

OFFICE OF THE SPEAKER  
Eastern Cape Provincial Legislature  
Independence Avenue / Private Bag X0051, Bhebe, 66015  
Tel: 040-6080276/09  
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E-mail: nzekhe@ecleg.gov.za

Ms B. Mbete  
Speaker :National Parliament  
Cape Town  
8000

Dear Hon. Mbete

### PETITION BY EX POLICE FORUM MEMBERS


1. The Eastern Cape Provincial Legislature is in receipt of a petition from the Ex Police Forum Member (former SAP, Ciskei and Transkei Police members).
2. The petitioners allege that:
  - (a) They left the police service between 1990 and 1994
  - (b) In March 1995 a minute on re-enlistment into the police service was received from the then National Commissioner George Fivaz and on the basis of that minute the petitioners applied for re-enlistment into the police service. They were, however, not enlisted as it was said that they were from the former TBVC states and further SAPS was looking for ex members with scarce skills.
  - (c) There have been various meetings between the petitioners and the Provincial Commissioner's office and this has not assisted them.
  - (d) The Provincial Commissioner advised them on 08 August 2013 that their application had been dealt with and it was not favourably considered.
  - (e) They further interacted with SAPS national office and were also advised by the Divisional Commissioner in Pretoria as per the letter dated 25 February 2014, that the matter was thoroughly investigated; they were informed that their application was not successful and the matter was therefore considered finalized.
3. The petitioners still believe that their application has not been satisfactorily addressed. They maintain that some of their members have been re-employed and others left out without satisfactory explanation.
4. As the Legislature, we are of the view that this matter can be finalized through further engagements between the Minister of Police, National Commissioner of Police, over whom the Legislature cannot conduct oversight, the relevant counterparts in the province and the petitioners.
5. I therefore refer the petition to your office for further consideration so that the matter can be brought to finality.
6. Petitioners have indicated that they should be contacted through their

Chairperson Mr Mongezi Qongqo  
1641 N.U. 9  
Mdantsane  
5219  
Cell: 0837194012

7. I attach hereto the following documents;

- (i) Letter from National Commissioner confirming their eligibility for re-enlistment
- (ii) Provincial Commissioner's response
- (iii) Divisional Commissioner's response

Kind regards



MS/NOXOLO KIVIET (MPL)  
SPEAKER: EASTERN CAPE PROVINCIAL LEGISLATURE

14/03/2018  
DATE

South African Police Service / Suid-Afrikaanse Po

Private Bag / Privaatsak X94  
 Fax No / Faks No [012] 322 0266

Your reference / U verwysing  
 My reference / My verwysing 1/1/1  
 Enquiries / Navrae Col (F) Stander  
 Tel: (012) 310-1916

THE NATIONAL CC  
 DIE NASIONALE KC  
 PRETORIA  
 0001

1995-03-28

DIE OORSPRONKELIKE DOKUMENT WAT AAN MY VERWYSING TOEGESTUUR IS, IS 'N WERKSTUK WAT AAN MY VERWYSING TOEGESTUUR IS. DIE OORSPRONKELIKE DOKUMENT WAT AAN MY VERWYSING TOEGESTUUR IS, IS 'N WERKSTUK WAT AAN MY VERWYSING TOEGESTUUR IS.

*Atom* *Col Stander*

MEMORANDUM: EX-POLICE AND PRISON RIGHTS COMMITTEE  
 NAME IN PRINT: *ANNE T...*

Your facsimile, dated 8 February 1995, refers to the above matter. I wish to inform you that it has been decided that the applications of those ex-policemen who have applied for re-employment, will receive the necessary attention.

I must, however, bring it to your attention that the applications of members who were not members of the South African Police, Transkei or Ciskei Police at the time of their dismissal or resignation cannot be considered.

It is also emphasized that the members involved must comply with the requirements for re-enlistment, as set out in Regulation 11(1)(a), (b) as promulgated in Government Gazette, No 16055 of November 1994. A copy of this document is attached for case reference.

You are requested to liaise with the recruiting officer, Lieutenant C Herselman at the Regional Commissioner's office, Louis Le Grand Square, Port Elizabeth, Tel 34-2306 in order to arrange for the applications of these ex-members to be processed and finalized.

