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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF DEFENCE**GENERAL NOTICE 642 OF 2021****MINISTRY OF DEFENCE AND MILITARY VETERANS**

Republic of South Africa

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<http://www.dod.mil.za>**NOTICE IN TERMS OF SECTION 19(2) OF THE DEFENCE ACT, 2002 (ACT NO 42 OF 2002)**

Notice is hereby given under section 19(2) of the Defence Act, 2002, that the President acting in terms of section 201(2)(a) of the Constitution, read with section 19 of the Defence Act, 2002, authorised the employment of members of the regular force and the reserve force of the South African National Defence Force enrolled in terms of sections 52 and 53 of the Defence Act, for service in cooperation with the South African Police Service in the provision of support for the establishment of a safe and secure environment to conduct the Local Government Elections 2021 in the Republic under Operation PROSPER. The deployment will be over the period 30 October 2021 to 03 November 2021.

MS TR MODISE, MP**MINISTER OF DEFENCE AND MILITARY VETERANS**

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**MINISTRY OF DEFENCE AND MILITARY VETERANS**

Republic of South Africa

Private Bag X427, Pretoria, 001, Tel: (012) 355 6119, Fax (012) 355 6139

CODE OF CONDUCT: OP PROSPER**EMPLOYMENT OF THE SOUTH AFRICAN NATIONAL DEFENCE FORCE FOR SERVICE IN COOPERATION WITH THE SOUTH AFRICAN POLICE SERVICE FOR THE ESTABLISHMENT OF A SAFE AND SECURE ENVIRONMENT FOR THE HOLDING OF THE LOCAL GOVERNMENT ELECTIONS 2021 IN THE REPUBLIC OF SOUTH AFRICA UNDER OPERATION PROSPER OVER THE PERIOD 30 OCTOBER 2021 – 03 NOVEMBER 2021**

1. In addition to the Code of Conduct for uniformed members of the South African National Defence Force (SANDF) and for the purposes of Operation PROSPER, deployed members must at all times adhere to the mission specific Code of Conduct for the duration of the Operation.

MANDATE

2. Operation PROSPER is authorised in terms of section 201(2)(a) of the Constitution of Republic of South Africa read with section 19 of the Defence Act, Act 42 of 2002. In terms of the aforementioned sections the SANDF is authorised for service in cooperation with the South African Police Service (SAPS) in the establishment of a safe and secure environment for the holding of the Local Government Elections 2021 in the Republic of South Africa with specific reference to the following focus points:

- a. Protection of National Key Points.
- b. Protection of strategic and critical infrastructure of national importance.
- c. Protection of voting material storage warehouses.
- d. Standby to respond to situations which goes beyond the control of other law enforcement agencies.
- e. Air transportation for quick re-deployment of soldiers and SAPS members.

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- f. Air transportation of transportation of voting material and electoral officials to inaccessible areas.
- g. Standby Electoral Officials to effect continuation of voting process in crisis situations.

3. The guidelines are drawn up to assist Units and/or FSEs of the SANDF deployed as part of Op PROSPER in fulfilment of the mandate. These guidelines are applicable for the full duration of the Operation in order to ensure effective command and control, legal compliance and legitimacy. Tactical commanders are, however, allowed to issue specific guidelines/instructions/orders for their specific area of responsibilities in line with these Guidelines. Any material deviations must be approved by Chief of Joint Operations.

GENERAL PRINCIPLES

4. Upholding and enforcement of the law within the Republic remains the primary responsibility of the SAPS. When the SANDF is employed in cooperation with the SAPS, SANDF members have the same powers and authority as the SAPS, excluding the investigation of crime. Notwithstanding these powers, SANDF members may only perform tasks and duties which they are adequately trained and equipped for.

PROCEDURES

5. The SANDF's cooperation with SAPS in this Operation is limited to the provision of support with specific reference to the protection of life or property and air transportation during the election period.

- a. Road blockages/Public Unrest/Looting and/or any acts of Criminality.
 - i. Assist the SAPS while they manage the situation.
 - ii. Assist the SAPS to remove blockages and/or obstructions.
 - iii. Where possible, record events either in writing or by means of video/audio recordings.
 - iv. Exercise personal restraint and do not assault members of the public.
 - v. Use less than lethal ammunition where possible.

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- b. Provocation/Insults and Disrespect.
- i. Exercise a high tolerance level to provocation/insults and/or disrespect aimed at you or SAPS members.
 - ii. Warn members of the public to cease with such behavior.
 - iii. Do not assault members of the public, but use minimum force when needed.
 - iv. Do not run away when attacked by members of the public.

SOLDIERS' CONDUCT MAY NOT DAMAGE THE IMAGE OF THE SANDF

6. During the above mentioned activities members of the SANDF must always treat members of the public with respect and human dignity and exercise a high level of tolerance and restraint.
7. Members of the SANDF may only speak to the media after approval of the Officer Commanding or Corporate Communication Officer of the respected FSE.
8. Any statements required for the purposes of an investigation by the SAPS must be given after consultation with and in the presence of a Military Legal Practitioner.
9. Do not use foul language when communicating with the media or members of the public.

GENERAL FORCE PROTECTION

10. SANDF members have an inherent right to self-defence.
11. This **right to self-defence** may be exercised to defend oneself, other members, SAPS members and any member of the public **where life is threatened and/or where there is an imminent threat of serious injury**. Where there have been life firing it must be reported within reasonable time. The record to include the place, how many rounds were fired and the outcome of the action.
12. The firing of warning shots is prohibited.
13. The principle of minimum force should always be applied, whilst keeping in

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mind that minimum force will depend on the weapon issued to the deployed forces.

14. All incidents must be reported as soon as possible to the relevant authority via the normal chain of command.

15. Force, including deadly force, may be used for the protection of strategic and/or critical infrastructure, prime mission equipment and voting material storage warehouses.

16. Deployment/mission objectives must be kept in mind when determining the amount of force that would be required to ensure a successful mission.

COVID-19 CONTAINMENT MEASURES

17. All SANDF members are to practice the following measures to contain the spread of the Covid-19 virus:

- a. Wash your hands with soap and water for at least 20 seconds regularly.
- b. Use an alcohol based hand sanitizer if no soap and water is available and encourages others to do the same.
- c. Maintain social distancing of at least 1,5 to 2 meters and encourage others to do the same where possible.
- d. Wear your surgical/medical or cloth mask covering both the nose and the mouth and encourage others to do the same.
- e. Report signs and symptoms of Covid-19 immediately to the nearest SAMHS facility or other medical facility.
- f. Maintain a clean living and working area by regular sanitising work areas, frequently used areas and equipment.
- g. Adhere to isolation and/or quarantine measures as prescribed by SAMHS or other health institutions.
- h. Report contact with Covid-19 positive persons.

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<p>Note: SAMHS Covid-19 Hot-line: 0800 027 028 National Covid-19 Hot-line: 0800 029 999</p>

18. This CODE OF CONDUCT is authorised for implementation for OP PROSPER deployment for the holding of the Local Government Elections 2021.

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