



Church Square Association of Advocates
Church Square Bar

Kerkplein Vereniging van Advokate
Kerkplein Balie

18 January 2016

NOTICE

PLEASE TAKE NOTE THAT:

GOVERNMENT NOTICE NO. 1241 PROMULGATED IN GOVERNMENT GAZETTE NO. 39522, DATED 15 DECEMBER 2015, THE CRIMINAL MATTERS AMENDMENT ACT, 2015 (ACT 18 OF 2015) amends Schedule 5 of the Criminal Procedure Act, 51 of 1977, amends section 51 and Parts II and IV of Schedule 2 and adds Part V to Schedule 2 of the Criminal Law Amendment Act, 105 of 1997, and amends Schedule 1 to the Prevention of Organised Crime Act, 121 of 1998. Date of commencement to be proclaimed.

Same is available on our website at www.churchsquarebar.co.za under legal amendments.

Should you not have internet access, same is available at our Chambers, Suite 410, Standard Bank Chambers, Pretoria, for your perusal.

MEMBERS ARE URGED to take note thereof and to comply with the said amendments in order to avoid embarrassment.

A handwritten signature in black ink, appearing to read 'W F Pienaar', is written over a horizontal line.

ADV. W F PIENAAR
CHAIRMAN

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REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 606 Cape Town, 15 December 2015 **No. 39522**
Kaapstad,

THE PRESIDENCY

No. 1241 15 December 2015

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

Act No. 18 of 2015: Criminal Matters Amendment Act, 2015

DIE PRESIDENSIE

No. 1241 15 Desember 2015

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

Wet No 18 van 2015: Wysigingwet op Strafregtelike Aangeleenthede, 2015



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.
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(English text signed by the President)
(Assented to 13 December 2015)

ACT

To amend the Criminal Procedure Act, 1977, so as to regulate bail in respect of essential infrastructure-related offences; to amend the Criminal Law Amendment Act, 1997, so as to regulate the imposition of discretionary minimum sentences for essential infrastructure-related offences; to create a new offence relating to essential infrastructure; to amend the Prevention of Organised Crime Act, 1998, so as to insert a new offence in Schedule 1 to the Act; and to provide for matters connected therewith.

PREAMBLE

WHEREAS the Bill of Rights in the Constitution of the Republic of South Africa, 1996, guarantees certain rights and enshrines the right to freedom and security of the person;

AND WHEREAS the Constitution places a duty on the State to respect, protect, promote and fulfil the rights in the Bill of Rights;

RECOGNISING the importance of essential infrastructure in providing basic services to the public;

HAVING REGARD to the unacceptably high incidence of crime relating to essential infrastructure in the Republic which poses a risk to, among others, public safety, electricity supply, communications and transportation;

AND RECOGNISING the harmful consequences to the livelihood, well-being, daily operations and economic activity of the public if basic services cannot be provided due to loss, damage or disruption caused by essential infrastructure-related offences;

AND SINCE essential infrastructure-related offences are becoming increasingly more organised and are often committed by armed and dangerous criminal groups;

AND SINCE essential infrastructure-related offences on occasion manifest themselves in offences which of themselves are relatively minor but cause considerable damage to essential infrastructure;

MINDFUL of the negative impact of these offences on South Africa's economy and society and on peace and stability in the country,

ALGEMENE VERDUIDELIKENDE NOTA:

- [] Woorde in vet druk tussen vierkantige hake dui skrappings uit
 bestaande verordenings aan.
- _____ Woorde met 'n volstreep daaronder dui invoegings in bestaande
 verordenings aan.

*(Engelse teks deur die President geteken)
(Goedgekeur op 13 Desember 2015)*

WET

Tot wysiging van die Strafproseswet, 1977, ten einde borgtog ten opsigte van misdrywe in verband met noodsaaklike infrastruktuur, te reël; tot wysiging van die Strafwysigingswet, 1997, ten einde die oplegging van diskresionêre minimum vonnisse vir misdrywe in verband met noodsaaklike infrastruktuur te reël; ten einde 'n nuwe misdryf in verband met noodsaaklike infrastruktuur te skep; tot wysiging van die Wet op die Voorkoming van Georganiseerde Misdad, 1998, ten einde 'n nuwe misdryf in Bylae 1 tot die Wet in te voeg; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

AANHEF

NADEMAAL die Handves van Regte in die Grondwet van die Republiek van Suid-Afrika, 1996, sekere regte waarborg en die reg op vryheid en sekerheid van die persoon verskans;

