 of the Act - Information on application by person other than natural person

“5. (1) An application by a person other than a natural person must include the following information:

- (a) The applicant's name and, where applicable, registration number of the company, close corporation or trust;
- (b) the registered address of the applicant;
- (c) the street addresses of all the premises that the applicant intends to use or uses for business purposes;
- (d) the full name and identity number of every person involved in the management of the applicant, and where applicant applies for registration for more than one premises, the full name and identity number of each person involved in the management of the applicant at each of the premises contemplated in section 3(2);
- (e) the full name and identity number of every partner in the partnership, in the case of a partnership; and
- (f) any other prescribed information.

(2) The National Commissioner may require a natural person involved in the management of the applicant, including the person contemplated in section 2(2), to furnish additional information or particulars and may require that the person's fingerprints be taken."

Regulation 3- Documents to accompany application for registration

"3. An application for registration contemplated in section 3 of the Act must be accompanied by:

- (a) a statement which confirms that –
 - (i) applicant or any other person contemplated in section 5(1)(d) of the Act is not disqualified from being registered as a dealer; and
 - (ii) applicant undertakes to ensure compliance with the requirements of other legislation regulating that business or industry.
- (b) a certified copy of the identity document of the applicant and every person responsible for the management or day-to-day control of the business in question;
- (c) a recent utility account or the lease agreement verifying the address of the premises to which the application relates;
- (d) written proof of the business' bank account;
- (e) a copy of applicant's fingerprints, or where more than one person are involved in the day to day management of the business, a copy of the fingerprints of each person so involved; and
- (f) where applicable -
 - (i) documents which verify applicant's founding as a company, close corporation, trust, business trust, partnership or any other business form;
 - (ii) a certified copy of the identity document of each responsible person;

- (iii) proof of VAT registration;
- (iv) a copy of the membership certificate which verifies that applicant is a member of an accredited dealers' association at the time of the application;
- (v) floor plan of the premises to which the application relates; and
- (vi) any other documentation that applicant wishes to submit in support of the application, including a copy of any certificate or permit relating to other legislation regulating that industry.”

Paragraph 5.1.4.10 of National Instruction: Second-Hand Goods, 2013

“The DSO must check for the completeness of the SAPS 601 application. The DSO must ensure that the application comply with the relevant Checklist Guideline for the Application for Registration as a Dealer/Recycler, excluding points 3, 4, 5, 19 and 20 of the said Checklist Guideline.”

APPLICABLE DOCUMENTATION

The SAPS 601 Application Form must be verified for completeness (including all relevant supporting documentation). The Checklist Guideline for the Application for Registration as a Dealer/Recycler (excluding points 3, 4 and 5 of the said Checklist Guideline), can be utilized for this function.

The following documents are attached to this “Processing of a new Application for the registration of a Second-Hand Goods Dealer” SOP.

SAPS 601 Checklist Guideline (**Annexure E**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.11 **"K"** – UPDATE DETAILS OF INCOMPLETE SAPS 601 APPLICATION FORM IN SAPS 603 REGISTER

PROCESS EXECUTION



In the event that the Dealer's Application (SAPS 601) information or supporting documentation is incomplete, the reason and information of the information necessary or supporting documentation outstanding must still be recorded and updated in the Application Register (SAPS 603) before being returned to the applicant.

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



Paragraph **5.1.4.11** of National Instruction: Second-Hand Goods, 2013

"In the event that the SAPS 601 Application Form is incomplete, it must still be registered in the SAPS 603 Register as per relevant Completion Instructions".

APPLICABLE DOCUMENTATION



SAPS 601 Proforma (**Annexure A.1**)
SAPS 603 Proforma (**Annexure B.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)
SAPS 603 Completion Instructions (**Annexure B.2**)

The SAPS 601 form and SAPS 603 Register must be completed as per the relevant Completion Instructions.

SYSTEM FUNCTIONS



TO BE ADDED (System not yet implemented).

3.12 **"L"** – REFER SAPS 601 APPLICATION FORM BACK TO APPLICANT

PROCESS EXECUTION



In the event that the SAPS 601 Application Form is incomplete, it must be returned to the applicant (after registering it in the SAPS 603 Register).

A copy of the Checklist Guideline, clearly indicating the information/documents still outstanding must be handed to the applicant. The applicant must be given ten (10) working days to submit the outstanding information/documentation.

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



Paragraph **5.1.4.12** of National Instruction: Second-Hand Goods, 2013

"In the event that the SAPS 601 Application Form is incomplete, the DSO must return it to the applicant together with a copy of the Checklist Guideline, clearly indicating the information/documents still outstanding. The applicant must be given ten (10) working days to submit the outstanding information/documents. In exceptional circumstances (e.g. unnecessary financial hardship) the DSO may recommend Temporary Registration while all outstanding documents/information is awaited (e.g. Lease Agreement, zoning permit etc.)"

APPLICABLE DOCUMENTATION



SAPS 601 Proforma (**Annexure A.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)

SYSTEM FUNCTIONS



TO BE ADDED (System not yet implemented).

3.13 **"M"** – WRITE THE OUTSTANDING INFORMATION/DOCUMENTATION IN RED INK ON THE SAPS 601 APPLICATION FORM

PROCESS EXECUTION

The DSO must indicate in red ink, under section C on the first page of the SAPS 601 Application Form, all outstanding information and/or documentation after the applicant failed to submit the requested outstanding information and/or documentation within the 10 working day period and also where such outstanding information and/or documentation was submitted but is still insufficient.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.13** of National Instruction: Second-Hand Goods, 2013

"If the applicant failed to submit the requested outstanding information and/or documentation within the 10 working day period OR where such outstanding information and/or documentation was submitted but is still insufficient, the DSO must indicate in red ink, under section C on the first page of the SAPS 601 Application Form, all outstanding information and/or documentation".



