

NO. 64 OF 1996: SECURITY OFFICERS AMENDMENT ACT, 1996.

PRESIDENT'S OFFICE

No. 1810.  
8 November 1996

NO. 64 OF 1996: SECURITY OFFICERS AMENDMENT ACT, 1996.

It is hereby notified that the President has assented to the following Act which is hereby published for general information:-

GENERAL EXPLANATORY NOTE:

Words in bold type indicate omissions from existing enactments.

Words in italics indicate insertions in existing enactments.

ACT

To amend the Security Officers Act, 1987, in order to delete a certain definition, to bring another definition up to date and to insert two definitions; to provide for the extension of the said Act to the whole of the national territory of the Republic; to confer upon the Minister certain powers with regard to the commencement of the application of a certain prohibition in respect of certain persons rendering security services in any part of the Republic to which the said Act is so extended; and to provide for matters connected therewith.

(English text signed by the President.)

(Assented to 30 October 1996.)

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:-

Amendment of section 1 of Act 92 of 1987, as amended by section 1 of Act 119 of 1992

1. Section 1 of the Security Officers Act, 1987 (hereinafter referred to as the principal Act), is hereby amended-

- (a) by the deletion in subsection (1) of the definition of "Commissioner";
- (b) by the substitution in subsection (1) for the definition of "Minister" of the following definition:

" 'Minister' means the Minister for Law and Order Safety and Security;"

- (c) by the insertion in subsection (1) after the definition of "Minister" of the following definition:

" 'National Commissioner' means the National Commissioner of the Service, mentioned in section 6(1) of the South African Police Service Act, 1995 (Act No. 68 of 1995);" and

- (d) by the insertion in subsection (1) after the definition of "security service" of the following definition:

"'Service' means the South African Police Service, established by section 5 of the South African Police Service Act, 1995;"

Amendment of section 21 of Act 92 of 1987

2. Section 21 of the principal Act is hereby amended by the substitution in subsection (2) for the word "Commissioner", wherever it occurs, of the expression "National Commissioner".

Amendment of section 30 of Act 92 of 1987

3. Section 30 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) No person shall be appointed under subsection (1) unless he or she is registered in terms of the Public Accountants' and Auditors' Act, 1951 (Act No. 51 of 1951) 1991 (Act No. 80 of 1991), as an accountant and auditor and is engaged in public practice."

Substitution of section 33 of Act 92 of 1987, as amended by section 17 of Act 119 of 1992

4. The following section is hereby substituted for section 33 of the principal Act:

"Power of Service to furnish information relating to previous convictions of applicants

33.(4) A police officer member of the Service may at the request of the Board furnish the Board with information regarding any previous conviction of a person applying under section 11 for registration as a security officer or, if such person is a company or a close corporation, of a director of such company or a member of such close corporation."

Amendment of section 36 of Act 92 of 1987, as amended by section 19 of Act 119 of 1992

5. Section 36 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The Minister may upon such conditions as he or she deems fit delegate any of the powers conferred upon him or her by this Act, save a power mentioned in section 1(2), 4, 5, 6, 10(5)(b), 32 and or 34(b) to the National Commissioner or a commissioned officer of the South African Police any commissioned officer of the Service designated by the National Commissioner."

Insertion of section 36A in Act 92 of 1987

6. The following section is hereby inserted in the principal Act, after section 36:

"Extension of Act to certain parts of national territory of Republic

36A. (1) This Act, including the regulations, shall with effect from the date of commencement of the Security Officers Amendment Act, 1996, apply also in those parts of the Republic which constituted the national territories of the former entities known as Transkei,

shall Bophuthatswana, Venda and Ciskei, and this Act and the regulations  
from such commencement replace any law relating to the occupation of  
security officer, and any provision of any other law dealing with any  
matter dealt with by this Act, in so far as such lastmentioned  
provision is inconsistent with this Act.

(2) The Minister may by notice in the Gazette determine that the  
provisions of paragraphs (a) and (b) of subsection (1) of section 10  
shall with effect from a date specified in that notice apply in respect  
of a person who renders any security service in any part of the  
Republic to which this Act is extended in terms of subsection (1), and in  
respect of any employee of such a person in so far as the rendering of such a  
service in any such part is concerned.

(3) The provisions of subsections (2), (3) and (4) of section 10  
shall apply in respect of any notice issued by the Minister in terms of  
subsection (2), and in respect of any contract inconsistent with any  
provision as applied in terms of subsection (2)."

Repeal of Act 25 of 1992 (Bophuthatswana)

7. The Security Guards Act, 1992 (Act No. 25 of 1992), of the former  
entity known as Bophuthatswana, is hereby repealed.\$

Short title and commencement

8. This Act shall be called the Security Officers Amendment Act, 1996, and  
shall come into operation on a date fixed by the President by proclamation in  
the Gazette.