EN NADEMAAL die Grondwet 'n plig op die Staat plaas om die regte in die Handves van Regte te respekteer, te beskerm, te bevorder en te vervul;

IN ERKENNING van die belangrikheid van noodsaaklike infrastruktuur in die voorsiening van basiese dienste aan die publiek;

MET INAGNEMING van die onaanvaarbaar hoë voorkoms van misdad in verband met noodsaaklike infrastruktuur in die Republiek wat 'n risiko inhou vir, onder andere, openbare veiligheid, elektrisiteitsvoorsiening, kommunikasie en vervoer;

EN TER ERKENNING van die skadelike gevolge vir die lewensbestaan, welstand, daaglikse bedrywighede en ekonomiese aktiwiteit van die publiek indien basiese dienste nie voorsien kan word nie weens verlies, skade of ontwrigting veroorsaak deur misdrywe wat met noodsaaklike infrastruktuur verband hou;

EN AANGESIEN misdrywe in verband met noodsaaklike infrastruktuur toenemend meer georganiseerd word en dikwels deur gewapende en gevaarlike kriminele groepe gepleeg word;

EN AANGESIEN misdrywe in verband met noodsaaklike infrastruktuur soms openbaar word in misdrywe wat op sigself relatief gering is, maar aansienlike skade aan noodsaaklike infrastruktuur veroorsaak;

GEDAGTIG aan die negatiewe impak van hierdie misdrywe op Suid-Afrika se ekonomie en samelewing en op vrede en stabiliteit in die land,

PARLIAMENT of the Republic of South Africa therefore enacts, as follows:—

Definitions

1. In this Act, unless the context indicates otherwise—
- “**basic service**” means a service, provided by the public or private sector, relating to energy, transport, water, sanitation and communication, the interference with which may prejudice the livelihood, well-being, daily operations or economic activity of the public; 5
 - “**essential infrastructure**” means any installation, structure, facility or system, whether publicly or privately owned, the loss or damage of, or the tampering with, which may interfere with the provision or distribution of a basic service to the public; and 10
 - “**tamper**” includes to alter, cut, disturb, interfere with, interrupt, manipulate, obstruct, remove or uproot by any means, method or device, and “**tampering**” shall be construed accordingly. 15

Bail in respect of essential infrastructure-related offences

2. Notwithstanding the provisions of sections 59 and 59A of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), an accused person who is in custody in respect of—
- (a) any offence involving ferrous or non-ferrous metal which formed part of essential infrastructure; or 20
 - (b) an offence referred to in section 3 of this Act,
- may only be released on bail in accordance with the provisions of section 60 of the Criminal Procedure Act, 1977.

Offence relating to essential infrastructure

3. (1) Any person who unlawfully and intentionally— 25
- (a) tampers with, damages or destroys essential infrastructure; or
 - (b) colludes with or assists another person in the commission, performance or carrying out of an activity referred to in paragraph (a),
- and who knows or ought reasonably to have known or suspected that it is essential infrastructure, is guilty of an offence and liable on conviction to a period of imprisonment not exceeding 30 years or, in the case of a corporate body as contemplated in section 332(2) of the Criminal Procedure Act, 1977, a fine not exceeding R100 million. 30
- (2) For the purposes of subsection (1), a person ought reasonably to have known or suspected a fact if the conclusions that he or she ought to have reached are those which would have been reached by a reasonably diligent and vigilant person having both— 35
- (a) the general knowledge, skill, training and experience that may reasonably be expected of a person in his or her position; and
 - (b) the general knowledge, skill, training and experience that he or she in fact has.

Amendment of Schedule 5 to Act 51 of 1977, as substituted by section 9 of Act 85 of 1997, amended by section 36(1) of Act 12 of 2004 and section 27(1) of Act 33 of 2004 and substituted by section 68 of Act 32 of 2007 40

4. Schedule 5 to the Criminal Procedure Act, 1977, is hereby amended by the addition of the following items: 45
- “Any offence referred to in section 2, 4, 5, 6 or 9 of the Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998).”

