

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

NO. R. 1147

23 SEPTEMBER 2016

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 64 OF THE NORTH WEST GAMBLING ACT, 2001 (ACT NO. 2 OF 2001)

I, Tshililo Michael Masutha, Minister of Justice and Correctional Services, in terms of 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 defined in Column 1 of the Schedule to this notice, is, within the area specified in Column 2 of the Schedule, 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.

1. In accordance with section 334(3)(a) of the Criminal Procedure Act, 1977, a certificate of appointment referred to in section 334(2)(a) of the Criminal Procedure Act, 1977, may only be issued to a person referred to in Column 1 of the Schedule on the following conditions:

(a) The employer of the person referred to in Column 1 of the Schedule must have been furnished with a certificate of competency issued by the National Commissioner of the South African Police Service;

(b) it must be stated in the certificate of competency, contemplated in paragraph (a) that, in the opinion of the National Commissioner of the South African Police Service, such person is competent to exercise the relevant powers as defined in Column 4 of the Schedule; and

(c) for the purposes of the issuing of a certificate of competency by the National Commissioner of the South African Police Service, the following criteria must be considered:

- (i) The previous criminal convictions of the applicant;
- (ii) 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
- (iii) the training undergone by the applicant with regard to the powers to be exercised.

(2) In accordance with section 334(3)(b) of the Criminal Procedure Act, 1977, the following information must, in addition to any matter which the employer may include, appear in or on the certificate of appointment referred to in section 334(2)(a) 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

MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

SCHEDULE

Column 1	Column 2	Column 3	Column 4
Inspectors appointed in terms of section 64 of the North West Gambling Act, 2001 (Act No. 2 of 2001).	North West Province.	Any offence provided for in terms of the North West Gambling Act, 2001 (Act No. 2 of 2001).	<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 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>