APPLICABLE DOCUMENTATION

The following documents are attached to this "Processing of a new Application for the registration of a Second-Hand Goods Dealer" SOP.

SAPS 601 Proforma (**Annexure A.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.14 **"N" – PRECONDITION !** - APPLICATION IS RECEIVED BACK A SECOND TIME AND THE INFORMATION/DOCUMENTATION IS STILL INSUFFICIENT OR INCORRECT

When a SAPS 601 Application Form is received back from an applicant after it was found that the application was not fully completed or there was a request for outstanding information or supporting documentation, and the information or supporting documentation is still incorrect or outstanding, the DSO must continue with the application but follow the procedure as specified in process step **"M"**.

3.15 **“O”** – DETERMINE THE AVAILABILITY OF THE DEALER FILE

PROCESS EXECUTION

The DSO must ascertain whether a Z20 Dealers File has been opened for the applicable applicant/business.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.14** of National Instruction 1/2013: Second-Hand Goods

“The DSO should determine whether a Z20 Dealer’/Recycler File exists. If no Z20 Dealer/Recycler File exists a file must be opened ...”



APPLICABLE DOCUMENTATION

The Z20 Dealer s’ File must be searched with reference number 25/13/2, followed by the application register number and possible Second-Hand-Goods System Number in brackets. [e.g. 25/13/2 (001/2012)].



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.16 **P** – OPEN A Z20 DEALERS FILE

PROCESS EXECUTION

A Z20 Dealer file must be opened for archiving and control purposes.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.15** of National Instruction 1/2013: Second-Hand Goods

“The DSO must open a Z20 Dealer/Recycler File for the application with reference number 25/13/2, followed by the application register number in brackets. [e.g. 25/13/2 (001/2012)]. The mentioned reference number must be written in the “Lêer – File No.” block on the front cover of the Z20. The name of the business must be written in the “Onderwerp – Subject” block together with the SAPS 603 Application Register reference number as well as the Second-Hand Goods Control System reference number. The application must be filed in the Z20 Dealers File.”

Paragraph **5.1.4.16** of National Instruction 1/2013: Second-Hand Goods

“The DSO must attach an SAPS 5 Investigation Diary to the inside of the Z20 Dealer/Recycler File to record all activities and incidents required from a DSO in these instructions.”



APPLICABLE DOCUMENTATION

The Z20 Dealers File must be completed as per relevant Completion Instructions.

The following document is attached to this “Processing of a new Application for the registration of a Second-Hand Goods Dealer” SOP.

- Z20 Dealers File Proforma (**Annexure ...**)
- Z20 Dealers File Completion Instructions (**Annexure ...**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.17 **“Q” – FILE SAPS 601 APPLICATION FORM AND SUPPORTING DOCUMENTS IN THE Z20 DEALERS FILE**

PROCESS EXECUTION

The DSO must file the SAPS 601 Application Form and supporting documents in the Z20 Dealer File. If the applicant applied to be registered as both as a Dealer and a Recycler on one SAPS 601 Application Form, then a separate Z20 Dealer and Z20 Recycler files must be opened.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.17** of National Instruction 1/2013: Second-Hand Goods

“The SAPS 601 Application Form must be filed in the Z20 Dealer/Recycler File. If the applicant applied to be registered as both a Dealer and a Recycler on one SAPS 601 Application Form, then a separate Z20 Dealer and Z20 Recycler files must be opened.”



APPLICABLE DOCUMENTATION

The following documents are attached to this “Processing of a new Application for the registration of a Second-Hand Goods Dealer” SOP.

SAPS 601 Proforma (**Annexure A.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)

Z20 Recycler s File.



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.18 **“R” – VERIFY APPLICANT OR NOMINATED PERSON’S PARTICULARS ON CRIM SYSTEM**

PROCESS EXECUTION

When conducting a background assessment on an applicant, the DSO must obtain a profile of the applicant and every person involved in the management of the business from the SAPS Criminal Record System (CRIM), Station Crime Information Officer or Detective Service by using his ID number and Name.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)
- Station Crime Information Officer (CIO)
- Detective Service



GOVERNANCE

Section 14. (1) (a) and (b) of the Act - Disqualification

“14. (1) A person is disqualified from being registered as a dealer if such person—

(a) has in the preceding five years, in the Republic or elsewhere, been sentenced to imprisonment without the option of a fine in respect of any offence of fraud, theft or corrupt activities as referred to in the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), or any contravention of the Corruption Act, 1992 (Act No. 94 of 1992), or the commission of any other offence of which dishonesty is an element;

(b) has in the preceding 10 years been convicted of an offence in terms of this Act or the previous Act, irrespective of the sentence imposed, and was within five years after the conviction again convicted of an offence in terms of any of the said Acts and sentenced to a fine exceeding R1 000;...”



Paragraph 5.1.4.18 of National Instruction 1/2013: Second-Hand Goods

“The DSO must obtain a profile of the applicant and every person involved in the management of the business from the SAPS CRIM System, Station Crime Information Officer or Detective Services.”

APPLICABLE DOCUMENTATION

The Full Names and Identity numbers of the applicant as well as all persons in control of the day to day management of the business must be obtained from Section “E” on the SAPS 601 Application Form.

SAPS 601 Proforma (**Annexure A.1**)

SAPS 601 Completion Instructions (**Annexure A.2**)



SYSTEM FUNCTIONS

- CRIM System Functions
 - 3.20.5 – Profile Searches
- Second-Hand Goods Control System functions to be added (System not yet implemented).