BEPAAL die Parlement van die Republiek van Suid-Afrika derhalwe, soos volg:—

Woordomskrywing

1. In hierdie Wet, tensy die samehang anders aandui, beteken—
- “**basiese diens**” ’n diens, deur die openbare of privaatsektor voorsien, wat verband hou met energie, vervoer, water, sanitasie en kommunikasie, inmenging waarmee die lewensbestaan, welstand, daaglikse bedrywigheede of ekonomiese aktiwiteit van die publiek kan benadeel; 5
 - “**noodsaaklike infrastruktuur**” enige installasie, struktuur, fasiliteit of stelsel, hetsy in openbare of privaat besit, ten opsigte waarvan verlies, skade of ’n gepeuter met die voorsiening of verspreiding van ’n basiese diens aan die publiek kan inneng; en 10
 - “**peuter**” ook om by wyse van enige middele, metode of toestel te verander, sny, versteur, mee in te meng, onderbreek, manipuleer, belemmer, verwyder of ontwortel, en “**gepeuter**” sal dienoreenkomsig uitgelê word. 15

Borgtog ten opsigte van misdrywe in verband met noodsaaklike infrastruktuur

2. Ondanks die bepalings van artikels 59 en 59A van die Strafproseswet, 1977 (Wet No. 51 van 1977), kan ’n persoon wat in aanhouding is ten opsigte van—
- (a) enige misdryf wat ysterhoudende of nieysterhoudende metaal behels wat deel uitgemaak het van noodsaaklike infrastruktuur; of 20
 - (b) ’n misdryf in artikel 3 van hierdie Wet bedoel,
- slegs op borgtog vrygelaat word ooreenkomsig die bepalings van artikel 60 van die Strafproseswet, 1977.

Misdryf wat met noodsaaklike infrastruktuur verband hou

3. (1) Iemand wat wederregtelik en opsetlik— 25
- (a) aan noodsaaklike infrastruktuur peuter, dit beskadig of vernietig; of
 - (b) met iemand anders saamsweer of iemand anders help met die pleging, verrigting of uitvoer van ’n aktiwiteit in paragraaf (a) bedoel,
- en wat weet of redelikerwys moes geweet of vermoed het dat dit noodsaaklike infrastruktuur is, is skuldig aan ’n misdryf en strafbaar by skuldigbevinding met ’n tydperk van gevangenisstraf van hoogstens 30 jaar of, in die geval van ’n regs persoon soos beoog in artikel 332(2) van die Strafproseswet, 1977, ’n boete van hoogstens R100 miljoen. 30
- (2) By die toepassing van subartikel (1), behoort ’n persoon ’n feit redelikerwys te geweet het of te vermoed het, indien die gevolgtrekkings wat hy of sy behoort te gemaak het dié gevolgtrekkings is wat deur ’n redelike pligsgetroue en waaksame persoon gemaak sou word wat beide— 35
- (a) die algemene kennis, kundigheid, opleiding en ervaring het wat redelikerwys van ’n persoon in sy of haar posisie is, verwag kan word; en
 - (b) die algemene kennis, kundigheid, opleiding en ervaring het wat hy of sy inderdaad het. 40

Wysiging van Bylae 5 tot Wet 51 van 1977, soos vervang deur artikel 9 van Wet 85 van 1997, gewysig deur artikel 36(1) van Wet 12 van 2004 en artikel 27(1) van Wet 33 van 2004 en vervang deur artikel 68 van Wet 32 van 2007

4. Bylae 5 tot die Strafproseswet, 1977, word hierby gewysig deur die volgende items by te voeg: 45

“Enige misdryf in artikel 2, 4, 5, 6 of 9 van die Wet op die Voorkoming van Georganiseerde Misdad, 1998 (Wet No. 121 van 1998), bedoel.”

Any offence referred to in—

- (a) section 54(1) of the International Trade Administration Act, 2002 (Act No. 71 of 2002);
 - (b) section 32(1)(a), (b), (c), (d), (k) in so far as that paragraph relates to section 21(1), (l), (m) or (o) of the Second-Hand Goods Act, 2009 (Act No. 6 of 2009); or
 - (c) section 36 or 37 of the General Law Amendment Act, 1955 (Act No. 62 of 1955),
- if it is alleged that ferrous or non-ferrous metal which formed part of essential infrastructure, as defined in section 1 of the Criminal Matters Amendment Act, 2015, is involved.

Theft of ferrous or non-ferrous metal which formed part of essential infrastructure, as defined in section 1 of the Criminal Matters Amendment Act, 2015—

- (a) if it is alleged that the offence caused or has the potential to cause—
 - (i) interference with or disruption of any basic service, as defined in section 1 of the aforementioned Act, to the public; or
 - (ii) damage to such essential infrastructure; or
- (b) if it is alleged that the offence was committed by or with the collusion or assistance of—
 - (i) a law enforcement officer, as defined in section 51(8) of the Criminal Law Amendment Act, 1997 (Act No. 105 of 1997);
 - (ii) a security officer, as defined in section 1 of the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001), who was required to protect or safeguard such essential infrastructure;
 - (iii) an employee of, or contractor appointed by, the owner or the person in charge of such essential infrastructure; or
 - (iv) a group of persons, syndicate or any enterprise acting in the execution or furtherance of a common purpose or conspiracy.

