

DEPARTMENT OF POLICE

NO. 438

21 May 2021

**INVITATION FOR PUBLIC COMMENTS:
DRAFT PROTECTION OF CONSTITUTIONAL DEMOCRACY AGAINST TERRORIST
AND RELATED ACTIVITIES AMENDMENT BILL, 2021**

1. Notice is hereby given that the draft Protection of Constitutional Democracy against Terrorist and Related Activities Amendment Bill, 2021 (“the draft Bill”) is made available for public comments. The draft Bill, the Object Memorandum thereto, as well as the Socio-Economic Impact Assessment System (SEIAS) Report are posted on the website of the Civilian Secretariat for Police Service at: <http://www.policeseecretariat.gov.za>
2. The draft Bill seeks to update the Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004) (“the principal Act”) with regard to developments in international law, to give effect to certain Constitutional Court judgments and to address challenges experienced with conducting investigations and prosecutions. Particular provisions have been inserted to cater for foreign terrorist fighters and to address the sentencing of the financing of terrorism.
3. The proposals involve the amendment of certain definitions in the principal Act, and the insertion of some new offences related to maritime and aviation security. It proposes to place the responsibility for the publication of United Nations

Security Council Resolutions in a notice in the *Gazette*, and other appropriate means, with the Minister of Finance in terms of the Financial Intelligence Centre Act, 2001 (Act No. 38 of 2001) and the Director of the Financial Intelligence Centre. It simplifies the interpretation of the jurisdiction provision and expands the extradition provisions to all terrorism related offences in the principal Act.

4. All interested persons and organisations are invited to submit written comments on the draft Bill and Socio-Economic Impact Assessment System Report no later than 45 days from date of publication of this notice by –
 - (i) e-mail to: comments.pcdtbill@csp.gov.za
 - (ii) posting comments to:
Secretary for Police Service, for attention of Dr. PC Jacobs at:
Civilian Secretariat for Police Service
Private Bag X922,
PRETORIA
0001
 - (iii) hand delivery at the Civilian Secretariat for Police Service at Van Erkom Building, Van Erkom Arcade, 7th Floor, 217 Pretorius Street **PRETORIA**.
5. Kindly provide the name, postal and e-mail address, telephone and fax number of the person or organisation submitting the comments.
6. Enquiries regarding access to a copy of the draft Bill may be made to Ms Lornah Legomo at telephone no. (012) 393 4658 or by email lornah.legomo@csp.gov.za