3.19 **"S"** – SEND SAPS 91(a) FINGERPRINT ENQUIRY FORM TO CRIMINAL RECORD CENTRE

PROCESS EXECUTION

When conducting a background assessment on an applicant, the DSO must forward the SAPS 91(a) (Fingerprint Enquiry Form) with a covering letter to the LCRC to obtain a Clearance Certificate.

The DSO must record the date and particulars that fingerprints were despatched to LCRC under column 8 of the SAPS 603 register.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.19** of National Instruction 1/2013: Second-Hand Goods

"The SAPS 91(a) (Fingerprint Enquiry Form) must be forwarded with a covering letter to the Local Criminal Record Centre (LCRC) to obtain a Clearance Certificate".



APPLICABLE DOCUMENTATION

SAPS 91(a) Fingerprint Enquiry Form: (**Annexure...**)

SAPS 603 Register for Received Second-Hand Goods Documentation – Column 8 (**Annexure B.1**)

SAPS 603 Completion Instructions (**Annexure B.2**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.20 **T** – RECEIVE CLEARANCE CERTIFICATE

PROCESS EXECUTION

The DSO will receive the Clearance Certificate from the LCRC.

The DSO must record the date and particulars that the Clearance Certificate was received back from the Local Criminal LCRC under column 9 of the SAPS 603 register.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.20** of National Instruction 1/2013: Second-Hand Goods

“Receive the Clearance Certificate from the Local Criminal Record Centre (LCRC) and check the status of the applicant. Make the required entries in column 9 of the SAPS 603 Register for Received Second-Hand Goods Documentation.”



APPLICABLE DOCUMENTATION

Clearance Certificate – Example (**Annexure ...**)

SAPS 603 Register for Received Second-Hand Goods Documentation – Column 9 (**Annexure B.1**)

SAPS 603 Completion Instructions (**Annexure B.2**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.21 **“U”** – FILE THE CLEARANCE CERTIFICATE

PROCESS EXECUTION

The DSO must file the Clearance Certificate in the Z20 Dealer File.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.21** of National Instruction 1/2013: Second-Hand Goods

“If there are no hindering factors that are highlighted by criminal checks, file the Clearance Certificate in the Z20 Dealer/Recycler File”.



APPLICABLE DOCUMENTATION

Clearance Certificate – Example (**Annexure ...**)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.22 **V** – FOLLOW UP ON SAPS 601 APPLICATION FORM INFORMATION INDICATING OTHER DEALER REGISTRATION

PROCESS EXECUTION



When conducting a background assessment on an applicant, the DSO must determine in terms of paragraph 48 of the SAPS 601 Application Form, if the applicant has indicated any other premises than the one specified in the application that will be utilized to store second-hand goods or alternatively have already been registered for purposes of trading in second-hand goods.

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



Section 3 (2) of the Act – Application for Registration

“3 (2) If an applicant intends to conduct business from more than one premises, or where second-hand goods are stored on additional premises, such applicant must apply for registration in respect of each of those premises.”

Paragraph 5.1.4.22 of National Instruction 1/2013: Second-Hand Goods

“In terms of paragraph 48 of the SAPS 601 Application Form the DSO must determine if the applicant has indicated whether any other premises, other than the one being applied for, will be utilized to store second-hand goods or alternatively have already been registered for purposes of trading in second-hand goods”.

APPLICABLE DOCUMENTATION



- SAPS 601 Application Form (Annexure ...)

SYSTEM FUNCTIONS



TO BE ADDED (System not yet implemented)

3.23 **“W”** – CONTACT OTHER DESIGNATED OFFICERS

PROCESS EXECUTION

Where an applicant has indicated in paragraph 48 of the SAPS 601 Registration Application, that other premises do exist, the DSO must contact the relevant DSO('s) in which precinct(s) these premises are situated in and request additional information which may have an impact on the final consideration of the application for registration submitted by the applicant.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.23** of National Instruction 1/2013 – Second-Hand Goods

“Should the applicant indicate or if it is found out that he/she has other second-hand goods premises in other policing precinct(s), the DSO must contact the DSO(s) of the other precinct(s) requesting information on the status of such business (es) which may have bearing on the application being processed. ...”



APPLICABLE DOCUMENTATION

Not applicable



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.24 **X** – REQUEST ADDITIONAL INFORMATION

PROCESS EXECUTION



The DSO must request the following information (should such information have an impact on the final consideration of the application):

- If any previous applications in regard to the applicant have been approved in the past;
- Any information which have led to the refusal of any previous applications with regard to the applicant; and
- Other information which may be detrimental to the application.

The DSO must verify the information provided in terms of previous registrations or applications to establish the application profile of the said applicant.

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



Paragraph **5.1.4.23** of National Instruction 1/2013 – Second-Hand Goods

“... If relevant information/documentation exists that may influence the application, the DSO must request that such pertinent information be sent to him/her in writing with supporting documentation which must be filed in the Z20 Dealer/Recycler File and considered during the application process. ”

APPLICABLE DOCUMENTATION



N/A

SYSTEM FUNCTIONS



TO BE ADDED (System not yet implemented).

3.25 **“Y”** – REQUEST WRITTEN REPORT OF APPLICANT’S NON-COMPLIANCE

PROCESS EXECUTION

Where an applicant’s application for registration was unsuccessful at other policing precinct(s), a written report of the applicant’s non-compliance and any other information which might have had a detrimental impact on the final consideration of the application must be obtained from the DSO where the application was refused.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)
- Designated Second-Hand Goods Officer (DSO) – of other applicable policing precinct(s)



GOVERNANCE

Paragraph 5.1.4.23 of National Instruction 1/2013 – Second-Hand Goods

“Should the applicant indicate or if it is found out that he/she has other second-hand goods premises in other policing precinct(s), the DSO must contact the DSO(s) of the other precinct(s) requesting information on the status of such business(es) which may have bearing on the application being processed.