An offence referred to in section 3 of the Criminal Matters Amendment Act, 2015.”

Amendment of section 51 of Act 105 of 1997, as substituted by section 1 of Act 38 of 2007 and section 26 of Act 42 of 2013

5. Section 51 of the Criminal Law Amendment Act, 1997 (Act No. 105 of 1997) is hereby amended—

- (a) by the deletion of the word “and” at the end of subsection (2)(b);
- (b) by the substitution for the colon at the end of subsection (2)(c) of a semi-colon and the insertion of the word “and” after the semi-colon; and
- (c) by the addition of the following paragraph after subsection (2)(c):
 - “(d) Part V of Schedule 2, in the case of—
 - (i) a first offender, to imprisonment for a period not less than 3 years;
 - (ii) a second offender of any such offence, to imprisonment for a period not less than 5 years; and
 - (iii) a third or subsequent offender of any such offence, to imprisonment for a period not less than 7 years.”

Amendment of Part II of Schedule 2 to Act 105 of 1997, as amended by section 36(1) of Act 12 of 2004, section 27(1) of Act 33 of 2004 and section 14 of Act 27 of 2006

6. Part II of Schedule 2 to the Criminal Law Amendment Act, 1997, is hereby amended by the addition of the following offences:

“Any offence referred to in section 2, 4, 5 or 6 of the Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998), which relates to an offence involving ferrous or non-ferrous metal which formed part of essential infrastructure, as defined in section 1 of the Criminal Matters Amendment Act, 2015.

Enige misdryf bedoel in—

- (a) artikel 54(1) van die Wet op Internasionale Handelsadministrasie, 2002 (Wet No. 71 van 2002);
- (b) artikel 32(1) (a), (b), (c), (d), (k) in soverre daardie paragraaf verband hou met artikel 21(1), (l), (m) of (o) van die Wet op Tweedehandse Goed, 2009 (Wet No. 6 van 2009); of
- (c) artikel 36 of 37 van die Algemene Regswysigingswet, 1955 (Wet No. 62 van 1955),
indien daar beweer word dat ysterhoudende of nieysterhoudende metaal wat deel uitgemaak het van noodsaaklike infrastruktuur, soos in artikel 1 van die Wysigingswet op Strafregtelike Aangeleenthede, 2015, omskryf, betrokke is.

Diefstal van ysterhoudende of nieysterhoudende metaal wat deel uitgemaak het van noodsaaklike infrastruktuur, soos omskryf in artikel 1 van die Wysigingswet op Strafregtelike Aangeleenthede, 2015—

- (a) indien daar beweer word dat die misdryf—
 - (i) inmenging met of ontwrigting van enige basiese diens, soos omskryf in artikel 1 van die voormelde Wet, aan die publiek; of
 - (ii) skade aan die noodsaaklike infrastruktuur, veroorsaak het of kan veroorsaak; of
- (b) indien daar beweer word dat die misdryf gepleeg is deur of met die sameswering of bystand van—
 - (i) 'n wetstoepassingsbeampte, soos omskryf in artikel 51(8) van die Strafrekwysigingswet, 1997 (Wet No. 105 van 1997);
 - (ii) 'n sekuriteitsbeampte, soos omskryf in artikel 1 van die Wet op die Regulering van die Private Sekuriteitsbedryf, 2001 (Wet No. 56 van 2001), wat die noodsaaklike infrastruktuur moes beskerm en beveilig;
 - (iii) 'n werknemer van, of kontrakteur aangestel deur, die eienaar of die persoon in beheer van die noodsaaklike infrastruktuur; of
 - (iv) 'n groep persone, sindikaat of enige onderneming wat optree in die uitvoering of bevordering van 'n gemeenskaplike doel of sameswering.

'n Misdryf in artikel 3 van die Wysigingswet op Strafregtelike Aangeleenthede, 2015, bedoel.”.

