

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

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As 'n Nuusblad by die Poskantoor Geregistreer

INHOUD

(*Afskrifte is verkrygbaar by Kamer M21, Provinsiale Wetgewer-gebou, Waalstraat 7, Kaapstad 8001.)

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Die volgende Provinsiale Kennisgewing word vir openbare kommentaar gepubliseer:

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IZIQULATHO

(*Ushicilelo oLutsha lufumaneka kwigumbi M21, kwiSakhiwo sePhondo seNdlu yoWiso-Mthetho, 7 Wale Street, eKapa 8001.)

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PROVINCIAL NOTICE

The following Provincial Notice is published for comment.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir kommentaar gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika izimvo.

ADV. B. GERBER,
UMLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 62/2019

14 May 2019

WESTERN CAPE PROVINCIAL POLICE OMBUDSMAN**WESTERN CAPE COMMUNITY SAFETY ACT, 2013 (ACT 3 OF 2013)****FOR PUBLIC COMMENT:****NOTICE OF INVESTIGATION IN TERMS OF SECTION 17**

I, Johannes Jurgens Brand, Western Cape Provincial Police Ombudsman, give notice of an investigation by the Office of the Western Cape Provincial Police Ombudsman in terms of section 17 of the Western Cape Community Safety Act, 2013 (Act 3 of 2013), concerning allegations that the South African Police Service (“SAPS”) in the Overstrand municipal area (Gansbaai, Hermanus, Kleinmond and Stanford SAPS police stations) is unable to perform its mandate, as prescribed in section 205(3) of the Constitution of the Republic of South Africa, 1996 (“the Constitution”), due to an insufficient allocation of resources, resulting in inefficiency of the delivery of services by SAPS in the Overstrand municipal area.

Section 205(3) of the Constitution states that: “[t]he objects of the police service are to prevent, combat and investigate crime, to maintain public order, to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law.”

Any person or organisation may submit written representations regarding the investigation within 30 days of the date of publication of this notice. The representations should be marked for the attention of Mr JJ Brand and delivered by hand, post, e-mail or fax as follows:

By hand: 6th Floor, NBS Waldorf Building
80 St Georges Mall
Cape Town 8001
By post: Private Bag X9043, Cape Town 8000
By e-mail: ombudsman@wcpo.gov.za
By fax: 021 483 0660

For further information, contact Ms A. Lewis on 021 483 0669 or e-mail the Office of the Western Cape Provincial Police Ombudsman at ombudsman@wcpo.gov.za.

Office hours: Monday to Friday from 7:00 to 16:00 (excluding public holidays)

Signed at Cape Town on this 6th day of May 2019.

JJ BRAND
WESTERN CAPE PROVINCIAL POLICE OMBUDSMAN

PROVINSIALE KENNISGEWING

P.K. 62/2019

14 Mei 2019

**WES-KAAPSE PROVINSIALE POLISIE-OMBUDSMAN
WES-KAAPSE WET OP GEMEENSKAPSVEILIGHEID, 2013 (WET 3 VAN 2013)****VIR OPENBARE KOMMENTAAR:****KENNISGEWING VAN ONDERSOEK INGEVOLGE ARTIKEL 17**

Ek, Johannes Jurgens Brand, Wes-Kaapse Provinsiale Polisie-ombudsman, gee kennis van 'n ondersoek deur die Kantoor van die Wes-Kaapse Provinsiale Polisie-ombudsman ingevolge artikel 17 van die Wes-Kaapse Wet op Gemeenskapsveiligheid, 2013 (Wet 3 van 2013), aangaande bewerings dat die Suid-Afrikaanse Polisiediens ("SAPD") in die Overstrand munisipale gebied (die SAPD-polisiestasies van Gansbaai, Hermanus, Kleinmond en Stanford) nie in staat is om sy mandaat te verrig, soos voorgeskryf by artikel 205(3) van die Grondwet van die Republiek van Suid-Afrika, 1996 ("die Grondwet"), nie, weens onvoldoende beskikbaarheid van hulpbronne wat lei tot oneffektiewe dienslewering deur die SAPD in die Overstrand munisipale gebied.

Artikel 205(3) van die Grondwet stipuleer dat: "[d]ie doelstellings van die polisiediens is om misdaad te voorkom, te bestry en te ondersoek, die openbare orde te handhaaf, die inwoners van die Republiek en hul eiendom te beskerm en te beveilig, en die reg te handhaaf en toe te pas."