If relevant information/documentation exists that may influence the application, the DSO must request that such pertinent information be sent to him/her in writing with supporting documentation which must be filed in the Z20 Dealer/Recycler File and considered during the application process.”



APPLICABLE DOCUMENTATION

SAPS 21 Letter Head: Written report of applicant’s non-compliance



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.26 "Z" – FILE THE REPORT OF NON-COMPLIANCE

PROCESS EXECUTION

Upon receiving the report of the refused application from the other relevant DSO(s) the report must be filed in the Z20 Dealer File.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.23** of National Instruction 1/2013 – Second-Hand Goods

“... If relevant information/documentation exists that may influence the application, the DSO must request that such pertinent information be sent to him/her in writing with supporting documentation which must be filed in the Z20 Dealer/Recycler File and considered during the application process.”



APPLICABLE DOCUMENTATION

Z20 Dealer File

SAPS 5 Investigation Diary



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.27 **“AA”** – REQUEST A PHOTO COPY OF THE REGISTRATION CERTIFICATE

PROCESS EXECUTION

Where an applicant has been registered as a dealer in another/other policing precinct(s), a photocopy of the registration certificate must be obtained from the DSO(s) of that/those precinct(s).



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph 5.1.4.23 of National Instruction 1/2013 – Second-Hand Goods

“Should the applicant indicate or if it is found out that he/she has other second-hand goods premises in other policing precinct(s), the DSO must contact the DSO(s) of the other precinct(s) requesting information on the status of such business(es) which may have bearing on the application being processed.

If relevant information/documentation exists that may influence the application, the DSO must request that such pertinent information be sent to him/her in writing with supporting documentation which must be filed in the Z20 Dealer/Recycler File and considered during the application process.”



APPLICABLE DOCUMENTATION

SAPS 601(a) Certificate of Registration as a Second-Hand Goods Dealer (Copy)



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.28 **“AB”** – FILE THE PHOTO COPY OF THE CERTIFICATE

PROCESS EXECUTION

The DSO must file copy/copies of the Dealers Registration Certificate(s) obtained from DSO(s) of other/another policing precinct(s) where an applicant is registered as a Second-Hand Goods Dealer.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.23** of National Instruction: 1/2013 – Second-Hand Goods

“... If relevant information/documentation exists that may influence the application, the DSO must request that such pertinent information be sent to him/her in writing with supporting documentation which must be filed in the Z20 Dealer/Recycler File and considered during the application process.”



APPLICABLE DOCUMENTATION

SAPS 601(a) Certificate of Registration as a Second-Hand Goods Dealer (Copy)
Z20 Dealer File



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.29 **“AC”** – CHECK WHETHER THERE IS ANY INSCRIPTION IN RED INK OF OUTSTANDING INFORMATION OR DOCUMENTS

PROCESS EXECUTION



The DSO must check under section “C” completed in red ink, on the first page of the SAPS 601 Application Form, all outstanding information and/or documentation.

The DSO must also check that submitted information and/or documentation are sufficient (submissions of requested outstanding information and/or documentation must be made within 10 working days).

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



Paragraph **5.1.4.13** of National Instruction: 1/2013 – Second-Hand Goods

“If the applicant failed to submit the requested outstanding information and/or documentation within the 10 working day period OR where such outstanding information and/or documentation was submitted but is still insufficient, the DSO must indicate in red ink, under section C on the first page of the SAPS 601 Application Form, all outstanding information and/or documentation.”

APPLICABLE DOCUMENTATION



SAPS 601 Application Form

SYSTEM FUNCTIONS



TO BE ADDED (System not yet implemented).

3.30 **“AD”** – INSPECT BUSINESS PREMISES

PROCESS EXECUTION



When conducting a background assessment on an applicant, the DSO has the responsibility to ensure that the Street address of the Dealer as provided on the SAPS 601 Application Form does exist. The DSO must conduct a physical visit to the premises and ensure that the premise’s information corresponds to the information on the SAPS 601 Application Form.

After the DSO physically visited the premises, the SAPS 5 and the Checklist: Application for Registration as a Second-Hand Goods Dealer, line three (3) as found in process block “G”; must be updated.

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



Paragraph **5.1.4.25** of National Instruction: 1/2013 – Second-Hand Goods

“The street address of the second-hand goods premises must be visited in order to verify the location.”

Paragraph **5.1.4.26** of National Instruction: 1/2013 – Second-Hand Goods

“The DSO must complete Section “H” on the SAPS 601 Application Form and state whether the premises exists and the applicant is not a disqualified person.

If, however, other reasons exist why the application should be refused the DSO must compile a written report reflecting all relevant facts pertaining to the matter.”

APPLICABLE DOCUMENTATION



Checklist Guideline: Application for Registration as a Second-Hand Goods Dealer

SAPS 5 Investigation Diary

SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.31 **“AE”** – PREPARE RECOMMENDATION FOR REFUSAL

PROCESS EXECUTION

The DSO must make the recommendation on the SAP 601 Application Form and attach all supporting documentation, any relevant reports and photo copies acquired during the assessment processes.

A recommendation to refuse must be based on and supported by evidence contained in the above mentioned documentation.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.26** of National Instruction: 1/2013 – Second-Hand Goods

“The DSO must complete Section “H” on the SAPS 601 Application Form and state whether the premises exists and the applicant is not a disqualified person.