Wysiging van artikel 51 van Wet 105 van 1997, soos vervang deur artikel 1 van Wet 38 van 2007 en artikel 26 van Wet 42 van 2013

5. Artikel 51 van die Strafrekwysigingswet, 1997 (Wet No. 105 van 1997), word hierby gewysig—

- (a) deur die woord “en” aan die einde van subartikel (2)(b) te skrap;
- (b) deur die dubbelpunt aan die einde van subartikel (2)(c) deur 'n kommapunt te vervang en die woord “en” na die kommapunt in te voeg; en
- (c) deur die volgende paragraaf na subartikel (2)(c) by te voeg:
 - “(d) Deel V van Bylae 2, in die geval van—
 - (i) 'n eerste oortreder, met gevangenisstraf vir 'n tydperk van minstens 3 jaar;
 - (ii) 'n tweede oortreder van enige sodanige misdryf, met gevangenisstraf vir 'n tydperk van minstens 5 jaar; en
 - (iii) 'n derde of daaropvolgende oortreder van enige sodanige misdryf, met gevangenisstraf vir 'n tydperk van minstens 7 jaar.”.

Wysiging van Deel II van Bylae 2 tot Wet 105 van 1997, soos gewysig deur artikel 36(1) van Wet 12 van 2004, artikel 27(1) van Wet 33 van 2004 en artikel 14 van Wet 27 van 2006

6. Deel II van Bylae 2 tot die Strafrekwysigingswet, 1997, word hierby gewysig deur die byvoeging van die volgende misdrywe:

“Enige misdryf in artikel 2, 4, 5 of 6 van die Wet op die Voorkoming van Georganiseerde Misdaad, 1998 (Wet No. 121 van 1998), bedoel, wat verband hou met 'n misdryf wat ysterhoudende of nieysterhoudende metaal behels wat deel uitgemaak het van noodsaaklike infrastruktuur, soos in artikel 1 van die Wysigingswet op Strafregtelike Aangeleenthede, 2015, omskryf.

Theft of ferrous or non-ferrous metal which formed part of essential infrastructure, as defined in section 1 of the Criminal Matters Amendment Act, 2015—

- (a) if it caused—
 - (i) interference with or disruption of any basic service, as defined in section 1 of the aforementioned Act, to the public; or
 - (ii) damage to such essential infrastructure; or
- (b) if the offence was committed by or with the collusion or assistance of—
 - (i) a law enforcement officer as defined in section 51(8);
 - (ii) a security officer, as defined in section 1 of the Private Security Industry Regulation Act, 2001 (Act No. 56 of 2001), who was required to protect or safeguard such essential infrastructure;
 - (iii) an employee of, or contractor appointed by, the owner or the person in charge of such essential infrastructure; or
 - (iv) a group of persons, syndicate or any enterprise acting in the execution or furtherance of a common purpose or conspiracy.

An offence referred to in section 3 of the Criminal Matters Amendment Act, 2015.”.

Amendment of Part IV of Schedule 2 to Act 105 of 1997, as substituted by section 5(b) of Act 38 of 2007

7. Part IV of Schedule 2 to the Criminal Law Amendment Act, 1997, is hereby amended by the addition of the following offences:

- “Any offence referred to in—
- (a) section 54(1) of the International Trade Administration Act, 2002 (Act No. 71 of 2002); or
 - (b) section 32(1)(a), (b), (c), (d), (k) in so far as that paragraph relates to section 21(1), (l), (m) or (o) of the Second-Hand Goods Act, 2009 (Act No. 6 of 2009), involving ferrous or non-ferrous metal which formed part of essential infrastructure, as defined in section 1 of the Criminal Matters Amendment Act, 2015.”.

Amendment of Schedule 2 to Act 105 of 1997

8. Schedule 2 to the Criminal Law Amendment Act, 1997, is hereby amended by the addition of Part V:

“PART V

Any offence referred to in section 36 or 37 of the General Law Amendment Act, 1955 (Act No. 62 of 1955), involving ferrous or non-ferrous metal which formed part of essential infrastructure, as defined in section 1 of the Criminal Matters Amendment Act, 2015.

Theft, involving ferrous or non-ferrous metal which formed part of essential infrastructure, as defined in section 1 of the Criminal Matters Amendment Act, 2015, which is not covered in Part II of this Schedule.”.

Amendment of Schedule 1 to Act 121 of 1998, as amended by section 36(1) of Act 12 of 2004 and section 27(1) of Act 33 of 2004, substituted by section 68 of Act 32 of 2007, amended by section 11 of Act 13 of 2013 and section 48 of Act 7 of 2013

9. Schedule 1 to the Prevention of Organised Crime Act, 1998, is hereby amended by the addition of the following item after item 33A:

- “33B. Any offence referred to in section 3 of the Criminal Matters Amendment Act, 2015;”.

