

**CIVILIAN SECRETARIAT FOR THE POLICE SERVICE****NOTICE 3670 OF 2025****PUBLICATION OF THE EXPLANATORY SUMMARY OF THE SOUTH AFRICAN  
POLICE SERVICE AMENDMENT BILL, 2025**

1. Notice is hereby given in terms of Rule 276(1)(b) of the Rules of the National Assembly that the Minister of Police intends to introduce the South African Police Service Amendment Bill, 2025 ("the Bill") in Parliament.
2. The explanatory summary of the Bill is hereby published in accordance with rule 276(1)(c) of the Rules of the National Assembly.
3. The Bill seeks to amend the South African Police Service Act, 1995 (Act No. 68 of 1995) to align the Act with the Constitution, 1996, the National Development Plan 2030, the White Paper on Policing of 2016, the White Paper on Safety and Security of 2016, the Community Policing Policy and the Policy on a Single Police Service.

The Bill also proposes amendments to the Regulation of Gatherings Act, to provide that in the instance of a gathering or demonstration, a member of the South African Police Service ("Service") may only use minimum force which is reasonably necessary and proportional in the circumstances. The Bill further addresses the Constitutional Court's finding in the Mlungwana judgment that section 12(1)(a) of the Regulation of Gatherings Act is unconstitutional.

The Bill proposes amendments to the National Road Traffic Act, 1996 (Act No. 93 of 1996) ("National Road Traffic Act"), to provide that when the Minister of Transport has made regulations regarding the curricula for traffic officers, the National Commissioner of the Service and the national policing co-ordinating committee must be consulted before such curricula are published in the Gazette.

The Bill further proposes amendments to the Civilian Secretariat for Police Service Act to provide for the establishment of neighbourhood patrolling, neighbourhood watch and farm watch associations, community policing forums,

district, provincial community policing boards and the National Community Policing Board.

4. The Bill intends to amend the South African Police Service Act, 1995, so as to insert, delete and amend certain definitions; to provide for the purpose of the South African Police Service Act, 1995; to delete provisions related to the Civilian Secretariat for the Police Service; to provide for the establishment of the South African Police Service as the single national police service contemplated in section 199(1) and section 205(1) of the Constitution; to strengthen the provisions of the South African Police Service Act, 1995, relating to the establishment, powers, functions and control of municipal police services as provided for in section 206(7) of the Constitution; to further regulate the functions of the National Commissioner and Provincial Commissioners; to provide for the establishment of the National Policing Advisory Committee to advise the National Commissioner on issues such as selection criteria for appointment and promotion of members of the Service and the professionalization of the Service; to provide for the funding of the National Policing Advisory Committee; to provide for the appointment of a Secretariat for the National Policing Advisory Committee and the functions thereof; to provide that Deputy National Commissioners of the Service will, in respect of a loss of confidence in them by the National Commissioner, be subject to investigation by an inquiry similar to that applicable to a Provincial Commissioner; to provide for a Management Forum as opposed to a Board of Commissioners; to regulate the functions of the National Commissioner and the Provincial Commissioners; to provide that the use of force must be reasonably necessary and proportionate in the circumstances; to provide for service outside the Republic by members of the Service and members of the Directorate for Priority Crime Investigation; to provide for integrity testing of new members of the Service and lifestyle audits of all members; to provide for the inclusion of municipal police recruits in the requirement to submit a DNA sample for the purpose of a DNA profile to be included in the Elimination Index; to provide for the deployment of the national public order policing capacity by the National Commissioner; to provide for deviations from National Instructions by the Directorate for Priority Crime Investigation; to provide for textual corrections; to provide for service

arrangements regarding the performance of services of personnel for the Directorate for Priority Crime Investigation; to provide that the retired judge may initiate investigations on behalf of a complainant or which emerge from other related investigations; to provide for the appointment of an office manager for the office of the retired judge; to provide that the retired judge may summons persons to appear before him or her; to provide for the establishment of specialised units by the National Commissioner; to provide for the establishment of the Intelligence Division of the Service; to provide for the repeal of most of the provisions relating to community policing forums and boards in the South African Police Service Act, 1995, and the enactment of new provisions regulating community policing forums, district community policing boards and provincial community policing boards; to further regulate the filling of posts in the Service; to provide that members will be deemed to be dismissed after a period of absence of 30 calendar days; to provide for the establishment by the National Commissioner of a disciplinary system which will be managed by dedicated, appropriately qualified and trained disciplinary units of presiding and disciplinary officers who are solely dedicated to disciplinary matters; to provide for the seizure or attachment of property of the Service and to improve measures relating to the property of the Service; to provide for the appointment of a Chief of a municipal police service; to provide for the establishment of a municipal public order policing capacity; to provide for the establishment of a national policing coordinating committee; to provide for offences relating to the unlawful possession and use of a lamp, fitted in a vehicle or displayed in or on a vehicle, capable of emitting blue light; to provide for an offence in respect of hoaxes and the spreading of false information; to provide for an offence relating to members who are involved in investigations whilst having a conflict of interest; and to provide for matters connected therewith.

- 5 A copy of the Bill can be obtained from the website of the Department of Civilian Secretariat for Police Service at <http://www.policeseecretariat.gov.za>