If, however, other reasons exist why the application should be refused the DSO must compile a written report reflecting all relevant facts pertaining to the matter.”



APPLICABLE DOCUMENTATION

SAPS 601 Application Form

Written Report: forming part of DSO recommendation



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.32 "AF" – PREPARE RECOMMENDATION FOR APPROVAL

PROCESS EXECUTION

The DSO must make the recommendation on the SAP 601 Application Form and attach all supporting documentation, any relevant reports and photo copies acquired during the assessment processes.

A recommendation to approve registration must be based on and supported by evidence contained in the above mentioned documentation.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.27** of National Instruction: 1/2013 – Second-Hand Goods

"The DSO must recommend the approval for registration if there are no reasons that exist in terms of section 14 of the Act as to why the application must be refused.

The DSO may compile a written report reflecting all relevant facts pertaining to the matter if necessary."



APPLICABLE DOCUMENTATION

SAPS 601 Application Form

Written Report: forming part of DSO recommendation



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.33 **“AG”** – RECOMMEND THE REFUSAL OF THE APPLICATION

PROCESS EXECUTION



The DSO needs to make a recommendation with the information obtained during the verification of the SAPS 601 Application Form and Supporting Documentation. In the following instances the DSO **must** recommend the “Refusal” of the application, as derived from the process and accompanying reasons:

R – “Verify Applicant or Nominated Person’s particulars on CRIM System”
There are previous convictions disqualifying the applicant

T – “Receive SAPS 69 Report”
Report reflects illicit activities disqualifying the applicant

V;W;X – “Follow up on information indicating other Dealer Registration”
Applicant applied unsuccessfully at other DSO offices

AD – “Inspect Business Premises”
Address of premises cannot be confirmed

AC – “Check whether there is any inscription in red ink the SAPS 601 Application Form (section C) reflecting outstanding information or documents”
Applicant do not have the ability to become compliant within a specified period

Or if the applicant is disqualified in any other disqualification listed under section 14 of the Act.

The DSO during the recommendation to refuse must compile a comprehensive report on the reasons for such a recommendation and refer to the applicable supporting documentation or the absence of such documentation.

RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Section 6 of the Act – Refusal to register

“6. (1) If a dealer fails to comply with the requirements for an application, the National Commissioner must refuse the application and inform the dealer of



that fact.”

Paragraph 5.1.4.26 of National Instruction: 1/2013 – Second-Hand Goods

“The DSO must complete Section “H” on the SAPS 601 Application Form and state whether the premises exists and the applicant is not a disqualified person.

If, however, other reasons exist why the application should be refused the DSO must compile a written report reflecting all relevant facts pertaining to the matter.’

Paragraph 5.1.4.24 of National Instruction: 1/2013 – Second-Hand Goods

“The Dealer/Recycler File must be forwarded to the Station Commander/Cluster Commander/Provincial Head: FLASH with a recommendation that the application be refused or approved. The application must be recommended for approval unless:

- The applicant or a manager of the business is disqualified under Section 14 of the Act;*
- The application remains incomplete after two referrals back to the applicant;*
- The applicant does not return the application after ten (10) working days; or*
- Any other reason why the application should not be recommended as stated in the written report by the DSO.”*

APPLICABLE DOCUMENTATION

SAPS 601 Application Form

Written Report: forming part of DSO recommendation



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.34 "AN" – DECISION MAKER RECEIVES RECOMMENDATION

PROCESS EXECUTION

The DSO sends the combined documents with the recommendation to the Station Commander where the file with the compiled content is received.



RESPONSIBLE PERSON(S)

- Station Commander/Cluster Commander/Provincial Head: FLASH



GOVERNANCE

Paragraph **5.1.4.28** of National Instruction: 1/2013 – Second-Hand Goods

"The Dealer/Recycler File is submitted to the Station Commander for final consideration."



APPLICABLE DOCUMENTATION

SAPS 601 Application Form

Z20 Dealer File



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.35 **“AO”** – MAKE DECISION ON APPLICATION THAT DSO RECOMMENDED REFUSAL ON

PROCESS EXECUTION

The Station Commander, taking into consideration the recommendation of the DSO, makes the final decision.

The deciding commander must indicate reasons in detail as to why the application was refused and sign the applicable documentation.



RESPONSIBLE PERSON(S)

- Station Commander



GOVERNANCE

Section 6 of the Act – Refusal to register

“6. (1) If a dealer fails to comply with the requirements for an application, the National Commissioner must refuse the application and inform the dealer of that fact.”

Paragraph 5.1.4.26 of National Instruction: 1/2013 – Second-Hand Goods

“The DSO must complete Section “H” on the SAPS 601 Application Form and state whether the premises exists and the applicant is not a disqualified person.

If, however, other reasons exist why the application should be refused the DSO must compile a written report reflecting all relevant facts pertaining to the matter.’

Paragraph 5.1.4.24 of National Instruction: 1/2013 – Second-Hand Goods

“The Dealer File must be forwarded to the Station Commander/Cluster Commander/Provincial Head: FLASH with a recommendation that the application be refused or approved. The application must be recommended for approval unless:

- ***The applicant or a manager of the business is disqualified under Section 14 of the Act;***
- ***The application remains incomplete after two referrals back to the applicant;***



- *The applicant does not return the application after ten (10) working days; or*
- *Any other reason why the application should not be recommended as stated in the written report by the DSO.”*

APPLICABLE DOCUMENTATION

SAPS 601 Application Form



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.36 **“AP”** – COMPLETE RETURN OF SERVICE DOCUMENT

PROCESS EXECUTION



The DSO must complete a return of service form with the particulars of the document intended to be served (Notice of Intention to Refuse) to the Dealer.