Enige persoon of organisasie word versoek om binne 30 dae vanaf die publikasie van hierdie kennisgewing skriftelike kommentaar aangaande die ondersoek te rig. Die kommentaar behoort gemerk te wees vir die aandag van mnr JJ Brand en kan per hand, pos, e-pos of faks soos volg ingedien word:

Per hand: 6de Verdieping, NBS Waldorf-gebou
St George-wandellaan 80
Kaapstad 8001
Per pos: Privaat Sak X9043, Kaapstad 8000
Per e-pos: ombudsman@wcpo.gov.za
Per faks: 021 483 0660

Vir meer inligting, skakel me A Lewis by 021 483 0669 of e-pos die Kantoor van die Provinsiale Polisie-ombudsman by ombudsman@wcpo.gov.za.

Kantoorure: Maandag tot Vrydag van 7:00 tot 16:00 (openbare vakansiedae uitgesluit)

Geteken te Kaapstad op hierdie 6de dag van Mei 2019.

JJ BRAND
WES-KAAPSE PROVINSIALE POLISIE-OMBUDSMAN

ISAZISO SEPHONDO

I.S. 62/2019

14 uCanzibe 2019

**UNOZIKHALAZO WAMAPOLISA WEPHONDO LENTSHONA KOLONI
UMTHETHO WENTSHONA KOLONI WOKHUSELEKO LOLUNTU, 2013 (UMTHETHO 3 KA-2013)****SENZELWE UKUFUMANA IZIMVO ZOLUNTU:****ISAZISO SOPHANDO NGOKWECANDELO 17**

Mna, Johannes Jurgens Brand, uNozikhalazo wamaPolisa wePhondo leNtshona Koloni, ndikhupha isaziso sophando esenziwa yiOfisi kaNozikhalazo wamaPolisa wePhondo leNtshona Koloni ngokwecandelo 17 loMthetho woKhuseleko loLuntu weNtshona Koloni, 2013 (uMthetho 3 ka-2013), ngokunxulumene nezityholo zokuba iNkonzo yamaPolisa oMzantsi Afrika ("i-SAPS") kwingingqi kamasipala we-Overstrand (izikhululo zamapolisa eGansbaai, eHermanus, eKleinmond naseStanford SAPS), azikwazi ukuwenza umsebenzi ezigunyaziswe wona, njengoko kuchaziwe kwicandelo 205(3) loMgaqosiseko weRiphabliki yoMzantsi Afrika, 1996 ("uMgaqosiseko"), ngenxa yokushokoxeka kwezibonelelo zokuwancedisa, nto leyo ekhokelela ekuqhwaleleni kokuhanjiswa kweenkonzo ngamapolisa (SAPS) kwingingqi yomasipala we-Overstrand.

Icandelo 205(3) loMgaqosiseko lichaza ukuba: "[i]njongo zenkonzo zamapolisa kukuthintela, kukulwa nokuphanda ulwaphulomthetho, kukugcina ucwango loluntu, nokwenza kukhuseleke abemi beRiphabliki nezinto zabo nokugcina umthetho kwanokuwenza usebenze."

Nabani na okanye nawuphi na umbutho angazifaka izimvo zakhe ezimayela nophando kwiintsuku ezingama-30 ukusuka ngomhla wokupapashwa kwesi saziso. Ezo zifakwa ngembalelwano maziphawulwe ngale ndlela ingezantsi kwaye zingqaliswe kuMnu. JJ Brand kwaye zingahanjiswa nangesandla, ngeposi, nge-imeyili okanye ngefeksi:

Ngesandla: 6th Floor, NBS Waldorf Building
80 St Georges Mall
Cape Town 8001
Ngeposi: Private Bag X9043, Cape Town 8000
Nge-imeyili: ombudsman@wcpo.gov.za
Ngefeksi: 021 483 0660

Ngeenkukacha ezithe vetshe, qhagamshelana noNks. A. Lewis ku-021 483 0669 okanye uthumele i-imeyili kwiOfisi kaNozikhalazo wamaPolisa wePhondo leNtshona Koloni ku-ombudsman@wcpo.gov.za.

Amaxesha okusebenza: NgoMvulo ukuya kuLwesihlanu ukusuka ngo-7:00 kude kube ngo-16:00 (ngaphandle kweeholide zoluntu)

Sityikitywe eKapa ngalo mhla we-6 kwekaCanzibe 2019.

JJ BRAND
UNOZIKHALAZO WAMAPOLISA WEPHONDO LENTSHONA KOLONI