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## GOVERNMENT NOTICE

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### DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

No. 780

10 October 2014

#### **DECLARATION OF PEACE OFFICERS IN TERMS OF SECTION 334 OF THE CRIMINAL PROCEDURE ACT, 1977 (ACT NO. 51 OF 1977): CERTAIN PERSONS CONTEMPLATED IN THE ANIMAL DISEASES ACT, 1984 (ACT NO. 35 OF 1984)**

I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, in terms of —

- (a) section 334(1)(a) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), hereby declare that every person who, by virtue of his or her office, falls within a category defined in Column 1 of the Schedule to this notice, shall, within the area specified in Column 2 of the Schedule, be a peace officer for the purpose of exercising, with reference to the offences specified in Column 3 of the Schedule, the powers defined in Column 4 of the Schedule;
- (b) section 334(3)(a) of the Criminal Procedure Act, 1977, hereby prescribe that —
  - (i) a certificate of appointment referred to in section 334(2)(a) of the Criminal Procedure Act, 1977, shall be issued to a person referred to in Column 1 of the Schedule only if the employer of that person has been furnished with a certificate of competency issued by the National Commissioner of the South African Police Service;
  - (ii) it must be stated in the certificate of competency contemplated in subparagraph (i) that, in the opinion of the National Commissioner of the South African Police Service, such person is competent to exercise the powers defined in Column 4 of the Schedule; and

- (iii) for the purposes of the issuing of a certificate of competency by the National Commissioner of the South African Police Service, the following criteria shall be considered:
  - (aa) The previous criminal convictions of the applicant;
  - (bb) whether the applicant has been declared unfit to possess a firearm as contemplated in the Firearms Control Act, 2000 (Act No. 60 of 2000), or other relevant legislation; and
  - (cc) the training undergone by the applicant with regard to the powers to be exercised; and
- (c) section 334(3)(b) of the Criminal Procedure Act, 1977, hereby prescribe that the following information shall, in addition to that which the employer may include, appear in or on the certificate of appointment referred to in section 334(2) of the Criminal Procedure Act, 1977:
  - (i) The full name of the person so appointed;
  - (ii) his or her identity number;
  - (iii) his or her signature;
  - (iv) his or her photograph;
  - (v) a description of the capacity in which he or she was appointed;
  - (vi) the name of the employer who made the appointment; and
  - (vii) the signature and official stamp of the employer or responsible person.



**MR TSHILILO MICHAEL MASUTHA, MP (Adv)**  
**MINISTER OF JUSTICE AND CORRECTIONAL SERVICES**

## SCHEDULE

Column 1	Column 2	Column 3	Column 4
<p>(i) The Director of the Directorate of Animal Health of the Department of Agriculture contemplated in section 2(1) of the Animal Diseases Act, 1984 (Act No. 35 of 1984).</p> <p>(ii) An officer under a delegation from or under the control of the Director of the Directorate of Animal Health of the Department of Agriculture as contemplated in section 2(3)(a) of the Animal Diseases Act, 1984 (Act No. 35 of 1984).</p>	Gauteng Province.	Any offence provided for in terms of the Animal Diseases Act, 1984 (Act No. 35 of 1984).	<p>(i) The powers conferred upon a police official or a peace officer in terms of Chapter 2 of the Criminal Procedure Act, 1977.</p> <p>(ii) The power to arrest a person without a warrant in terms of section 40(1) of the Criminal Procedure Act, 1977.</p> <p>(iii) The powers conferred upon a peace officer under section 41(1) of the Criminal Procedure Act, 1977.</p> <p>(iv) The execution of warrants of arrest in terms of section 44 of the Criminal Procedure Act, 1977.</p> <p>(v) The power to issue a written</p>

notice in terms of section 56 of the Criminal Procedure Act, 1977.	(vi) The power to issue a written notice in terms of section 341 of the Criminal Procedure Act, 1977.						
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