
GOVERNMENT NOTICES

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

No. R. 691

2 September 2014

**DECLARATION OF PEACE OFFICERS IN TERMS OF SECTION 334 OF THE
CRIMINAL PROCEDURE ACT, 1977 (ACT NO. 51 OF 1977): INSPECTORS
APPOINTED IN TERMS OF SECTION 81 OF THE KWAZULU-NATAL LIQUOR
LICENSING ACT, 2010 (ACT NO. 6 OF 2010) AND SECTION 73 OF THE
WESTERN CAPE LIQUOR ACT, 2008 (ACT NO. 4 OF 2008)**

I, Tshililo Michael Masutha, Minister of Justice and Correctional Services in terms of
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- (a) section 334(1)(a) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), hereby declare that every person who, by virtue of his or her office, falls within a category as defined in Column 1 of the Schedule to this notice, shall, within the area specified in Column 2 of the Schedule, be a peace officer for the purpose of exercising, with reference to the offences specified in Column 3 of the Schedule, the powers defined in Column 4 of the Schedule;
- (b) section 334(3)(a) of the Criminal Procedure Act, 1977, hereby prescribe that —
 - (i) a certificate of appointment referred to in section 334(2)(a) of the Criminal Procedure Act, 1977, shall be issued to a person referred to in Column 1 of the Schedule, only if the employer of that person has been furnished with a certificate of competency issued by the National Commissioner of the South African Police Service;

- (ii) it must be stated in the certificate of competency referred to in subparagraph (i) that, in the opinion of the National Commissioner of the South African Police Service, such person is competent to exercise the powers defined in Column 4 of the Schedule; and
- (iii) for the purposes of the issuing of a certificate of competency by the National Commissioner of the South African Police Service, the following criteria shall be considered:
 - (aa) The previous criminal convictions of the applicant;
 - (bb) whether the applicant has been declared unfit to possess a firearm as contemplated in the Firearms Control Act, 2000 (Act No. 60 of 2000), or other relevant legislation; and
 - (cc) the training undergone by the applicant with regard to the powers to be exercised; and
- (c) section 334(3)(b) of the Criminal Procedure Act, 1977, hereby prescribe that the following information shall, in addition to that which the employer may include, appear in or on the certificate of appointment referred to in section 334(2) of the Criminal Procedure Act, 1977:
 - (i) The full name of the person so appointed;
 - (ii) his or her identity number;
 - (iii) his or her signature;
 - (iv) his or her photograph;
 - (v) a brief description of the capacity in which he or she was appointed;
 - (vi) the name of the employer who made the appointment; and
 - (vii) the signature and official stamp of the employer or responsible person.

T M MASUTHA, MP (ADV)

MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

SCHEDULE

Column 1	Column 2	Column 3	Column 4
<p>Inspectors appointed in terms of section 81(1)(a) of the KwaZulu-Natal Liquor Licensing Act, 2010 (Act No. 6 of 2010)</p> <p>Inspectors appointed in terms of section 73(4) of the Western Cape Liquor Act, 2008 (Act No. 4 of 2008).</p>	<p>The KwaZulu-Natal Province</p> <p>The Western Cape Province</p>	<p>Any offence provided for in terms of the KwaZulu-Natal Liquor Licensing Act, 2010 (Act No. 6 of 2010).</p> <p>Any offence provided for in terms of the Western Cape Liquor Act, 2008 (Act No. 4 of 2008).</p>	<p>(i) The powers conferred upon a police official or a peace officer in terms of Chapter 2 of the Criminal Procedure Act, 1977.</p> <p>(ii) The power to arrest a person without a warrant in terms of section 40(1) of the Criminal Procedure Act, 1977.</p> <p>(iii) The powers conferred upon a peace officer under section 41(1) of the Criminal Procedure Act, 1977.</p> <p>(iv) The execution of warrants of arrest in terms of section 44 of the Criminal Procedure Act, 1977.</p> <p>(v) The power to issue a written notice in terms of section 56 of the Criminal</p>

			<p>Procedure Act, 1977.</p> <p>(vi) The power to issue a written notice in terms of section 341 of the Criminal Procedure Act, 1977.</p>
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No. R. 692

2 September 2014

DECLARATION OF PEACE OFFICERS IN TERMS OF SECTION 334 OF THE CRIMINAL PROCEDURE ACT, 1977 (ACT NO. 51 OF 1977)

I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, in terms of—

1. section 334(1)(a) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), hereby declare that every person who, by virtue of his or her office, falls within a category as defined in Column 1 of the Schedule to this notice, shall, within the area specified in Column 2 of the Schedule, be a peace officer for the purpose of exercising, with reference to the offences specified in Column 3 of the Schedule, the powers defined in Column 4 of the Schedule;
2. section 334(3)(a) of the Criminal Procedure Act, 1977, hereby prescribe that —
 - (a) a certificate of appointment referred to in section 334(2)(a) of the Criminal Procedure Act, 1977, shall only be issued to a person referred to in Column 1 of the Schedule, if the employer of that person has been furnished with a certificate issued by the National Commissioner of the South African Police Service;
 - (b) it must be stated in the certificate contemplated in paragraph (a) that, in the opinion of the National Commissioner, such person is competent to exercise the relevant powers as defined in Column 4 of the relevant Part of the Schedule; and
 - (c) for the purposes of the issuing of a certificate by the National Commissioner, the following criteria shall be considered:
 - (i) The previous criminal convictions of the applicant;
 - (ii) whether the person has been declared unfit to possess a firearm as contemplated in the Firearms Control Act, 2000 (Act No. 60 of 2000), or other relevant legislation; and

- (iii) the training undergone by the applicant with regard to the powers to be exercised; and
3. section 334(3)(b) of the Criminal Procedure Act, 1977, hereby prescribe that the following information must appear in or on the certificate of appointment referred to in section 334(2) of the Criminal Procedure Act, 1977:
- (a) The full names of the person so appointed;
 - (b) his or her identity number;
 - (c) his or her signature;
 - (d) his or her photograph;
 - (e) a description of the capacity in which he or she was appointed;
 - (f) the name of the employer who made the appointment; and
 - (g) the signature and official stamp of the employer or responsible person.

T M MASUTHA, MP (Adv)
MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

SCHEDULE

Column 1	Column 2	Column 3	Column 4
<p>(i) A provincial executive officer contemplated in section 3(1)(a)(iii) of the Meat Safety Act, 2000 (Act No. 40 of 2000).</p> <p>(ii) An officer under the control of a provincial officer as contemplated in section 3(1)(c) of the Meat Safety Act, 2000 (Act No. 40 of 2000).</p>	<p>Gauteng Province.</p>	<p>Any offence provided for in terms of the Meat Safety Act, 2000 (Act No. 40 of 2000).</p>	<p>(i) The powers conferred upon a police officer or a peace officer in terms of Chapter 2 of the Criminal Procedure Act, 1977.</p> <p>(ii) The power to arrest a person without a warrant in terms of section 40(1) of the Criminal Procedure Act, 1977.</p> <p>(iii) The powers conferred upon a peace officer under section 41(1) of the Criminal Procedure Act, 1977.</p> <p>(iv) The execution of warrants of arrest in terms of section 44 of the Criminal Procedure Act, 1977.</p> <p>(v) The power to issue a written notice in terms of section 56 of the Criminal Procedure Act, 1977.</p> <p>(vi) The power to issue a written notice in terms of section 341 of the Criminal Procedure Act, 1977.</p>