Diefstal van ysterhoudende of nieysterhoudende metaal wat deel uitgemaak het van noodsaaklike infrastruktuur, soos in artikel 1 van die Wysigingswet op Strafbetelike Aangeleenthede, 2015, omskryf—

(a) indien dit—

(i) inmenging met of ontwrigting van enige basiese diens, soos omskryf in artikel 1 van die voormelde Wet, aan die publiek; of

(ii) skade aan die noodsaaklike infrastruktuur, veroorsaak het; of

(b) indien die misdryf gepleeg is deur of met die sameswering of bystand van—

(i) 'n wetstoepassingsbeampte, soos in artikel 51(8) omskryf;

(ii) 'n sekuriteitsbeampte soos omskryf in artikel 1 van die Wet op die Regulering van die Private Sekuriteitsbedryf, 2001 (Wet No. 56 van 2001), wat die noodsaaklike infrastruktuur moes beskerm of beveilig;

(iii) 'n werknemer van, of kontrakteur aangestel deur, die eienaar of die persoon in beheer van die noodsaaklike infrastruktuur; of

(iv) 'n groep persone, sindikaat of enige onderneming wat optree in die uitvoering of bevordering van 'n gemeenskaplike doel of sameswering.

'n Misdryf in artikel 3 van die Wysigingswet op Strafbetelike Aangeleenthede, 2015, bedoel.”.

Wysiging van Deel IV van Bylae 2 tot Wet 105 van 1997, soos vervang deur artikel 5(b) van Wet 38 van 2007

7. Deel IV van Bylae 2 tot die Strafbetelike Wysigingswet, 1997, word hierby gewysig deur die volgende misdrywe by te voeg:

“Enige misdryf bedoel in—

(a) artikel 54(1) van die Wet op Internasionale Handelsadministrasie, 2002 (Wet No. 71 van 2002); of

(b) artikel 32(1)(a), (b), (c), (d), (k) in soverre daardie paragraaf betrekking het op artikel 21(1), (l), (m) of (o) van die Wet op Tweedehandse Goed, 2009 (Wet No. 6 van 2009),

wat ysterhoudende of nieysterhoudende metaal behels wat deel uitgemaak het van noodsaaklike infrastruktuur, soos omskryf in artikel 1 van die Wysigingswet op Strafbetelike Aangeleenthede, 2015.”.

Wysiging van Bylae 2 tot Wet 105 van 1997

8. Bylae 2 tot die Strafbetelike Wysigingswet, 1997, word hierby gewysig deur Deel V by te voeg:

“DEEL V

Enige misdryf in artikel 36 of 37 van die Algemene Regswysigingswet, 1955 (Wet No. 62 van 1955), bedoel, wat ysterhoudende of nieysterhoudende metaal behels wat deel uitgemaak het van noodsaaklike infrastruktuur, soos in artikel 1 van die Wysigingswet op Strafbetelike Aangeleenthede, 2015, omskryf.

Diefstal, wat ysterhoudende of nieysterhoudende metaal behels wat deel uitgemaak het van noodsaaklike infrastruktuur, soos omskryf in artikel 1 van die Wysigingswet op Strafbetelike Aangeleenthede, 2015, wat nie in Deel II van hierdie Bylae gedek word nie.”.

Wysiging van Bylae 1 tot Wet 121 van 1998, soos gewysig deur artikel 36(1) van Wet 12 van 2004 en artikel 27(1) van Wet 33 van 2004, vervang deur artikel 68 van Wet 32 van 2007, gewysig deur artikel 11 van Wet 13 van 2013 en artikel 48 van Wet 7 van 2013

9. Bylae 1 van die Wet op die Voorkoming van Georganiseerde Misdad, 1998, word hierby gewysig deur die volgende item na item 33A in te voeg:

“33B. Enige misdryf bedoel in artikel 3 van die Wysigingswet op Strafbetelike Aangeleenthede, 2015.”.

Short title and commencement

10. This Act is called the Criminal Matters Amendment Act, 2015, and comes into operation on a date fixed by the President by proclamation in the *Gazette*.

Kort titel en inwerkingtreding

10. Hierdie Wet heet die Wysigingswet op Straftelike Aangeleenthede, 2015, en tree in werking op 'n datum deur die President by proklamasie in die *Staatskoerant* bepaal.