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



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 606 Return of Service **Annexure ...**

Completion Instructions attached as per **Annexure ...**

SYSTEM FUNCTIONS



TO BE ADDED (System not yet implemented).

3.37 **"AQ"** – SERVE NOTICE OF INTENTION TO REFUSE REGISTRATION

PROCESS EXECUTION

The DSO must serve the Notice of Intention to Refuse Registration to the responsible person.

The responsible person will acknowledge serve thereof by signing the SAPS 606 Return of Service.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

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.
(2) This section does not apply to notices or other documents served or given during the course of any proceedings in a court of law.”*

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.”

Paragraph 5.1.4.29 of National Instruction: Second-Hand Goods

“When an application to register a Dealer/Recycler is refused, the Dealer/Recycler must be served with a Notice of Intention to Refuse registration.

The DSO must, upon service of such notice get the responsible person to sign a SAPS 606 Return of Service acknowledging receipt of the Notice which must be filed in the Z20 Dealer/Recycler File.”



APPLICABLE DOCUMENTATION

SAPS 606 Return of Service

SAPS 21 Letter: Notice of Intention to Refuse



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.38 **“AR”** – FILE RETURN OF SERVICE

PROCESS EXECUTION

File the SAPS 606 Return of Service in the Z20 Dealer File for enquiry and record purposes.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.29** of National Instruction: Second-Hand Goods

“...The DSO must, upon service of such notice get the responsible person to sign a SAPS 606 Return of Service acknowledging receipt of the Notice which must be filed in the Z20 Dealer/Recycler File.”



APPLICABLE DOCUMENTATION

Z20 – Dealer File

SAPS 606 – Return of Service



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.39 **“AH”** – MAKE RECOMMENDATION ON APPLICATION FOR PERMANENT OR TEMPORARY REGISTRATION

PROCESS EXECUTION



After verification of all the information/documentation/reports, the DSO must make a recommendation to approve the permanent or temporary registration of the dealer.

The DSO must make a comprehensive recommendation with relevant, specific conditions to be imposed on the dealer. In the following instances, a recommendation to permanently or temporarily register a dealer must be compiled stemming from the following processes:

R – “Verify Applicant or Nominated Person’s particulars on CRIM System”
There no are previous convictions disqualifying the applicant

T – “Receive SAPS 69 Report”
Report reflects no illicit activities

X – “Request additional Information”
Applicant applied successfully at other DSO offices

AD – “Inspect Business Premises”
Address of premises is confirmed

Or if the applicant is not disqualified in any other disqualification listed under section 14 of the Act.

When making the recommendation to permanently or temporarily register a dealer the following conditions must be taken into consideration and in detail stipulated during the comprehensive Recommendation Report:

- the dealer may only carry on business of dealing in the goods or classes of goods specified
- the dealer may acquire or dispose of second-hand goods only during the business hours specified
- where such dealer acquires or disposes of second-hand goods to other dealers or recyclers, that the dealer concerned may only acquire such goods from or dispose of such goods to another registered dealer or recycler
- such dealer must make a daily, weekly or monthly report to the DSO, reporting on all transactions regarding a certain type or category of goods
- such dealer must deliver a copy of any records that must be kept in terms of the Act or as a condition of membership to an accredited association, to the DSO on a daily, weekly or monthly basis

- such dealer must make a weekly or monthly report to the DSO containing the full particulars of any person in the employ of that dealer, where such dealer knows or suspects, or should reasonably know or suspect that such employee would be disqualified from registration.
- A dealer to be issued with a temporary registration certificate must submit a monthly report to the DSO, reporting on the steps he or she has taken to meet the outstanding requirement or requirements.

RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Section 9 of the Act - Limitation or variation of conditions by National Commissioner

(1) The National Commissioner may limit or vary any or all of the conditions of registration if there is a change in the circumstances of a registered dealer requiring a limitation or variation.

Regulation 4 – Certificate of Registration and Conditions

“4 (2) The National Commissioner may authorize such dealer to carry on business subject to any of the following conditions:

- (a) the dealer may only carry on business of dealing in the goods or classes of goods specified on the certificate;***
- (b) the dealer may acquire or dispose of second-hand goods only during the business hours specified on the certificate; and***
- (c) where such dealer acquires or disposes of second-hand goods to other dealers or recyclers, that the dealer concerned may only acquire such goods from or dispose of such goods to another registered dealer or recycler.***

4 (3) If the National Commissioner is satisfied that crime trends in a station area or areas indicate that specific steps are necessary to regulate trade in a certain type or category of second-hand goods, he may authorise a dealer to carry on business in that type or category of second-hand goods subject to one or more of the following additional conditions:



- (a) such dealer must make a daily, weekly or monthly report to the Designated Police Officer, reporting on all transactions regarding a certain type or category of goods;*
- (b) such dealer must deliver a copy of any records that must be kept in terms of the Act or as a condition of membership to an accredited association, to the Designated Police Officer on a daily, weekly or monthly basis; or*
- (c) such dealer must make a weekly or monthly report to the Designated Police Officer containing the full particulars of any person in the employ of that dealer, where such dealer knows or suspects, or should reasonably know or suspect that such employee would be disqualified from registration in terms of section 14(1)(a), (b), (c) or (e) of the Act.*

4 (4) The National Commissioner may describe the principal business activities of the applicant on the certificate of registration as a

- (a) general dealer;*
- (b) auctioneer;*
- (c) jeweller;*
- (d) motor vehicle dealer;*
- (e) scrap metal dealer; or*
- (f) recycler.”*

Regulation 7 – Temporary Registration

“7.(1) If the National Commissioner is satisfied that an applicant for registration as a dealer or recycler shows good cause that

- (a) such applicant cannot meet one or more of the requirements for registration at the time of application;*
- (b) failure to meet such requirement cannot be attributed to the applicant;*
- (c) there is a reasonable prospect that the failure can be rectified within a period of 12 months; and*
- (d) the applicant shall suffer irreparable economic harm if such business cannot be registered, the National Commissioner may, subject to sub-regulation (2), issue a temporary registration certificate to such applicant.*

(2) A dealer or recycler who is issued with a temporary registration certificate must submit a monthly report to the Designated Police Officer, reporting on the steps he or she has taken to meet the requirement or requirements contemplated in sub-regulation (1)(a).

