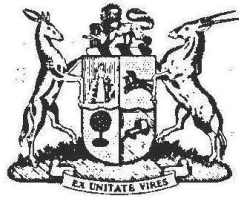


Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.



REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

STAATSKOERANT

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CAPE TOWN, 23 MAY 1980

[No. 7004

KAAPSTAD, 23 MEI 1980

DEPARTMENT OF THE PRIME MINISTER

DEPARTEMENT VAN DIE EERSTE MINISTER

No. 982.

23 May 1980.

No. 982.

23 Mei 1980.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 50 of 1980: Police Amendment Act, 1980.

No. 50 van 1980: Polisiewysigingswet, 1980.

POLICE AMENDMENT ACT, 1980

Act No. 50, 1980

GENERAL EXPLANATORY NOTE:

- [** **]** Words in bold type in square brackets indicate omissions from existing enactments.
- _____ Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend certain provisions of the Police Act, 1958, so as to further regulate the powers and duties of members of the South African Police as well as the requirements for qualification as a member of the Police Reserve; and to provide for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 2 May 1980.)*

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 6 of the Police Act, 1958 (hereinafter referred to as the principal Act), is hereby amended by the addition of the following subsections:
- 5 “(6) If the Commissioner deems it necessary for the purposes of the performance of the functions of the South African Police he may, with the approval of the Minister, direct any member of the Force to perform service at any place outside the Republic.
- 10 (7) A member of the Force in respect of whom a direction has been issued in terms of the provisions of subsection (6), shall perform service in accordance with such direction and shall, while so performing service, remain subject, unless the Minister in a particular case otherwise directs, to the provisions of this Act as if performing service within the Republic.”
- 15 Republic.”
2. Section 34A of the principal Act is hereby amended—
- 20 (a) by the substitution for subsection (1) of the following subsection:
- “(1) There is hereby established a Police Reserve consisting of—
- 25 (a) every person who has served in the Force in a permanent capacity for a period of not less than six months and who, before or after the commencement of the Police Amendment Act, 1972 (Act No. 94 of 1972), but before the commencement of the Police Amendment Act, 1975 (Act No. 15 of 1975), terminated his service, was discharged or dismissed from the Force or was retired on pension;
- 30 (b) every person, excluding a person referred to in paragraph (bA) or (bB), who has served in the Force in a permanent capacity for a period of not less than twelve months and who, after the commencement of the Police Amendment Act, 1975, terminates his service, is discharged or dismissed from the Force or is retired on pension;
- 35

Amendment of section 6 of Act 7 of 1958, as amended by section 4 of Act 64 of 1964, section 1 of Act 74 of 1965, section 3 of Act 34 of 1973 and section 2 of Act 64 of 1979.

Amendment of section 34A of Act 7 of 1958, as substituted by section 1 of Act 15 of 1975 and amended by section 1 of Act 34 of 1976, section 10 of Act 90 of 1977 and section 11 of Act 64 of 1979.

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- 5 (bA) every person who **[has been]** was enrolled as a member of the Force after 1 October 1976 but before 1 January 1980 and who, after having served in the Force in a permanent capacity for a period of not less than twenty-four months, terminates his service, is discharged or dismissed from the Force or is retired on pension; **[and]**
- 10 (bB) every person who was enrolled as a member of the Force on or after 1 January 1980 and who, after having served in the Force in a permanent capacity for a period of not less than forty-eight months, terminates his service, is discharged or dismissed from the Force or is retired on pension and, provided he is designated by the Minister, also
- 15 a person who was so enrolled and has so served in a permanent capacity but who, before the expiration of the said period of forty-eight months, so terminates his service, is discharged or dismissed from the Force or is retired on pension; and
- 20 (c) every person who is in terms of the Defence Act, 1957 (Act No. 44 of 1957), allotted to the Force for training and service, as well as any such person who has completed the service referred to in subsections (10) and (11) or (10) and (12).";
- 25 (b) by the substitution for paragraph (a) of subsection (2) of the following paragraph:
- 30 "(a) Every member of the Police Reserve referred to in subsection (1) (b) **[or]**, (bA) or (bB) shall in writing notify an officer designated by the Commissioner of his name and residential address within three months after he has become such a member.";
- (c) by the substitution for subsection (4) of the following subsection:
- 35 "(4) No member of the Police Reserve referred to in subsection (1) (a), (b) **[or]**, (bA) or (bB) shall be compelled to serve in the Force in a rank inferior to the rank in which he served in the Force at the termination of his permanent service.";
- 40 (d) by the substitution for subsection (5) of the following subsection:
- 45 "(5) The period referred to in subsection (3) shall, subject to the provisions of subsection (11), not exceed 90 days per year, and in the aggregate not 150 days in the case of any person who becomes a member of the Police Reserve before 1 July 1979, or 180 days in the case of any person who becomes a member of the Police Reserve on or after 1 July 1979 but before 1 January 1980, or 240 days in the case of any person who
- 50 becomes a member of the Police Reserve on or after 1 January 1980: Provided that where any member of the Police Reserve has on or after 1 July 1979 rendered more than two years continuous service in a permanent capacity in the Force, his obligation so to serve shall be reduced by 30 days in respect of every completed year of such continuous service.";
- 55 (e) by the substitution for paragraph (a) of subsection (6) of the following paragraph:
- 60 "(a) to a member of the Police Reserve referred to in subsection (1) (a), (b) or (bA) after the expiration of a period of five years, or to a member of the Police Reserve referred to in subsection (1) (bB) after the expiration of a period of eight years, as from the date on which he terminated his service in a permanent capacity in the Force or the date on which he was discharged or dismissed from the Force or was retired on pension from such service; or";
- 65

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- (f) by the substitution for subsection (9) of the following subsection:
5 “(9) No provision of this Act shall be so construed as to exempt any person (excluding a person designated by the Minister in terms of subsection (1) (bB)) who at the termination of his permanent service in the Force has served as such for a period of less than six months, twelve months **[or]**, twenty-four months or forty-eight months, as the case may be, or any member of the Police Reserve who in terms of this section is exempted from service in the Force or discharged or dismissed from the Force, from the provisions of the Defence Act, 1957.”;
- 10
- (g) by the substitution for paragraph (b) of subsection (11) of the following paragraph:
15 “(b) in the case of any person allotted to the Force for training and service on or after 1 July 1977 but before 1 January 1980, be completed in not more than five periods and shall not exceed 24 months during the first period of service and 90 days during every later period of service and in the aggregate 180 days during such later periods of service; and”;
- 20
- (h) by the addition of the following paragraph to subsection (11):
25 “(c) in the case of any person allotted to the Force for training and service on or after 1 January 1980, be completed in not more than eight periods and shall not exceed 24 months during the first period of service and 90 days during every later period of service and in the aggregate 240 days during such later periods of service.”; and
- 30
- (i) by the substitution for subsection (14) of the following subsection:
35 “(14) The provisions of the Moratorium Act, 1963 (Act No. 25 of 1963), shall *mutatis mutandis* apply also with reference to any member of the Police Reserve mentioned in subsection (1) (a), (b) **[or]**, (bA) or (bB) who renders continuous service in the Force as such, as if such continuous service is the continuous service which is rendered in terms of subsection (10) by a member of the Police Reserve mentioned in subsection (1) (c).”.
- 40

3. This Act shall be called the Police Amendment Act, 1980. Short title.