



REPUBLIC OF SOUTH AFRICA

FORM 13

**APPLICATION FOR EXPUNGEMENT OF RECORDS OF CONVICTION AND SENTENCE BY THE DIRECTOR-GENERAL OR CABINET MEMBER
SECTIONS 87(1) AND 87(3) OF THE CHILD JUSTICE ACT, 2008 (ACT NO. 75 OF 2008)**

REGULATIONS RELATING TO CHILD JUSTICE [Regulation 49]

Note Copies of section 87 and Schedules 1, 2 and 3 of the Act are available at every magistrate’s office and on the Department’s website at: <http://www.doj.gov.za>.

Before submitting this application form you must obtain a certified copy of your criminal record from the Criminal Record Centre of the South African Police Service. Any police station may assist you in this regard. Attach the copy of the criminal record to this application form.

1. Particulars of the Child

Full names and surname:

Age: ID No/Date of birth:

Physical address:

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Postal address:

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Telephone number (if applying in personal capacity):

E-mail address (if applying in personal capacity):

2. Particulars of the parent (s), appropriate adult or guardian

Full names and surname:

ID No.:

Relationship to the child:

Physical address (if different from the child’s):

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Telephone number:

E-mail address:

3. Particulars of Conviction and Sentence

Offence: Schedule (1 or 2):
Case No, if known:
Child Justice Court:
Date of conviction:
Sentence:
.....
Amount/value of item involved in conviction (if applicable): R.....

4. Expungement by the Director-General in terms of section 87(1)

This application can only be made-

- (a) *in respect of offences referred to in Schedules 1 and 2 of the Child Justice Act, 2008;*
- (b) *if a period of 5 years has elapsed after a conviction of a Schedule 1 Offence;*
- (c) *if a period of 10 years has elapsed after a conviction of a Schedule 2 Offence; and*
- (d) *if the child has not been convicted of a similar or more serious offence during the period of 5 or 10 years.*

<p>Mark appropriate box with X</p> <p><input type="checkbox"/> A period of 5 years has elapsed after the date of conviction of a Schedule 1 offence.</p> <p><input type="checkbox"/> A period of 10 years has elapsed after the date of conviction of a Schedule 2 offence</p> <p>Have you been convicted of an offence during the period mentioned above?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide details of all the offences which you were convicted of during the 5 or 10 year period and also indicate why the offence is not similar or more serious than the offence indicated in paragraph 3 above:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

I request that a certificate of expungement be issued directing the Criminal Record Centre to expunge the records of my conviction and sentence in terms of section 87(1) of the Child Justice Act, 2008.

5. Expungement by Cabinet member in terms of section 87(3)

This application can only be made-

- (a) *for offences referred to in Schedules 1 and 2 of the Child Justice Act, 2008;*
- (b) *in the case where the period of 5 years in respect of a Schedule 1 offence or the period of 10 years in respect of a Schedule 2 offence has not elapsed but where exceptional circumstances exist justifying expungement; and*
- (c) *if the child has not been convicted of a similar or more serious offence during the period of 5 or 10 years.*

Mark appropriate box with X

- A period of 5 years has not elapsed after the date of conviction of a Schedule 1 offence.
- A period of 10 years has not elapsed after the date of conviction of a Schedule 2 offence.

Notwithstanding the fact that the period of 5 years for a Schedule 1 offence or a period of 10 years for a Schedule 2 has not elapsed, the following exceptional circumstances justify expungement:

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(Attach supporting documents, if any)

Have you been convicted of an offence during the period mentioned above?

Yes No

If yes, provide details of all the offences which you were convicted of during the 5 or 10 year period and also indicate why the offence is not similar or more serious than the offence indicated in paragraph 3 above:

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I request that a certificate of expungement be issued directing the Criminal Record Centre to expunge the records of my conviction and sentence in terms of section 87(3) of the Child Justice Act, 2008.

I certify that the information provided in this form is to the best of my knowledge true and correct.

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Signature: Applicant

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Date