(3) A dealer or recycler who is issued with a temporary registration certificate must apply for registration as a dealer or recycler immediately upon being in a position to meet the requirement contemplated in sub-regulation (1)(a).

(4) The National Commissioner may issue a temporary registration certificate subject to the same conditions as contemplated in regulation 4(2) and (3)."

Paragraph 5.1.4.24 of National Instruction: 1/2013 Second-Hand Goods

"The Dealer/Recycler File must be forwarded to the Station Commander/Cluster Commander/Provincial Head: FLASH with a recommendation that the application be refused or approved. The application must be recommended for approval unless:

- The applicant or a manager of the business is disqualified under Section 14 of the Act;***
- The application remains incomplete after two referrals back to the applicant;***
- The applicant does not return the application after ten (10) working days; or***
- Any other reason why the application should not be recommended as stated in the written report by the DSO."***

APPLICABLE DOCUMENTATION

SAPS 601 Application Form



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.40 **“A”** – MAKE THE EXPIRY DATE FOR RECYCLER REGISTRATION THE SAME AS THE CORRESPONDING DEALER REGISTRATION

PROCESS EXECUTION

The DSO must make an endorsement in the Z20 Dealer File and on SAPS 601 Application Form of the expiry date so that the expiry date of the Recycler registration corresponds with the expiry date of Dealer registration if the Dealer is both a Dealer and Recycler.



RESPONSIBLE PERSON(S)

- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

N/A



APPLICABLE DOCUMENTATION

Z20 Dealer File

SAPS 601 Application Form



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.41 **“AJ”** – SEND DEALER APPLICATION AND RECOMMENDATION TO STATION COMMANDER

PROCESS EXECUTION

The DSO sends the combined documents with the recommendation to the Station Commander where the file containing all documentation is received.



RESPONSIBLE PERSON(S)

- Station Commander
- Designated Second-Hand Goods Officer (DSO)



GOVERNANCE

Paragraph **5.1.4.28** of National Instruction: 1/2013 – Second-Hand Goods

“The Dealer/Recycler File is submitted to the Station Commander for final consideration.”



APPLICABLE DOCUMENTATION

Z20 Dealer File



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.42 **AK** – DECISION MAKER RECEIVES RECOMMENDATION

PROCESS EXECUTION

The DSO sends the combined documents with the recommendation to the Station Commander whereupon the file with the compiled content is received.



RESPONSIBLE PERSON(S)

- Station Commander



GOVERNANCE

Paragraph **5.1.4.28** of National Instruction: 1/2013 – Second-Hand Goods

“The Dealer/Recycler File is submitted to the Station Commander for final consideration.”



APPLICABLE DOCUMENTATION

Z20 Dealer File

SAPS 601 Application Form



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.43.1 **“AL”(1) – MAKE DECISION ON RECOMMENDED APPLICATION TO APPROVE (PERMANENT REGISTRATION)**

PROCESS EXECUTION

The Station Commander, taking into consideration the recommendation of the DSO, makes the final decision.



RESPONSIBLE PERSON(S)

- Station Commander



GOVERNANCE

Section 7 of the Act – Effect of registration

- “7. (1) Where a dealer is registered in accordance with section 3(3), the National Commissioner must issue the prescribed certificate of registration to a dealer, authorising the dealer to carry on business—*
- (a) in respect of the classes of second-hand goods specified on the certificate;*
 - (b) on the premises specified on the certificate; and*
 - (c) subject to such of the prescribed conditions as the National Commissioner may impose.*
- (2) The National Commissioner must issue a certificate for each premises on which the dealer may conduct business.*
- (3) If a person other than a natural person carries on business as a dealer, the certificate must be issued in the name of the person contemplated in section 2(2).*
- (4) Registration does not exempt a dealer from having to comply with the provisions of any other law.*
- (5) Registration remains valid for a period of five years from the date the certificate is issued.”*



Paragraph 5.1.4.24 of National Instruction: 1/2013 – Second-Hand Goods

“The Dealer File must be forwarded to the Station Commander with a recommendation that the application be refused or approved. The application must be recommended for approval unless:

- *The applicant or a manager of the business is disqualified under Section 14 of the Act;*

- *The application remains incomplete after two referrals back to the applicant;*
 - *The applicant does not return the application after ten (10) working days; or*
- Any other reason why the application should not be recommended as stated in the written report by the DSO.”*

APPLICABLE DOCUMENTATION

Z20 Dealer File

SAPS 601 Application Form



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.43.2 **“AL”(2)** – MAKE DECISION ON RECOMMENDED APPLICATION TO APPROVE (TEMPORARY REGISTRATION)

PROCESS EXECUTION



If Column C of the SAPS 601 Application form indicates that there are outstanding documents and /or information the DSO needs to establish if the Dealer will have the ability to become compliant within the prescribed time allocated to become compliant.