Yours faithfully

*[Signature]*  
 NATIONAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICES  
 G FIVAZ  
 GENERAL

*Mr Brandon*  
*Human Rights Commission 10/3/14 F...*

A. 14

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South African Police Service



Suid-Afrikaanse Polisie diens

Private Bag:  
Privaatpak: X7471

Fax No:  
Faks No: 040 6087 180

Reference: 5/522  
Enquires: Col Daljion  
Lt Col Sibhangu  
Tel: 040 6087 157  
E-Mail: EC:Prov Recruitment  
Eugene du Randt

PROVINCIAL COMMISSIONER  
S.A.POLICE SERVICE  
PERSONNEL MANAGEMENT  
RECRUITMENT & STAFFING  
EASTERN CAPE

Mr M Qongqo  
1841 NU 8  
MDANTSANE  
5201

**RE-ENLISTMENT OF FORMER POLICE TO THE SAPS**

Your previous correspondents regarding your application for re-enlistment bear reference.  
This matter has been dealt with on numerous occasions where the outcome of this application was not favourably considered.  
This matter is regarded as finalised.

Kind regards

  
MAJ GENERAL  
DEPUTY PROVINCIAL COMMISSIONER: HRM: EC  
EN DLANI

(Date: 26.08.08)

A. ①

South African Police Service

South African Police Service

51

Private Bag X94  
Private Sak

Your reference:

No: 0121/193/2500  
Faks No.

My reference: 5/5/2  
Enquiries/Navrae: Col Siwela  
Maj Ngam  
Tel: (012) 393-1484

DIVISIONAL COMMISSIONER  
HUMAN RESOURCE MANAGEMENT  
PRETORIA  
0001

The Chairperson – Former Police Forum  
Mr Mongezi Gongqo  
1641 N.U. 9  
MDANTSANE  
5219

**THE RE-ENLISTMENT OF THE FORMER POLICE TO THE SAPS. (ENQUIRY)**

Your letter dated 17 July 2013 as well as Eastern Cape's letter dated 2013-10-09 bears reference on this matter.

The matter was thoroughly investigated by this office and it was discovered that you were informed on numerous occasions about the outcome of your applications.

It also came to our attention that you were part of the meetings that sat to discuss the re-enlistment of former members of TBVC Police, as the Chairperson of the Ex Police Forum. (Annexure A)

The following were brought to your attention:

- Head Office's circular 5/5/2 dated 2010-01-07 is clear with the criteria for re-enlistment, namely "Applicants must have been appointed as a member of the South African Police Service in a rank ranging from Constable (Band A) up to / including Senior Superintendent (MMS – now Colonel)". This makes it clear that the ex-members of the TBVC Police Force who did not amalgamate to the South African Police Service are excluded.
- Furthermore, ex-members who were dishonorably discharged are also excluded.

Kindly note that status quo remains, and the matter is therefore regarded as finalized.

Major General  
L. Ntshie  
HEAD, HUMAN RESOURCE PRACTICES AND ADMINISTRATION  
L. NTSHIEA

MAJOR GENERAL  
M. P. K. A. M.  
S-68896H  
100

2014 -05- 16  
MDANTSANE  
EASTERN CAPE PROVINCE



**MEMORANDUM**  
(For consideration)

To: Acting Speaker

From : N Mongo / V Ngaleka / N Ismail

Approved: Secretary to the National Assembly

Date: 27 June 2018

Subject: **Referral of petition by ex-police forum members to the National Assembly by Speaker of the Eastern Cape Provincial Legislature**

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**BACKGROUND**

- (1) The Speaker of the Eastern Cape Provincial Legislature (the Legislature), Ms Noxolo Kiviet (MPL), referred a petition from ex-police forum members (former SAP, Ciskei and Transkei police members) to the Speaker of the National Assembly for consideration (see attached).
- (2) The ex-police forum members left the police service between 1990 and 1994 but have made applications to be re-enlisted into the police service following a March 1995 Minute on re-enlistment issued by the then National Commissioner of Police, George Fivaz.
- (3) The petitioners had various meetings with the Provincial Commissioner of Police and also interacted with the national office in Pretoria with regard to their re-enlistment but were informed that their applications were unsuccessful.
- (4) The ex-police members are of the view that their matter was not satisfactorily addressed. They claim that some of their members were re-employed into the police service whilst others were overlooked without a satisfactory explanation.
- (5) The Speaker of the Legislature is of the view that this matter can be finalised through further engagements between the Minister of Police, the National Commissioner of Police, the relevant counterparts in the province and the petitioners. The Speaker of the Legislature is of the view that this matter falls outside the competence of the Legislature and hence the referral to the Speaker of the National Assembly.

