



THE NATIONAL REGISTER FOR SEX OFFENDERS

Chapter 6 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, Amendment 13 of 2021

WHAT IS THE NATIONAL REGISTER FOR SEX OFFENDERS (NRSO)?

The NRSO is a database containing the particulars of individuals who have been convicted of any sexual offence against vulnerable persons.

THE ACT AND THE NATIONAL REGISTER?

- The Amendment Act, 32 of 2007 introduces the National Register.
- It expands the definition of rape to include all forms of sexual penetration without consent, irrespective of gender and age.
- It includes new sexual offences against vulnerable persons such as:
 - sexual intimidation
 - incest
 - sexual grooming
 - exposure to pornography
 - creation of child pornography
 - flashing
 - causing children to witness sexual assault
- The Amendment Act, amendment 13 of 2021 has extended the scope of protection to vulnerable persons.

WHO ARE VULNERABLE PERSONS?

- child or a person with a mental disability;
- female under the age of 25 years who receives tuition at an institution of higher learning or receives vocational training at any training institute, or as part of their employment; or lives in a students' residence;
- person who is being cared for in a shelter that provides services to victims of crime;
- person with physical, intellectual or sensory disability, who receives community-based care and support services, other than from a family member, from a facility or lives in such facility to receive such services; and
- an older person who receives community-based care and support services, other than from a family member, or lives in facility or building to receive such care and services.

WHY DO WE NEED A NATIONAL REGISTER?

South Africa needs a NRSO to curb the high prevalence of sexual offences against vulnerable persons. By registering all the details of convicted sexual offenders, their access to vulnerable persons are limited.

THE PURPOSE OF THE NATIONAL REGISTER FOR SEX OFFENDERS (NRSO)?

It is to protect the vulnerable persons against sexual offenders by establishing and maintaining a record of individuals who:

- have been convicted of a sexual offence against a vulnerable person whether committed in or outside the country
- alleged to have committed a sexual offence against a vulnerable person
- allow employers, licensing authorities, and all the relevant authorities dealing with vulnerable groups the means to verify the existence of perpetrators on this register.

WHAT INFORMATION IS ON THE NATIONAL REGISTER AND WHO HAS ACCESS TO IT?

The National Register for Sex Offenders contains:

- name
- address
- identity number
- passport number
- and driver's license number of the offender.

The National Register will also outline the nature of sexual offence including:

- date of the offence
- place of conviction
- case number
- a unique system generated URN number
- the court in which the trial took place

The contents of the National Register are not accessible to the public. Only those entitled to apply for a clearance certificate will have access to the information contained in the National Register. It is a criminal offence for anyone to disclose or publish information contained in the National Register.

WHO IS RESPONSIBLE FOR THE MANAGEMENT OF THE NATIONAL REGISTER?

- The Minister of the Department of Justice and Constitutional Development establishes and maintains the National Register
- The National Register for Sex Offenders administers the National Register
- Police, Department of Correctional Services and Department of Health and the Courts nationwide are required to submit the relevant information for the registration of sex offenders.



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

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Stand together	Understand	Protect	Persevere	Organise	Report	Take action