

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

**Provincial Gazette
Extraordinary**

**Buitengewone
Provinsiale Koerant**

**Isongezelelo
kwiGazethi yePhondo**

8333

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Wednesday, 7 October 2020

Woensdag, 7 Oktober 2020

ULwesithathu, 7 kweyeDwarha 2020

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Ibhaliswe ePosini njengePhephandaba

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IZIQUATHO

(*Reprints are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)

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

(*Ushicilelo olutsha lufumaneka kwiGumbi M21, kwiSakhiwo sePhondo seNdlu yoWiso Mthetho, 7 Wale Street, eKapa 8001.)

Provincial Notice

Provinsiale Kennisgewing

ISaziso sePhondo

The following Provincial Notice is published for public comment:

Die volgende Provinsiale Kennisgewing word vir kommentaar gepubliseer:

Esi saziso silandelayo sipapashelwe ukufumana izimvo zoluntu:

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PROVINCIAL NOTICE

The following Provincial Notice is published for comment.

DR H.C. MALILA,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir kommentaar gepubliseer.

DR H.C. MALILA,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika izimvo.

GQIR H.C. MALILA,
MLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 99/2020

7 October 2020

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 in terms of section 17(3) of the Western Cape Community Safety Act, 2013 (Act 3 of 2013)(the Act), of an investigation by the Office of the Western Cape Provincial Police Ombudsman concerning allegations that the South African Police Service (SAPS) in the Western Cape Province, specifically the members of the Anti-Gang Unit of the SAPS, are abusing their powers when exercising their functions and performing their duties contrary to—

- (a) the Code of Conduct of the SAPS, as published on the website of the SAPS at <https://www.saps.gov.za/about/about.php>;
- (b) the Regulations for the South African Police Service relating to the Code of Conduct for Members of the Service, published under Government Notice R529 in Government Gazette 27642 of 10 June 2005, issued in terms of section 24(1)(h) of the South African Police Service Act, 1995 (Act 68 of 1995); and
- (c) their mandate to prevent, combat and investigate crime and to protect and secure the inhabitants of the Republic and their property, and to uphold and enforce the law, as prescribed in section 205(3) of the Constitution of the Republic of South Africa, 1996.

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

By hand: 6th Floor, NBS Waldorf Building
80 Burg Street
Cape Town 8001;

By post: Private Bag X9043, Cape Town 8000;

By e-mail: ombudsman@wcpo.gov.za; or

By fax: 021 483 0660.

For further information, contact Ms S Jordaan on 021 483 0669 or email 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 1st day of October 2020.

JJ BRAND**WESTERN CAPE PROVINCIAL POLICE OMBUDSMAN****PROVINSIALE KENNISGEWING**

P.K. 99/2020

7 Oktober 2020

WES-KAAPSE PROVINSIALE POLISIE-OMBUDSMAN**WES-KAAPSE DEPARTEMENT VAN 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 ingevolge artikel 17(3) van die Wes-Kaapse Wet op Gemeenskapsveiligheid, 2013 (Wet 3 van 2013)(die Wet), kennis van 'n ondersoek deur die Kantoor van die Wes-Kaapse Provinsiale Polisie-ombudsman aangaande bewerings dat die Suid-Afrikaanse Polisiediens (SAPD) in die Wes-Kaapse Provinsie, spesifiek die lede van die teenbende-eenheid van die SAPD, by die uitvoering van hul funksies en die verrigting van hul pligte hul bevoegdhede misbruik strydig met—

- (a) die Gedragskode van die SAPD, soos gepubliseer op die webwerf van die SAPD by: <https://www.saps.gov.za/about/about.php>;
- (b) die “Regulations for the South African Police Service relating to the Code of Conduct for Members of the Service”, gepubliseer onder Goewermentskennisgewing R529 in *Staatskoerant* 27642 van 10 Junie 2005, uitgereik ingevolge artikel 24(1)(h) van die Wet op die Suid-Afrikaanse Polisiediens, 1995 (Wet 68 van 1995); en
- (c) hul mandaat om misdaad te voorkom, te bestry, en te ondersoek, om die inwoners van die Republiek van Suid-Afrika en hul eiendom te beskerm en te beveilig, en om die reg te handhaaf en toe te pas, soos voorgeskryf in artikel 205(3) van die Grondwet van die Republiek van Suid-Afrika, 1996.

