

No. 74, 1965.]

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.

ACT

To amend the Police Act, 1958.

(English text signed by the State President.)
(Assented to 16th June, 1965.)

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

Amendment of section 6 of Act 7 of 1958, as amended by section 4 of Act 64 of 1964.

1. Section six of the Police Act, 1958 (hereinafter referred to as the principal Act), is hereby amended by the addition of the following sub-section:—

- “(4) (a) Notwithstanding anything to the contrary in any law contained, any member of the Force may, in the performance of the functions referred to in section five, search without warrant any person, premises, other place, vehicle, vessel or aircraft, or any receptacle of whatever nature, at any place in the Republic within a distance of one mile of any border between the Republic and any foreign State or territory and seize anything found by him upon such person or upon or at or in such premises, other place, vehicle, vessel, aircraft or receptacle.
- (b) Whenever a woman is searched under paragraph (a), the search shall be made by a woman only, with strict regard to decency, and if there is no woman who is a member of the Force, available for such search, the search may be made by any woman specially designated for the purpose by a member of the Force.
- (c) The provisions of section fifty of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), shall *mutatis mutandis* apply in respect of anything seized under paragraph (a).”

Insertion of section 32bis in Act 7 of 1958.

2. The following section is hereby inserted in the principal Act after section thirty-two:

“Limitation of liability of the State and members of the Force.

32bis. Whenever any person is conveyed in or makes use of any vehicle, aircraft or vessel, the property of the State in its Department of the South African Police, the State or any member of the Force shall not be liable to such person or his spouse, parent, child or other dependant for any loss or damage resulting from any bodily injury, loss of life or loss of or damage to property caused by or arising out of or in any way connected with the conveyance in or the use of such vehicle, aircraft or vessel, unless such person is so conveyed or makes use thereof in or in the interests of, the performance of the functions of the State: Provided that the provisions of this section shall not affect the liability of a member of the Force who wilfully causes the said loss or damage.”

Short title.

3. This Act shall be called the Police Amendment Act, 1965.