

## GENERAL NOTICE ... 2024

### DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT INVITATION FOR PUBLIC COMMENTS ON THE DRAFT AMENDMENT REGULATIONS RELATING TO INVESTIGATING DIRECTORATE AGAINST CORRUPTION

#### 1. INVITATION

- 1.1 The Department of Justice and Constitutional Development invites interested parties to submit written comments on the draft Regulations under the National Prosecuting Authority Act, 1998 (Act No. 32 of 1998) (the Act).
- 1.2 The draft Regulations are issued in terms of section 40, read with sections 19D(3) and 22A(4) of the Act and are available on the website of the Department at: <https://www.justice.gov.za/legislation/invitations/invites.htm>

#### 2. COMMENTS

- 2.1 The comments must be submitted not later than **Friday, 22 November 2024**, marked for the attention of **Adv L T Sebelemetja**, and—
  - (a) if they are forwarded by post, be addressed to—  
**The Department of Justice and Constitutional Development  
Private Bag X81, Pretoria, 0001**
  - (b) if they are delivered by hand, be delivered at—  
**The Department of Justice and Constitutional Development  
SALU Building, 316 Thabo Sehume Street, Pretoria**
  - (c) if they are delivered by email, be emailed to [LSebelemetja@justice.gov.za](mailto:LSebelemetja@justice.gov.za)
- 2.2 For more information, please contact Adv L T Sebelemetja on **012 406 4753**



**GOVERNMENT NOTICE**  
**DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT**

No. R. ....

2024

**NATIONAL PROSECUTING AUTHORITY ACT, 1998 (ACT NO. 32 OF 1998):**  
**DRAFT AMENDMENT OF REGULATIONS RELATING TO INVESTIGATING**  
**DIRECTORATE AGAINST CORRUPTION**

The Minister of Justice and Correctional Services has, under section 40, read with sections 19D(3) and 22A(4), of the National Prosecuting Authority Act, 1998 (Act No. 32 of 1998), made the regulations in the Schedule.

**SCHEDULE**

**Definitions**

1. In this Schedule, “Regulations” means the regulations published under Government Notice No. 5137 of 19 August 2024.

**Insertion of regulation 2A**

2. The following regulation is hereby inserted in the Regulations after regulation 2:

**“Form and manner of complaints to retired judge**

**2A.** (1) A complaint in terms of section 22A(4) of the Act shall be made in writing in the form set out in Annexure 1.

(2) A complaint made in terms of section 22A(4) of the Act may be lodged by electronic mail, post or be delivered at the office of the retired judge.

(3) The form in Annexure 1 and information setting out the manner in which a complaint must be lodged, the name and all relevant contact particulars of the retired judge appointed in terms of section 22A(4) of the Act, shall be placed on the website of the prosecuting authority and be made available to all offices of the prosecuting authority.

(4) Complaints may also be lodged at any office of the prosecuting authority, which shall ensure that the complaint is submitted to the retired judge without any delay.

(5) The retired judge may require from any complainant to submit any allegations made to him or her in the form of an affidavit.”

### **Amendment of regulation 3**

3. The following regulation is hereby substituted for regulation 3 of the Regulations:

#### **“Short title**

3. These regulations are called Regulations relating to Investigating Directorate and Investigating Directorate against Corruption, 2024.”.

## ANNEXURE 1

### Form

#### COMPLAINT REPORTING FORM TO THE JUDGE APPOINTED TO RECEIVE COMPLAINTS IN RESPECT OF THE INVESTIGATING DIRECTORATE AND THE INVESTIGATING DIRECTORATE AGAINST CORRUPTION [Section 22A(4), Regulation 2A]

**NOTE:** If the space provided is insufficient, please use an additional page and indicate the item number which is being supplemented.

1.	Date/Time of complaint _____		2.	Complaint No.:	
3	Method of Receipt: In Person _____  Written _____  E-Mail _____  <i>*Choose the relevant method and mark with X</i>		4	SAPS CAS/CR No _____	
5	Name and surname of Complainant: _____ <i>(Name)</i> _____ <i>(Surname)</i>		6	Complainant's ID No.:	_____
7	Complainant's contact details: _____ <i>(Cell phone)</i> _____ <i>Work Tel No.:</i> _____ <i>(E-mail)</i>		8	Complainant's Residential Address	_____ _____ _____ _____
9	Complainant's occupation and Work Address  Occupation: _____ Address: _____ _____ _____ _____		10	Name of Closest Living Relative	_____ <i>(Name)</i> _____ <i>(Surname)</i> _____ <i>(Cell phone)</i> _____ <i>(E-mail)</i>
11	Complaint: <i>(Note: please provide details of the investigation and the name of the investigator or person against whom the complaint as contemplated in section 22A(4)(a) or (b) is lodged, including the place where the alleged source of the complaint occurred).</i>				