## **RULES AND PRACTICE**

- (1) Assembly Rules 344 to 350 prescribe the requirements for formal petitions delivered to Parliament. They require a Member of Parliament to lodge a petition for tabling by the Speaker.
- (2) Submissions that are not formal petitions as defined by the rules are treated as unsolicited submissions, and are referred by the Speaker, under her signature, to a committee that has oversight over the issues raised in the submission.

## **COMMENT**

- (1) The referral by the Speaker of the Legislature is not a petition and should therefore be treated as an unsolicited submission. The Speaker could refer the submission to the relevant portfolio committee for consideration in line with the vision of Parliament of being responsive to the needs of the people.
- (2) The issues raised in the submission fall within the domain of the Portfolio Committee on Police and should be referred to that committee for consideration from the perspective of its mandate.

## **RECOMMENDATION**

We recommend that the Acting Speaker -

- (1) refers the submission to the Portfolio Committee on Police with a request that it be considered as part of Parliament's commitment to being responsive to the needs of the people;
- (2) writes to the Chairperson of the Former Police Forum members informing him that the matter has been referred to the Portfolio Committee on Police for consideration; and
- (3) informs the Speaker of the Legislature that the submission has been referred to the Portfolio Committee on Police for consideration and that the Committee has been requested to keep the Speaker informed of developments in respect of this matter.

(Draft letters attached)

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**APPROVED / NOT APPROVED**

**LECHESA TSENOLI MP  
DEPUTY SPEAKER OF THE NATIONAL ASSEMBLY**

[Draft letter]

27 June 2018

Mr Mongezi Qongqo  
Chairperson  
Former Police Forum Members  
1641 N.U.9  
Mdantsane  
5219

Dear Mr Qongqo

**PETITION BY EX-POLICE FORUM MEMBERS**

Your engagements with the Eastern Cape Provincial Legislature on this matter bears reference.

The Speaker of the Eastern Cape Provincial Legislature has referred the matter of ex-police forum members who wish to be re-enlisted into the police service to Parliament for consideration.

I have decided to refer your submission to the Portfolio Committee on Police for consideration from the perspective of its mandate.

Yours sincerely

**LECHESA TSENOLI MP**  
**DEPUTY SPEAKER OF THE NATIONAL ASSEMBLY**



[Draft letter]

27 June 2018

Ms Noxolo Kiviet, MPL  
Speaker  
Eastern Cape Provincial Legislature  
Private Bag X0051  
Bhisho  
5605

Dear Ms Kiviet

**PETITION BY EX-POLICE FORUM MEMBERS**

Your letter dated 14 March 2018 on this matter bears reference.

I have decided to refer your submission to the Portfolio Committee on Police for consideration from the perspective of its mandate, in line with the vision of Parliament of being responsive to the needs of the people.

Furthermore, I have requested the committee to keep me abreast of developments in respect of your submission.

Yours sincerely

**LECHESA TSENOLI MP**  
**DEPUTY SPEAKER OF THE NATIONAL ASSEMBLY**

[Draft letter]

27 June 2018

Mr F Beukman MP  
Chairperson: Portfolio Committee on Police  
National Assembly  
8000

Dear Mr Beukman

**SUBMISSION ON THE RE-ENLISTMENT OF FORMER POLICE FORUM MEMBERS INTO THE POLICE SERVICE**

On 13 April 2018, my office received a submission from the Speaker of the Eastern Cape Provincial Legislature (the Legislature) on behalf of former police officers whose applications to be re-enlisted into SAPS were unsuccessful (see attached).

The Speaker of the Legislature is of the view that this matter can be finalised through engagements between the Minister of Police, the National Commissioner of Police, the relevant counterparts in the province and the petitioners. Hence, the referral of the matter to the Speaker of the National Assembly for further consideration as per its oversight mandate.

As the submission deals with a matter that falls within the mandate of the Portfolio Committee on Police, I am referring it to your committee as a practical expression of Parliament's vision to be responsive to the needs of the people. Please consider the submission from the perspective of your committee's mandate and keep me informed of developments in this regard.

Yours sincerely

**LECHESA TSENOLI MP**  
**DEPUTY SPEAKER OF THE NATIONAL ASSEMBLY**