

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.



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 1121.

9 Junie 1982.

No. 1121.

9 June 1982.

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

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

No. 80 van 1982: Poswysigingswet, 1982.

No. 80 of 1982: Post Office Amendment Act, 1982.

POST OFFICE AMENDMENT ACT, 1982

Act No. 80, 1982

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 the provisions of the Post Office Act, 1958, so as to make other provision relating to the Ministers who may direct that certain postal articles or certain communications by telecommunications line be intercepted in the interests of the security of the Republic; to limit the period for which it may be directed that such an interception be made; and to prescribe minimum requirements in respect of the officers in the service of the Department of Posts and Telecommunications or the other persons in the service of the State who may be authorized or designated for certain purposes; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 1 June 1982.)

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

1. Section 118A of the Post Office Act, 1958, is hereby amended—
- 5 (a) by the substitution for subsection (1) of the following subsection:
- “(1) (a) At the request of a person referred to in subsection (2)—
- 10 (i) the Minister who administers the National Intelligence Service, the Minister of Law and Order or the Minister of Defence, acting with the concurrence of the Minister; or
- (ii) the Minister or an officer authorized thereto by the Minister,
- 15 (hereinafter referred to as the functionary) may, depending on the nature of the request, direct that a particular postal article or a particular communication which has been or is being or is intended to be transmitted by telephone or in any other manner over a telecommunications line be intercepted,
- 20 or that all postal articles or all such communications to or from any particular person, body or organization be intercepted for such period, but not exceeding six months, as the functionary concerned may determine and specify in the direction.
- 25 (b) A direction issued under paragraph (a) for the interception of any communication **[by telephone]** referred to in that paragraph, shall be deemed to **[include]** authorize the making available to the person making the request in question of facilities to listen in to or to examine the communication in question.”;
- 30 (b) by the substitution for paragraph (a) of subsection (2) of the following paragraph:

Amendment of section 118A of Act 44 of 1958, as inserted by section 1 of Act 101 of 1972.

POST OFFICE AMENDMENT ACT, 1982

Act No. 80, 1982

- 5 “(a) The **[said]** State Security Council established under the Security Intelligence and State Security Council Act, 1972 (Act No. 64 of 1972), shall from time to time designate the person or persons in the service of the State who may make the request referred to in subsection (1).”;
- (c) by the substitution for subparagraph (iii) of paragraph (b) of subsection (2) of the following subparagraph:
- 10 “(iii) sufficient particulars to identify any postal article **[, telegram]** or communication involved, including particulars relating to the name and, where known, the address of the person, body or organization concerned, and any number allocated by the department in respect of any **[telephone] telecommunications service** involved.”;
- 15 (d) by the substitution for paragraph (b) of subsection (3) of the following paragraph:
- 20 “(b) The functionary concerned or, if he is not available, any other functionary may, upon the written application of the person concerned, extend, for a period not exceeding six months at a time, any period [specified] determined under subsection (1) if he is satisfied that the extension is necessary in the interests of the security of the Republic.”;
- 25 (e) by the substitution for subsection (4) of the following subsection:
- 30 “(4) Where a functionary issues a direction under subsection (1), the person who made the request in question or any person expressly authorized thereto by him may take possession of and examine any postal article or telegram in question or, as the case may be, listen in to or make a recording of any communication in question.”; and
- 35 (f) by the addition of the following subsection:
- 40 “(7) No officer occupying in the department a post of a lower grading than that of the post of Deputy Postmaster General shall be authorized under subsection (1) (a) (ii) and no person occupying a post of a lower grading than that of Deputy Director-General in the public service shall be designated under subsection (2) (a).”.

2. This Act shall be called the Post Office Amendment Act, Short title. 1982.