If a Dealer for some or other reason has the ability to become compliant within the allotted timeframe a Temporary Registration must be approved.

The DSO must indicate in the recommendation the following conditions:

- A dealer must submit a monthly report to the Designated Police Officer, reporting on the steps which were taken to meet the requirement(s) or could not meet at the time of the application.

As soon as that dealer is in a able to meet the requirements, an application must immediately be made for permanent registration of the dealer.

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



Section 13 of the Act –Temporary registration

**“13. (1) Subject to section 14, the National Commissioner may grant temporary registration to a person—
(a) for such period as may be prescribed; and
(b) subject to prescribed conditions.**

(2) The National Commissioner may at any time withdraw temporary registration if any condition contemplated in subsection (1)(b) is not complied with.”

Regulation 7 – Temporary Registration

“7.(1) If the National Commissioner is satisfied that an applicant for registration as a dealer or recycler shows good cause that

- (a) such applicant cannot meet one or more of the requirements for registration at the time of application;***
 - (b) failure to meet such requirement cannot be attributed to the applicant;***
 - (c) there is a reasonable prospect that the failure can be rectified within a period of 12 months; and***
 - (d) the applicant shall suffer irreparable economic harm if such business cannot be registered, the National Commissioner may, subject to sub-regulation (2), issue a temporary registration certificate to such applicant.***
- (2) A dealer or recycler who is issued with a temporary registration certificate must submit a monthly report to the Designated Police Officer, reporting on the steps he or she has taken to meet the requirement or requirements contemplated in sub-regulation (1)(a).***
- (3) A dealer or recycler who is issued with a temporary registration certificate must apply for registration as a dealer or recycler immediately upon being in a position to meet the requirement contemplated in sub-regulation (1)(a).***
- (4) The National Commissioner may issue a temporary registration certificate subject to the same conditions as contemplated in regulation 4(2) and (3).”***

Paragraph 5.3.2 of National Instruction: 1/2013 Second-Hand Goods

“Temporary registration is aimed at assisting dealers/recyclers with compliance to the Act and is therefore less formal than a normal application for registration.”

Paragraph 5.3.4 of National Instruction: 1/2013 Second-Hand Goods

“A dealer or recycler who is issued with a temporary registration certificate must submit a monthly report to the Designated Police Officer, reporting on the steps he or she has taken to meet the requirement or requirements he or she could not meet at the time of application.”

Paragraph 5.3.5 of National Instruction: 1/2013 Second-Hand Goods

“As soon as that dealer or recycler is in a position to meet the requirement, he or she must immediately apply for registration as a dealer or recycler.”

APPLICABLE DOCUMENTATION

Z20 Dealer File

SAPS 601 Application Form



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).



3.44 “AM” – REGISTER DEALER

PROCESS EXECUTION



The DSO will receive the decision to approve the application to register the Dealer either permanently or temporarily with the Z20 Dealer File.

The DSO will then prepare the SAPS 601(a) or (d) Registration Certificate (permanent/temporary) either electronically or manually.

The DSO will then update the SAPS 603 Register for Received Second-Hand Goods Documentation and the Second-Hand Goods Control System in terms of the approval.

RESPONSIBLE PERSON(S)



- Designated Second-Hand Goods Officer (DSO)

GOVERNANCE



Section 7 of the Act – Effect of registration

- “7. (1) Where a dealer is registered in accordance with section 3(3), the National Commissioner must issue the prescribed certificate of registration to a dealer, authorising the dealer to carry on business—***
- (a) in respect of the classes of second-hand goods specified on the certificate;***
 - (b) on the premises specified on the certificate; and***
 - (c) subject to such of the prescribed conditions as the National Commissioner may impose.***
- (2) The National Commissioner must issue a certificate for each premises on which the dealer may conduct business.***
- (3) If a person other than a natural person carries on business as a dealer, the certificate must be issued in the name of the person contemplated in section 2(2).***
- (4) Registration does not exempt a dealer from having to comply with the provisions of any other law.***
- (5) Registration remains valid for a period of five years from the date the certificate is issued.”***

Section 13 of the Act –Temporary registration

*“13.(1) Subject to section 14, the National Commissioner may grant temporary registration to a person—
(a) for such period as may be prescribed; and
(b) subject to prescribed conditions.*

(2) The National Commissioner may at any time withdraw temporary registration if any condition contemplated in subsection (1)(b) is not complied with.”

Paragraph 5.1.4.30 of the National Instruction: 1/2013 Second- Hand Goods

“In the event that the Station Commander approves the application the file must be returned to the DSO for the preparation of the SAPS 601 (a) (Dealer Certificate) and/or (b) (Recycler Certificate) certificates after which the Station Commander must sign and date stamp the SAPS 601 (a) and/or (b) certificates on the designated area. The SAPS 601 (a) and (b) Certificates must be completed as per the relevant Completion Instructions.”

Paragraph 5.3.7.19 of the National Instruction: 1/2013 Second- Hand Goods

“In the event that the Station Commander approves the application the file must be returned to the DSO for the preparation of the SAPS 601(d) (Temporary Certificate) after which the Station Commander must sign and date stamp the SAPS 601(d) Certificate on the designated area. The SAPS 601(d) Certificate must be completed as per the relevant Completion Instructions.”

APPLICABLE DOCUMENTATION

SAPS 603 Register for Received Second-Hand Goods Documentation

SAPS 601(a) Registration Certificate (Permanent)
SAPS 601(d) Registration Certificate (Temporary)

Z20 Dealer File



SYSTEM FUNCTIONS

TO BE ADDED (System not yet implemented).