Enige persoon of organisasie kan binne 30 dae ná die datum van publikasie van hierdie kennisgewing skriftelike versoë oor die ondersoek indien. Die skriftelike versoë moet gemerk word vir die aandag van mnr JJ Brand en per hand, pos, e-pos of faks afgelewer word, soos volg:

Per hand: 6de Verdieping, NBS Waldorf-gebou
Burgstraat 80
Kaapstad 8001;

Per pos: Privaat Sak X9043, Kaapstad 8000;

Per e-pos: ombudsman@wcpo.gov.za; of

Per faks: 021 483 0660.

Vir meer inligting, kontak me S Jordaan 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 1ste dag van Oktober 2020.

JJ BRAND
WES-KAAPSE PROVINSIALE POLISIE-OMBUDSMAN

ISAZISO SEPHONDO

I.S. 99/2020

7 kweyeDwarha 2020

UNOZIKHALAZO WAMAPOLISA WEPHONDO LENTSHONA KOLONI

UMTHETHO WOKHUSELEKO LOLUNTU WENTSHONA KOLONI, 2013 (UMTHETHO 3 KA-2013)

WENZELWE UKUFUMANA IZIMVO ZOLUNTU:

ISAZISO ZOPHANDO NGOKWECANDELO 17

Mna, Johannes Jurgens Brand, uNozikhalazo wamaPolisa wePhondo leNtshona Koloni, ndenza isaziso ngokwecandelo 17(3) loMthetho woKhuseleko loLuntu weNtshona Koloni, 2013 (uMthetho 3 ka-2013)(uMthetho), wophando olwenziwa yiOfisi kaNozikhalazo waMapolisa wePhondo leNtshona Koloni malunga nezityholo zokuba iNkonzo yamaPolisa oMzantsi Afrika (i-SAPS) kwiPhondo leNtshona Koloni, ingakumbi amalungu eCandelo eliLwa neMigulukudu le-SAPS, awasebenzisa gwenxa amagunya abo xa besenza imisebenzi yabo naxa besenza imisebenzi yabo ngokuchasene—

- noMgaqo wokuZiphatha weSAPS, njengoko upapashwe kwiwebhusayithi yeSAPS ku-<https://www.saps.gov.za/about/about.php>;
- imigaqo iRegulations for the South African Police Service relating to the Code of Conduct for Members of the Service, eyapapashwe phantsi kwiSaziso sikaRhulumente R529 kwiGazethi kaRhulumente 27642 ngomhla we-10 kweyeSilimela 2005, ekhutshwe ngokwecandelo 24(1)(h) lomthetho iSouth Africa Police Service Act, 1995 (uMthetho 68 ka-1995); kunye
- negunya layo yokuthintela, ukulwa, ukuphanda ulwaphulomthetho kunye nokukhusela abemi beRiphabhliki kunye nepropathi yabo, kunye nokugcina nokunyanzelisa umthetho, njengoko kuchaziwe kwicandelo 205(3) loMgaqosiseko weRiphabhlikhi yoMzantsi Afrika, 1996.

Nawuphi na umntu okanye umbutho angazingenisa ngembalelwano izimvo zakhe malunga nophando zingaphelanga iintsuku ezingama-30 ukusukela ngomhla wokupapashwa kwesi saziso. Izimvo ezingeniswa ngembalelwano kufuneka siphawulwe ngokuthi zingqale kuMnu. JJ Brand zize ziziswe ngesandla, ngeposi, nge-imeyili okanye ngefeksi ngolu hlobo lulandelayo:

Ngesandla: 6th Floor, NBS Waldorf Building
80 Burg Street
Cape Town 8001;

Ngeposi: Private Bag X9043, Cape Town 8000;

Nge-imeyili: ombudsman@wcpo.gov.za; okanye

Ngefeksi: 021 483 0660.

Ngeenkukacha ezithe vetshe, qhagamshelana noNks S Jordaan ku-021 483 0669 okanye ngokuthumela i-imeyili kwiOfisi kaNozikhalazo waMapolisa wePhondo leNtshona Koloni ku-ombudsman@wcpo.gov.za.

Amaxesha okusebenza: NgoMvulo ukuya ngoLwesihlanu ukusuka ngo-7:00 ukuya ngo-16:00 (ngaphandle kweeholide zkawonkewonke)

Sityikitywe eKapa ngomhla woku-1 kwinyanga yeDwarha 2020.

JJ BRAND
UNOZIKHALAZO WAMAPOLISA WEPHONDO LENTSHONA KOLONI